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**April 10, 2009**

**Volume 33, Issue 15**

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INTRODUCTION

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

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

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

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

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CIVIL SERVICE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

1) **Heading of the Part:** Civil Service Commission

2) **Code Citation:** 80 Ill. Adm. Code 1

3) **Section Numbers:**

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NOTICE OF PROPOSED AMENDMENTS

1.270 Amended
1.280 Amended
1.290 Amended
1.300 Amended
1.302 Amended

4) Statutory Authority: Implementing and authorized by Section 10 of the Personnel Code [20 ILCS 415/10]

5) A Complete Description of the Subjects and Issues Involved: This rulemaking governs the conduct of contested hearings held before the Commission and the regulatory actions for which the Commission is responsible in order to ensure compliance with the Personnel Code.

Contested hearings lie in the areas of discipline appeals, most typically discharge of an employee from a certified position, appeals of layoff, appeals of allocation and rule violation appeals. With regard to regulatory matters, the rules govern Commission actions in approval of requests for exemption of Code coverage for policy-making positions and also approval of amendments to the plan of classification of positions of employment subject to the Code. The rules are also amended to provide for more efficient means of communication and the detailed exchange of information in the appeal procedure.

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

7) Will this rulemaking replace any emergency rulemaking currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Does this rulemaking contain incorporations by reference? No

10) Are there any other proposed rulemakings pending on this Part? No

11) Statement of Statewide Policy Objectives: These proposed amendments do 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
CIVIL SERVICE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Daniel Stralka, Executive Director
Illinois Civil Service Commission
400 West Monroe, Suite 306
Springfield, IL 62704

217/782-7373

The Commission will consider all written comments it receives within 45 days after the publication of this Notice.

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: January 2008

The full text of the Proposed Amendments begins on the next page:
### CIVIL SERVICE COMMISSION

#### NOTICE OF PROPOSED AMENDMENTS

**TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES**  
**SUBTITLE A: MERIT EMPLOYMENT SYSTEMS**  
**CHAPTER I: CIVIL SERVICE COMMISSION**

### PART 1  
CIVIL SERVICE COMMISSION

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1.350 Orders of Compliance (Renumbered)

AUTHORITY: Implementing and authorized by Section 10 of the Personnel Code [20 ILCS 415/10].


Section 1.10 Meetings of the Commission

a) The Illinois Civil Service Commission (hereinafter called "Commission") shall hold an open and public meeting each month. The meetings shall be held when practicable on alternate months in Chicago and/or Springfield.
CIVIL SERVICE COMMISSION

NOTICE OF PROPOSED AMENDMENTS

b) A schedule of meeting dates shall be made at the beginning of each calendar year stating the date, time, and place of the monthly meetings.

c) Changes in regular meeting dates and the holding of special meetings shall be made in compliance with the Illinois Open Meetings Act [5 ILCS 120] and the Illinois Personnel Code [20 ILCS 415].

d) Meetings may be held by telephone conference call or by video conferencing if done in compliance with all applicable laws.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those which meet the requirements of the Personnel Code and Personnel Rules and conform to the following currently accepted principles of position classification:

a) The specifications are descriptive of the work being done or which will be done;

b) Identifiable differentials are set forth among classes which are sufficiently significant to permit the assignment of individual positions to the appropriate class;

c) Reasonable career promotional opportunities are provided;

d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;

e) All requirements of the positions are consistent with classes similar in difficulty, complexity, and nature of work.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 1.50 Ex Parte Communications Consultations
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a) Except in the disposition of matters which they are authorized by law to entertain or dispose of on an ex parte basis, neither commission members, employees and Administrative Law Judges shall not, after notice of hearing in a contested case, communicate, directly or indirectly, in connection with any issue of fact, with any person or party, or in connection with any other issue with any party or the party's representative, except upon notice and opportunity for all parties to participate.

b) Communications regarding procedure, including, but not limited to, such as format of pleadings, number of copies required, manner of service, status of proceedings, and continuances are not considered to be ex parte communications. However, requests for continuances shall not be granted until the opposing party is notified either orally or in writing that a request is going to be made.

(Source: Amended at 33 Ill. Reg. _____, effective _______________

Section 1.80 Declaratory Rulings

a) Upon petition from an interested or affected person or agency, the Commission may make declaratory rulings as to material questions involving the applicability and interpretation of the Personnel Code, the Personnel Rules of the Department of Central Management Services (80 Ill. Adm. Code 301, 302, 303, 304 and 305) or any order or final decision of the Commission.

b) The Commission may refuse to issue such rulings if the question is in issue in a contested case before the Commission, if the ruling would not resolve a substantial issue of law, if the request presents an issue already determined by the Commission or court of competent jurisdiction, or if the issue is pending in another court or administrative body.

c) Declaratory rulings shall not be appealable but are only advisory.

(Source: Amended at 33 Ill. Reg. _____, effective _______________

Section 1.90 Allocation Appeals Procedure

a) An employee shall, within 15 days after receipt of the Director of the Department of Central Management Services' decision on reconsideration, serve notice upon the Commission of his or her intent to appeal the reconsideration
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decision of the Director. The employee shall simultaneously serve a copy of the notice of intent to appeal upon the Director of the Department of Central Management Services. Such notice shall state the name of the employee, his appointing agency, a description of the disputed classification issue, and the class for which the employee is appealing.

b) Upon receipt of a notice of intent to appeal, the Director of the Department of Central Management Services shall file with the Commission within 30 days a submission setting forth the facts and reasons for the reconsideration decision. A copy shall be served upon the employee. In such submission there shall be a clear and brief recitation of all relevant facts, argumentative facts, and documentary evidence submitted in exhibit form.

c) Within 30 days after receipt of the Director's submission, the employee shall file with the Commission an answer setting forth all relevant facts, argumentative facts, and documentary evidence in exhibit form. A copy of such answer shall be served upon the Director of the Department of Central Management Services. The employee shall point out with particularity his or her disagreement with the submission of the Department of Central Management Services.

d) Within 30 days after receipt by the Commission of the submissions of the parties, notification will be served by the Commission of the date of the hearing that will be held for the purpose of presenting argument and/or accepting evidence on material and substantial issues of fact. By agreement of the parties and the Commission, the hearing may be waived.

e) Parties may represent themselves or be represented by counsel, or by other representatives as they may elect.

f) After the completion of the hearing, a proposal for decision by the Administrative Law Judge shall be served upon the parties. The parties shall have 15 days after service to file written comments and arguments before the Commission renders its final decision. The filing of the parties' responses shall be in accordance with Section 1.302-150 of this Part.

g) Employees who are subject to collective bargaining agreements that permit an appeal to the Commission of class study reclassifications not resolvable under the applicable contract shall use the procedure set forth in this Section if they
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appeal to the Commission.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.100 Appeal of Layoff

a) An appeal of layoff shall be filed with the Commission by the affected employee within 15 calendar days following the effective date of layoff. The effective date of layoff is the date designated by the Director of Central Management Services in the approved notice of layoff which is served on the employee.

b) The appeal shall set forth with particularity a statement of facts and a designation of the applicable provisions of the Personnel Code or the Personnel Rules of the Department of Central Management Services which are alleged to have been violated or not complied with.

c) An investigation shall be conducted by the Commission and the proposal for decision proposed findings shall be served upon all parties to the dispute. The parties shall then have 21 days to file in the office of the Commission a response to the proposal for decision proposed findings and a request for hearing if either party so desires.

d) If, in the judgment of the Administrative Law Judge or the Commission, a substantial issue of fact or law exists that cannot be resolved by investigation, the parties will be notified of a date of hearing. The notice will set forth a short statement of the issue of fact and/or law. If it is determined that no material issue of fact or law exists, the Commission will issue its decision based upon the findings of the investigation and the parties' responses to the proposal for decision thereto.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.110 Allegations of Personnel Code and Rule Violations

a) An allegation of a violation of the Personnel Code or the Personnel Rules of the Department of Central Management Services shall set forth with particularity a statement of facts and a designation of the applicable provisions of the Code or Rules that have been violated or not complied with. The appeal must be filed within 180 days after the date on which the affected person knew, received
written notice of, or, through the use of reasonable diligence, should have known of the alleged violation.

b) An investigation shall be conducted by the Commission and the proposal for decision proposed findings shall be served upon all parties to the dispute. The parties shall then have 21 days to file in the office of the Commission a response to the proposal for decision proposed findings in accordance with Section 1.302 of this Part and a request for hearing if either party so desires.

c) If, in the judgment of the Administrative Law Judge or the Commission, a substantial issue of fact or law exists, the parties will be notified of a hearing date of hearing. The notice will set forth a short statement of the issue of fact and/or law. If it is determined that no material issue of fact or law exists, the Commission will issue its decision based upon the findings of the investigation and the parties’ responses to the proposal for decision thereto.

(Source: Amended at 33 Ill. Reg. _____, effective _________________)

Section 1.120 Appeal of Geographical Transfers

a) An appeal of geographical transfer shall be filed with the Commission by the affected employee within 15 calendar days following the effective date of the transfer. The effective date of the transfer is the date the employee is required to report to the new location. In appeals to the Commission from permanent transfers from one geographical area in the State to another, the employee shall have the burden of introducing sufficient, competent, and credible evidence showing that the transfer was unreasonable, unjust, or capricious and was not a bona fide attempt to serve the best interests of the operating agency.

b) Under normal circumstances, a transfer of an employee for a period in excess of 60 days will be considered a permanent transfer.

e) The appeal of geographical transfer shall be filed with the Commission within 15 days of the date the employee is required to report to the new location.

(Source: Amended at 33 Ill. Reg. _____, effective _________________)

Section 1.130 Appeals of Disciplinary Action or Demotion
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a) A certified employee who has been served with written charges approved by the Director of Central Management Services for removal, discharge, demotion, or suspension for a period of more than 30 days within a twelve-month period, may appeal to the Commission. The appeal shall be in writing and filed with the Commission within 15 days of receipt of approved charges.

b) In disciplinary appeals and demotion appeals, the agency has the burden of proof and as such is designated the Petitioner; the employee is designated the Respondent. Employees whose positions are subject to collective bargaining agreements may appeal disciplinary actions either through the procedure set forth in the agreement or through the Commission but not both.

(Source: Amended at 33 Ill. Reg. _____, effective __________________)

Section 1.141 Collective Bargaining Agreements


b) Employees whose positions are subject to collective bargaining agreements may appeal disciplinary actions, demotions, layoffs, geographical transfers or rule violations either through the procedure set forth in the agreement or through the Commission, but not both.

(Source: Amended at 33 Ill. Reg. _____, effective __________________)

Section 1.142 Jurisdiction B Exemptions

a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
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1) The amount and scope of principal policy making authority;

2) The amount and scope of principal policy administering authority;

3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;

4) The capability to bind the agency, board or commission to a course of action;

5) The nature of the program for which the position has principal policy responsibility;

6) The placement of the position on the organizational chart of the agency, board or commission;

7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.

a) Before a position shall qualify for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the position shall be directly responsible to:

1) The Governor, or

2) A departmental director or assistant director appointed by the Governor, or

3) A board or commission appointed by the Governor, or

4) The head of an agency created by Executive Order, or the director or assistant director of an agency carrying out statutory powers, whose offices are created by the Governor subject to legislative veto under Article V, Section 11, of the Constitution of 1970, which agency head, director, or assistant director may themselves be subject to exemption under Section 4d(3), or

5) In an agency having a statutory assistant director, a deputy director exercising full line authority under the director for all operating entities of
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the agency, provided the statutory role of assistant director is vacant or is assigned clearly distinct and separate duties from the deputy director and as a colleague to him, or

6) A line position organizationally located between the director and/or assistant director and a subordinate statutorily exempt position(s), provided the position proposed for exemption has line authority over the statutorily exempt position(s), or

7) The elected head of an independent agency in the executive, legislative, or judicial branch of government.

b) If a position meets the above criterion, it must, in addition, be responsible for one or more of the following before it shall be approved as exempt:

1) Directs programs defined by statute and/or departmental, board, or commission policy or possess significant authority when acting in the capacity of a director of programs to bind the agency.

2) Makes decisions in exercising principal responsibility for the determination or execution of policy which fix objectives or state the principles to control action toward operating objectives of one or more divisions, such decisions being subject to review or reversal only by the director, assistant director, board, or commission.

3) Participates in the planning and programming of departmental, board, or commission activities, integrating the plans and projections of related divisions, and the scheduling of projected work programs of those agencies.

be) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption as set forth in subsections (a) and (b) of this Section. However, withdrawal of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
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For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification, duties, responsibilities, organization, location, allocation, or identity.

Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which such action is to be taken and present objections to the such exemption request.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 1.145 Appearances – Representation

Parties may choose to represent themselves, be represented by an appropriate association, or be represented by an attorney licensed to practice law in the State of Illinois. An attorney representing a party shall file a written notice of appearance with the Commission identifying the attorney by name, address, telephone and facsimile number, and attorney registration number.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 1.146 Service of Pleadings

a) Manner of Service. When copies of papers filed with the Commission are required to be served on the opposing party, these copies shall be served personally, by first class mail, or in a manner agreed to by the parties and approved by the Administrative Law Judge pursuant to Section 1.150(d) either personally or by first class mail.

b) Proof of Service. Proof that these copies were served on the opposing party must be filed with the papers required to be filed with the Commission. Proof of service shall consist of the statement of the individual making service specifying the manner and date of such service.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)
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Section 1.147 Appeal Hearing File

After an appeal to the Commission has been filed, the Commission will establish an appeal file containing all documents pertinent to the appeal. Either party to the appeal may inspect the file during regular business hours in the office of the Commission. Members of the public may inspect or request a copy of the appeal file in accordance with the Freedom of Information Act [5 ILCS 140], except for those records exempt from inspection and copying by that Act.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 1.150 Filing Procedure – Computation of Time

a) Filing and Form of Papers
   1) The original copy of a complaint, appeal, pleading, written motion, notice or other paper, except for responses to proposed decisions which is governed by Section 1.140, must be filed in the Springfield office of the Commission. Holidays, Saturdays, and Sundays will be excluded from computing filing dates if the last day for filing falls upon a weekend or legal holiday, in which event the last date for filing would be the first business day subsequent to the weekend or legal holiday.
   2) Papers shall be signed in ink by the party filing the paper or by the party's representative and shall contain the address of the party, or, if represented, the name, business address, and telephone number of the representative. Copies of all filed papers shall be served on all parties to the proceedings, and notice of such service shall be given to the Commission.
   3) Each document shall show on the first page the caption and case number assigned by the Commission, and shall identify the party on whose behalf the document is filed. The final page of each filed document shall contain the name, address, and telephone number of the attorney of the party if the party is self-represented.

b) Notice
   Notice to a designated representative is notice to the client or member.
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represented. Notice to an employee who is not represented shall be served at the address specified in the employee's appeal or, if an address was not specified, in the absence of such specification, to the last address shown in the employee's personnel file.

c) Computation of Time
Whenever a time period commences upon a person's receipt of service or notice and service is by mail, receipt shall be presumed to have occurred on the fourth day after mailing. The presumption may be rebutted by proper proof.

d) Filing by Facsimile and/or Electronic Mail
Filings may be by facsimile if done in accordance with all other rules in this Part. Filings may be by electronic mail if agreed to by all of the parties, but electronic filing will only be allowed with the prior approval of the Administrative Law Judge assigned to the proceeding as to the form and manner of the filing. By express agreement of all parties, the Administrative Law Judge may order that routine communications regarding scheduling matters be conducted via electronic mail.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.154 Notice, Time, and Place of Hearing

Disciplinary hearings shall be scheduled for hearing within 30 days after the request for hearing is filed with the Commission. At least 10 days notice of the time and date of the first hearing shall be given to all parties. This may, however, be waived in an emergency. Ordinarily, appeals will be heard in the Commission's Chicago or Springfield office, but either party or the Administrative Law Judge may request another location for the convenience of all parties.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.158 Public Hearing – Recording – Confidentiality

a) All hearings shall be open to the public, except as otherwise provided in subsection (b).

b) Upon motion of either party, the hearing may be closed to the public when testimony or exhibits would refer to and reveal matters that constitute an exception to public disclosure under Section 7(1)(c) of the Illinois Freedom of
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Information Act [5 ILCS 140/7(1)(c)] or if the Administrative Law Judge finds it necessary to close the hearing in instances in which personal safety is of concern or when confidential testimony/exhibits/matters are to be referenced or revealed.

c) Recording of hearings by devices used by individuals other than the officially designated court reporter or Administrative Law Judge is not allowed.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.160 Disciplinary Charges and Amendments

a) Charges must be specific enough to apprise the employee of the nature and substance of the cause alleged for discharge. Written charges approved by the Director of Central Management Services seeking an employee's discharge, demotion, or suspension totaling more than 30 days in any twelve-month period, shall contain a specific statement of facts which allege the cause for the proposed action sought against the employee. If a breach of a statutory duty or a rule of the agency is alleged, the specific statute or rule shall be cited in connection with the charge.

b) Charges shall be set forth in separately numbered paragraphs and contain the dates, names of persons, places, and information reasonably calculated to apprise the employee of the allegations that are the basis of the discipline.

c) At any time prior to commencement of hearing or prior to the close of hearing, the Administrative Law Judge may, upon motion of a party, permit amendment of charges if no undue surprise results that would prejudice the opposing party's right to a prompt hearing or impose an substantial injustice on either side.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.170 Cause for Discharge

a) Cause for discharge consists of some substantial shortcoming that renders the employee's continuance in his or her position in some way detrimental to the discipline and efficiency of the service and the law and sound public opinion recognize as good cause for the employee no longer holding the position.
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b) In determining the appropriate level of discipline for an offense of which the employee is found guilty, the Commission shall consider the employee's performance record, including disciplinary history, and the employee's length of continuous service unless the offense would warrant immediate discharge in accordance with subsection (a).

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.190 Subpoena – Fees and Mileage of Witnesses

a) Upon written request by a party to a contested case, the Commission will issue a subpoena for attendance of a witness or production of books, papers, documents, or other tangible things at a hearing or deposition if the party shows good cause as to why the testimony and/or books, papers, documents or other tangible things cannot otherwise be obtained and states the reasons why the testimony and/or books, papers, documents or other tangible things are necessary and relevant.

b) Subpoena forms may be obtained by applying to the Executive Director at the Commission's Springfield office.

c) Witness and Mileage Fees – The cost of service and witness and mileage fees shall be borne by the person requesting the subpoena. Witness and mileage fees shall be the same as are paid witnesses in the circuit courts of the State of Illinois.

d) Service and Contents – The person requesting a subpoena shall be responsible for its service. A subpoena shall be served reasonably in advance of its return date. The subpoena shall state the number and address of the person initiating its issuance, and shall identify the person or evidence subpoenaed and the person to whom, and the place, date, and the time at which, it is returnable.

e) Petition to Quash or Modify – Within five (5) days after service of a subpoena on any person, that person may file a petition to quash or modify the subpoena, stating reasons in support of relief. A copy of the petition shall be served at the same time on the person serving the subpoena. Whenever a petition to quash a subpoena is properly filed under this Section, the petitioner shall not be required to respond to the subpoena until the petition has been ruled upon.
f) Any witness subpoenaed for a deposition may be required to attend only in the county in which he or she resides or maintains an office address, or in any other place ordered by the Administrative Law Judge.

g) Enforcement – Whenever any person shall knowingly fail or refuses to comply with a subpoena served in accordance herewith, the party serving the subpoena or the Commission shall petition the appropriate circuit court pursuant to the Personnel Code for an order enforcing the said subpoena.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.200 Authority of Administrative Law Judge

The Administrative Law Judge has the authority to conduct a hearing, take all necessary action to avoid delay, maintain order, and insure the development of a clear and complete record. The Administrative Law Judge shall have all powers necessary to conduct a hearing, including the power to:

a) Administer oaths and affirmations;

b) Regulate the course of hearings, set the time and place for continued hearings, fix times for filing of documents, provide for the taking of testimony by deposition if necessary, and generally conduct the proceedings according to generally recognized administrative law and this Part;

c) Examine witnesses and direct witnesses to testify. If a witness refuses to answer a question after being directed to do so, the Administrative Law Judge may make such orders with regard to the refusal as are just and appropriate, including but not limited to excluding the testimony of a witness, admitting certain facts for purposes of the proceedings, or dismissing the appeal if the witness is under control of a party;

d) Limit the number of times any witness may testify, limit repetitious or cumulative testimony and set reasonable limits on the amount of time each witness may testify and be cross-examined;

e) Rule upon offers of proof and receive relevant evidence;

f) Direct parties to appear and confer for the settlement or simplification of issues,
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and to otherwise conduct prehearing conferences;

g) Dispose of procedural requests or similar matters;

h) Render findings of fact, conclusions of law and proposals for decision recommendations for an order of the Commission;

i) Reprimand or exclude from the hearing any person for disruptive indecorous or improper conduct committed in the presence of the Administrative Law Judge;

j) Take official notice of generally recognized facts, administrative rules and regulations, and statutes;

k) Enter a protective order to ensure the protection of any confidential or proprietary information, information specifically prohibited from disclosure by federal or State law or rules or regulations adopted under Federal or State law, or information that, if disclosed, would constitute a clearly unwarranted invasion of personal privacy;

l) Enter any order that further carries out the purpose of this Part.

(Source: Amended at 33 Ill. Reg. _____, effective _______________)

Section 1.205 Motions

a) Unless made orally on the record during a hearing, all motions shall be in writing and shall briefly state the order or relief requested and the specific grounds upon which relief is sought. Motions based on a matter that does not appear on record shall be supported by affidavit.

b) A written motion shall be served at the same time upon all parties and filed with the Commission's Springfield office.

c) Written motions and responses to motions shall set forth the arguments and authorities relied upon to permit the Administrative Law Judge to make a decision without oral argument on the motion. Parties may request a hearing that will be granted or denied based on the need for a hearing according to the decision of the Administrative Law Judge's determination of need.
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d) Within seven (7) days after service of a motion, a participant or party may file a response to the motion. If no response is filed, the participant or party shall be presumed to have waived objection to the granting of the motion, but waiver of objection does not bind the Administrative Law Judge in the decision on the motion. Unless undue delay or material prejudice would result, the Administrative Law Judge will not grant any motion before expiration of the seven-day response period. The moving person shall not have the right to reply, except as permitted by the Administrative Law Judge to prevent material prejudice.

e) Arguments on preliminary motions may be held by telephone conference by agreement of the parties and the Administrative Law Judge. Upon request of any party, arguments on preliminary motions may be held by telephone conference call.

(Source: Amended at 33 Ill. Reg. _____, effective _______________)

Section 1.210  Extensions of Time – Continuances of Hearing – Waivers of Compensation for Continuances

a) The Commission, or an Administrative Law Judge appointed by it to conduct a hearing, may, for good cause shown on timely motion after notice to the opposite party, extend the time for filing any pleading or paper or may continue the date of a scheduled hearing for a limited period.

b) Granting or denying a continuance of a scheduled hearing is within the discretion of the Commission or the Administrative Law Judge.

c) Motions for extensions or continuances are not timely unless asserted at least 48 hours prior to the time scheduled for filing or hearing, except for emergencies, including but not limited to serious illness, family death or family emergency, or act of God relating to the party or the attorney for the party.

d) The granting of a request for continuance by the employee in a discharge appeal will, under normal circumstances, constitute a voluntary waiver by him of any claim to compensation for the period of continuance if the employee is ordered retained in his or her position.
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e) Requests for continuances must be preceded by contacting the opposing party, either orally or in writing, and asking for agreement to the continuance.

f) An employee's request for the first continuance in the case of a disciplinary appeal must be made in writing.

(Source: Amended at 33 Ill. Reg. _____, effective _________________)

Section 1.212 Consolidation

Two or more proceedings may be consolidated on motion of either party or the Administrative Law Judge when the cases involve common issues of law or fact, consolidation would not prejudice the rights of the parties, and consolidation would result in the efficient and expeditious resolution of appeals.

(Source: Amended at 33 Ill. Reg. _____, effective _________________)

Section 1.220 Discovery

Discovery shall be attained through the following methods:

a) Bill of Particulars – An employee who is the subject of disciplinary charges may request additional information regarding the charges. Written demands for relevant information concerning the charges shall be answered within ten (10) days after service unless objected to.

b) Written Interrogatories – A party may direct written interrogatories to any other party. The interrogatories shall be restricted to the subject matter of the complaint or defense and shall avoid placing undue detail, excessive burden, or expense on the answering party. Within ten (10) days after service, the answering party shall serve on the propounding party an answer, under oath or affirmation, or an objection to each interrogatory. When appropriate, a document may be served in answer to an interrogatory. Supplemental interrogatories shall not be allowed except on leave of the Administrative Law Judge for good cause shown.

c) Production, Inspection, Copying or Photographic of Documents and Tangible Things – A party, by written request served upon the other parties, may require production for inspection, copying or photographing any document, object or tangible thing that is relevant to the subject matter of the complaint or
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defense. The party upon whom the request is served shall respond to the request within ten (10) days, stating with respect to each item or category that inspection and related activities will be permitted as required, unless the request is objected to, stating in which event the reasons for objection shall be stated.

d) List of Witnesses and Documents – Upon timely request prior to a hearing on the merits, each party to the proceeding shall serve on the other party:

1) A list of names and home or work addresses of the witnesses the party proposes to call in its case in chief.

2) All documents the party proposes to offer in its case in chief.

3) All written or recorded statements of the party's witnesses that may be used by an adverse party for the purpose of cross-examination.

e) Deposition – A party may take discovery depositions either for good cause shown or by agreement. A discovery deposition, taken for good cause or by agreement, may be taken only upon leave of the Administrative Law Judge. No party shall serve a notice of deposition without leave of the Administrative Law Judge.

f) Admission of Fact or of Genuineness of Documents – A party may serve on any other party a written request for the admission by the latter of the truth of any specified relevant fact set forth in the request or for the admission of genuineness of any relevant documents described in the request. Copies of the documents shall be served with the request unless copies have already been furnished.

g) Privileges – All matters that are privileged against disclosure in civil cases in the courts of the State of Illinois shall be privileged against disclosure through any discovery procedure hereunder.

h) Limitation of Discovery – At any time the Administrative Law Judge may, on his/her own motion or on motion of any party or witness, make such protective orders as justice and fairness may require, denying, limiting, conditioning or regulating discovery to prevent unreasonable annoyance, expense, embarrassment, disadvantage or oppression. Discovery materials need not be filed with the Commission unless specifically requested by the Administrative Law Judge.
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(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 1.222  Evidence Depositions

Upon order of the Administrative Law Judge or by agreement of the parties, a deposition of any witness may be taken for use as evidence in a Commission proceeding. The depositions may be taken in the manner provided by law for depositions in civil actions in the courts of this State.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 1.224  Prehearing Conference

a) Upon written notice by the Administrative Law Judge in any proceeding, parties or their representatives attorneys may be directed to appear in person or by telephone or other electronic means at a specified time and place for a conference, prior to or during the course of hearing for the purposes of:

1) Scheduling

2) Simplifying the issues;

3) Amending the pleadings for clarifications, amplification, or limitation;

4) Making admissions of facts or stipulating to the admissibility of any matters to expedite the hearing;

5) Limiting the number of witnesses;

6) Exchanging prepared testimony and exhibits; and

7) Aiding in the simplification of the evidence and disposition of the proceeding.

b) After a prehearing conference, the Administrative Law Judge may provide all parties with a statement that recites:

1) Any ruling on motions or other actions taken by the Administrative Law Judge;
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2) Any agreements made by the parties as to any of the matters considered; and

3) Those issues remaining for hearing.

c) A court reporter may be present to transcribe the proceedings at a prehearing conference. All costs related to the court reporter's services shall be borne by the party requesting such service. The written record of the proceedings shall be filed with the Commission within 10 days after receipt of the transcript.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.226 Stipulations

The parties to any proceeding may, by stipulation in writing filed with the Commission or entered orally in the record, agree upon the facts or any part of the facts involved in the proceeding. It is the policy of the Commission to encourage stipulations of fact whenever practicable.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.230 Default

Failure of a party to appear on the date set for hearing, or failure to file materials or submissions required by this Part or by order of the Administrative Law Judge or Commission, shall constitute a default. The Administrative Law Judge may, upon motion of the party who has appeared or upon his or her own motion, dismiss the appeal subject to approval of the Commission.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.233 Evidence

a) Irrelevant, immaterial or unduly repetitious evidence shall be excluded. The rules of evidence and privilege as applied in civil cases in the circuit courts of Illinois shall be followed. However, evidence not admissible under such rules of evidence may be admitted (unless precluded by statute) if it is of a
type commonly relied upon by reasonably prudent persons in the conduct of their affairs.

b) Objections to evidentiary offers may be made and shall be noted in the record.

c) Any party who has had evidence excluded may make an offer of proof.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 1.234 Hostile Witness Offer of Proof

If the Administrative Law Judge determines that a witness is hostile or unwilling, examination of the witness by the calling party may be conducted as if under cross-examination. The party calling an occurrence witness may, upon showing the witness was called in good faith but the calling party is surprised by the testimony, impeach the witness by proof of prior inconsistent statements. Any party who has had evidence excluded may make an offer of proof.

(Source: Old Section 1.234 repealed and Section 1.237 renumbered to Section 1.234 at 33 Ill. Reg. _____, effective ______________)

Section 1.235 Exhibits

a) Marking — All exhibits shall be marked by a court reporter designated to record the hearing in numerical order with a party designation.

b) Designation of Part of Document as Evidence — When relevant material matter offered into evidence is included in a book, paper, or document containing other material not relevant, the person offering the same must plainly designate the matter so offered.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 1.236 Order of Hearing

a) The Administrative Law Judge shall open the hearing by explaining the procedure to be followed in the hearing. Upon motion of either party or at the discretion of the Administrative Law Judge, any or all witnesses may be sequestered.

b) Preliminary matters such as objection to charges, disputes involving discovery,
stipulation of facts and documents, and scheduling of witnesses may be resolved.

c) Each party shall be given the opportunity to make a brief opening statement identifying the issues and indicating what is to be proven.

d) All witnesses shall testify under oath or affirmation.

e) Each party may conduct such cross-examination as shall be required for a full and true disclosure of the facts. The Administrative Law Judge may also examine witnesses.

f) Before closing the hearing, the Administrative Law Judge may allow both parties the opportunity to make brief oral and/or written closing statements.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 1.237 Hostile Witness (Renumbered)

If the Administrative Law Judge determines that a witness is hostile or unwilling, examination of the witness by the calling party may be conducted as if under cross-examination. The party calling an occurrence witness may, upon showing the witness was called in good faith but the calling party is surprised by the testimony, impeach the witness by proof of prior inconsistent statements.

(Source: Section 1.237 renumbered to Section 1.234 at 33 Ill. Reg. _____, effective ______________)

Section 1.240 Interlocutory Appeal

When in the course of a hearing the Administrative Law Judge finds a question of law, fact, or policy that if resolved by the Commission will materially advance the resolution of the dispute, the Administrative Law Judge, on his or her own motion or the motion of one of the parties, may refer the issue to the Commission for resolution.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 1.250 Past Work Record (Repealed)

In a disciplinary hearing the performance records of the employee or past disciplinary records are...
relevant for the purpose of mitigation or aggravation of penalty in the event the employee is found guilty of the disciplinary charge.

(Source: Repealed at 33 Ill. Reg. _____, effective ____________)

Section 1.260 Oral Argument Before the Commission

Oral argument in contested cases will not be allowed before the Commission unless novel and precedent setting questions of law or policy are at issue. Argument by interested parties shall be requested by motion to the Commission with notice to the opposing party made at least five days before the Commission's public meeting in which the matter will be considered. The issues that will be the subject of argument shall be set forth with particularity in the motion.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 1.270 Authority of Commission to Modify Administrative Law Judge's Decision – Finality of Decision

a) The Commission shall have the authority to affirm, reverse, or modify, or set aside in whole or in part the proposal for decision of the Administrative Law Judge, or remand the matter to the Administrative Law Judge for the purposes set forth in Section 1.290.

b) If the Commission reverses or modifies a proposal for decision, it shall set forth in its written decision those findings of fact, conclusions of law, or other portions of the proposed decision that it is reversing or modifying. All portions of the proposal for decision not set forth in the Commission's written decision are presumed to be affirmed.

c) A decision or action of the Commission shall become final at the time it is made in writing and announced at an open and public meeting of the Commission and cannot be further reviewed by or appealed to the Commission.

d) The Commission's final administrative decision shall be served on the parties or their legal representative by United States mail to the last known address of the party or counsel.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)
Section 1.280  Record of Proceedings

a) Whenever a hearing is held under the Personnel Code or these rules, it shall be recorded by a court reporter or other means that adequately preserves the record. The Administrative Law Judge or Commission may order that any recording be transcribed. The agency that is a party to the hearing shall bear all costs related to the production of the transcript of the proceedings, including but not limited to the costs of the court reporter and original transcript. Parties who order copies of the transcript are responsible for the cost of the copies. The transcript provided to the Commission shall be transcribed in full page format. A party who has requested an order of protection shall be responsible for redacting the protected information from the transcript.

b) The written record of the proceeding shall be filed with the Commission within ten days after the receipt of the transcript of the final hearing by either the agency or its representative. Written notice of filing shall be served on all parties to the proceedings.

c) Any such record will be available for examination by the public at reasonable times in the Springfield office of the Commission. Upon written request made at least forty-eight hours (exclusive of Saturdays, Sundays, and official State holidays) in advance, the Commission will make any such record available for examination at its Chicago office.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.290  Remandment

Until the decision in a case is final, the Commission may remand it to the Administrative Law Judge for the purpose of taking additional evidence or soliciting additional argument or for any other reason that will assist the Commission in rendering its decision.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

Section 1.300  Administrative Review

All final decisions of the Commission shall be subject to appeal by the parties to the proceedings.
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under the Administrative Review Act (Ill. Rev. Stat. 1991, ch. 110, pars. 3 101 et seq.) [735 ILCS 5/Art. III] by the filing of a complaint and the issuance of summons within 35 days from the date that a copy of the Commission decision was served upon the party affected thereby. A decision is deemed to have been served either when personally delivered or when deposited in the United States mail in a sealed envelope or package, with postage prepaid, addressed to the party affected thereby at the party's last known residence or place of business.

(Source: Amended at 33 Ill. Reg. _____, effective _______________)

Section 1.302 Response to Proposals for Decision

Proposed Decisions

a) In a contested case in which the members of the Commission have not heard the case or read the record, the findings and decision of the Administrative Law Judge appointed by the Commission to conduct the hearing or the results of the investigation shall be mailed to the parties prior to the Commission rendering a final decision.

b) Unless arrangements to the contrary have been made, six copies of any response shall be filed in the Springfield office of the Commission. The responses shall be accompanied by proof that a copy of the response was served upon the opposing side.

(Source: Amended at 33 Ill. Reg. _____, effective _______________)
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1) **Heading of the Part**: Illinois Architecture Practice Act of 1989

2) **Code Citation**: 68 Ill. Adm. Code 1150

3) **Section Numbers**: 
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4) **Statutory Authority**: The Illinois Architecture Practice Act of 1989 [225 ILCS 305]

5) **A Complete Description of the Subjects and Issues Involved**: This proposed rulemaking implements changes that have been adopted nationally by the National Council of Architectural Registration Boards (NCARB), including statutory changes contained in Public Act 94-543 regarding the requirement of a professional/non-professional degree. It also clarifies requirements for the Intern Development Program (IDP) and the Architecture Registration Exams (ARE) as they relate to NCARB requirements. The Test of English as a Foreign Language Internet Based Test (TOEFL-iBT) has been added as an acceptable alternative for applicants educated in a foreign country. The historical requirements for licensure contained in Appendix B and Appendix C have been updated. Various non-substantive changes are also being made, including changing references throughout the entire Part from "Department" to "Division" to reflect the consolidation of agencies into the Department of Financial and Professional Regulation and the creation of the Division of
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Professional Regulation. Obsolete language is also being removed and other technical changes are being made.

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

7) Will this rulemaking replace any emergency rulemaking currently in effect? No

8) Does this rulemaking contain an automatic repeal date? No

9) Does this rulemaking contain incorporations by reference? No

10) Are there any other proposed rulemakings pending on this Part? No

11) Statement of Statewide Policy Objectives: This rulemaking has no impact on local government.

12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments 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

   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: January 2009

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


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; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days;
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Section 1150.10 Education Requirements and Diversified Professional Training Requirements

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

a) Education Requirements

1) 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:

   A) Bachelor of Architecture degree; or

   B) Master of Architecture degree.

2) Until January 1, 2014, applicants with a degree from a program not accredited by the NAAB or CACB:

   A) A pre-professional 4 year baccalaureate degree program in architecture approved by the Board in accordance with Section
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1150.50 of this Part, which is accepted for direct entry into a professional Master of Architecture degree program accredited by the NAAB or the CACB; or

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 the NAAB or the CACB must obtain an EESA-NCARB Evaluation Report prepared by the Education Evaluation Services for Architects (EESA), which is administered by NAAB. Applicants may request the report from the National Architectural Accrediting Board, 1735 New York Avenue, NW, 3rd Floor, Washington, D.C. 20006; phone (202) 783-2007; or www.naab.org.

b) Diversified Professional Training Requirements

1) An applicant must complete the Intern Development Program (IDP) of the National Council of Architectural Registration Boards (NCARB), 1801 K Street, NW, Suite 1100, Washington, D.C. 20006-1310, as set forth in the NCARB IDP Guidelines (July 1, 2003 to June 30, 2004, no later additions or amendments included). (A copy of these Guidelines is available from the Department or NCARB.)

2) To satisfy diversified professional training requirements, each applicant must acquire a minimum number of training units (TUs) based on the education requirements set forth in subsection (b)(3). One TU equals eight hours of acceptable activity. Acceptable activities and conditions affecting training are set forth in the IDP Guidelines.

3) TUs shall be acquired in prescribed categories and areas and under requirements set forth in the NCARB IDP Training Requirements included in the IDP Guidelines. The required number of TUs will vary according to the following educational requirements:

A) Applicants who meet the educational requirements set forth in subsections (a)(1) and (a)(2)(B) shall complete 700 TUs pursuant to the IDP Training Requirement.
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B) Until January 1, 2014, applicants with a pre-professional 4 year baccalaureate degree set forth in subsection (a)(2)(A) shall complete 1170 TUs pursuant to the IDP Training Requirements, where twice the listed minimum TUs required for each training category and area shall be acquired.

4) The required minimums in IDP Training Categories A, B, C and D total 465 TUs for the education requirements set forth in subsections (a)(1) and (a)(2)(B) and 930 TUs for the education requirements set forth in subsection (a)(2)(A), allowing for the additional TUs to be acquired in any of the listed categories.

5) To satisfy the Illinois Diversified Professional Training requirements, an applicant must have satisfied the training requirements in accordance with the NCARB IDP Training Requirements 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 Training Requirement. (An applicant with the required number of TUs may nonetheless be denied approval of training if that training is not diversified.)

6) The training settings in which TUs may be acquired, and the maximum TUs allowed to be acquired in each training setting, are set forth in the NCARB IDP Guidelines and shall apply to all applicants.

7) Program Requirements

A) No TUs may be earned prior to satisfactory completion of:

i) Three years in an NAAB-accredited professional degree program; or

ii) The third year of a 4 year pre-professional degree program in architecture accepted for direct entry to an NAAB-accredited professional master's degree program; or

iii) One year in an NAAB-accredited professional master's
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degree program following receipt of a non-professional undergraduate degree; or

iv) 96 semester credit hours as evaluated by Education Evaluation Services for Architects (EESA) in accordance with NCARB Education Standard, of which no more than 60 hours can be in the general education category.

B) No experience used to meet education requirements described in subsection (a) of this Section may be used to earn TUs.

C) To earn TUs in IDP Training Settings A, B, C, D and E, an applicant must work at least 35 hours per week for a minimum period of 10 consecutive weeks or at least 20 hours per week for a minimum period of 6 consecutive months.

D) To earn TUs in IDP Training Setting F, the applicant must be employed on a full-time basis.

E) A "licensed architect" is a person licensed to practice architecture in the jurisdiction in which he or she practices.

F) 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.

G) A person who has completed the education requirements, is actively participating in the diversified professional training and maintains in good standing a training record as required by this Section may use the title "architectural intern", but may not engage in the practice of architecture.

8) Explanation of Requirements

A) TUs may be acquired only if the applicant meets the time requirements of Section 1150.10(b)(7)(C). Full TU credit is
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earned for acceptable full-time and part-time employment in the training settings described in Section 1150.10(b)(5).

B) No TUs may be acquired prior to meeting the requirements of Section 1150.10(b)(7)(A).

C) Applicants with a post-professional degree in architecture may qualify for TU credit as set forth in the IDP Guidelines.

D) An applicant may earn TUs by completing Board-approved supplementary education programs. Supplementary education cannot be used to satisfy the minimum TU requirements. No TUs may be earned for supplementary education unless the applicant is employed in a recognized training setting (refer to IDP Guidelines). Credit for supplementary education activities may not exceed 235 TUs.

E) To satisfy Category A of the IDP Training Requirements, TUs (including TUs earned from supplementary education) in those categories must be acquired when employed in the training settings described in Section 1150.10(b)(6). A minimum of 235 TUs must be acquired in Training Setting A.

F) For a detailed description of the IDP training categories, settings and conditions and supplementary education requirements, see IDP Guidelines.

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.
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 Department. 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 certifications of education 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 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 may request the report from the National Architectural Accrediting Board, 1735 New York Avenue, NW, 3rd Floor, Washington, D.C. 20006; phone (202) 783-2007; or www.naab.org. The Board will review all transcripts and the comprehensive evaluation submitted to the Department to determine if the education meets the requirements set forth in Sections 1150.10 and 1150.20;

c) A complete work history, on forms provided by the Department, indicating all professional architectural experience since completion of the Diversified Professional Training Requirements set forth in Section 1150.10(b);

d) 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;
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2) Whether the records of the licensing authority contain any record of disciplinary action taken or pending against the applicant;

d(e) A signed and dated affidavit attesting the applicant has read and understands the Act and this Part;

e(f) The required fee; and

(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.

(Source: Amended at 33 Ill. Reg. _______, effective ____________)

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).

1) 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 IDP.

2) An applicant who has a pre-professional degree will not be approved to take ARE prior to completion of the required training units of the IDP as stated in Section 1150.10(b)(3)(B).

b) The examination shall consist of the following divisions:

1) Pre-Design;
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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.

c) Site Planning, Building Planning and Building Technology are graphic design problems, with all other divisions being a multiple-choice format. 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.

d) An applicant failing a division may repeat that division test 6 months after his or her unsuccessful attempt.

e) All applicants who are in the process of taking the examination formerly administered by the Division shall receive credit for previous NCARB examinations passed with transfer credit to the Architect Registration Examination (ARE) divisions in Appendix C.

f) 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. 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 Department will hold scores of examinations passed as valid for a period of 5 years in compliance with the NCARB "5-year Rolling Clock". All scores of previously passed examinations prior to January 1, 2006 will be valid permanently.
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| g) 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. |

| h) 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 Such proof of successful completion must be forwarded directly to the Division from the jurisdiction in which the examination was taken. |

| i) Divisions of the examination passed in another jurisdiction will be accepted toward licensure in this State if the division was not subsequently failed. |

(Source: Amended at 33 Ill. Reg. ______, effective ____________)

Section 1150.50 Approved Architecture Programs

| a) An architecture program, upon recommendation of the Board, shall be approved by the Department 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 in accordance with Section 1150.20(a). |

| 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: |
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A) ThatWhich confers a first professional degree in architecture and is accredited by the NAAB;

B) ThatWhich confers a pre-professional 4 year degree accepted for direct entry into a professional master of architecture degree program; or

C) Until January 1, 1996, for applicants who have completed their education prior to January 1, 1990, thatWhich 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 thatWhich 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 thatWhich assist the student to develop capabilities for recognition of problems through to formulation of creative solutions;

iii) Architectural design courses thatWhich 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
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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).

c) All architecture programs accredited by the NAAB as of January 1, 1991 meet the minimum criteria set forth in subsection (a), above, for an approved architecture program and are, therefore, approved.

d) Each architectural program, other than a program referred to in subsection (c) above, 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 minimum criteria set forth in subsection (a), above, 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 such documentation as is 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 six 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 such 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, 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 such 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 33 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 territory and who desires to become licensed by
endorsement shall file an application with the Division together with:

1) Either:

   A) Council Certification, issued by and forwarded directly to the Division by the NCARB; 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 territory, including certification of education, and affidavits of training;

      ii) A certification by the state or territory of 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 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 or pending against the applicant;

      iii) A compete work history since graduation from an architecture program;

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 may request the report from the National Architectural Accrediting Board, 1735 New York Avenue, NW, 3rd Floor, Washington, D.C. 20006; phone (202) 783-2007; or www.naab.org. 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; and

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.

3) The Division shall examine each endorsement application to determine whether the requirements in the state or 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 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 five 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
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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 such information as may be necessary; and/or

2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.

(Source: Amended at 33 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.

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.

(Source: Amended at 33 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 $20 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
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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.

e) 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. Such 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; or

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; or

   B) Lawfully practicing architecture as an employee of a governmental agency; or

   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.

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.
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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 shall be requested to:

1) Provide such information as may be necessary; and/or

2) Appear for an interview before the Board to explain such relevance or 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.

(Source: Amended at 33 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 service, shall result in the forfeiture of the examination fee.

2) The application fee for a certificate of registration as a professional design
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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 $20 plus payment of all lapsed renewal fees.

2) 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. No fee is required for name and address changes on DivisionDepartment 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 DivisionDepartment reviewed and verified is $20 plus any fee charge by the testing service.

5) The fee for a wall certificate showing licensure shall be the actual cost of producing the certificate.

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 33 Ill. Reg. ______, effective ____________)

Section 1150.80 Professional Design Firm

a) Persons who desire to practice architecture in this State in the form of a
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corporation, professional service corporation, partnership, limited liability company, limited liability partnership, or sole proprietorship (if the sole proprietorship is conducting or transacting business under an assumed name in accordance with the Assumed Business Name Act [805 ILCS 405]) shall, in accordance with Section 21 of the Act, file an application with the Division, on forms provided by the Division, together with the following:

1) For Corporations or Professional Service Corporations. (Registration as a professional design firm shall meet the registration requirements of Section 12 of the Professional Service Corporation Act [805 ILCS 10/12].)

   A) The name of the corporation and its registered address, the names of all members of the board of directors, and the name of the state and license number for each director who is licensed as an architect, structural engineer, professional engineer or land surveyor. To qualify under Section 21 of the Act, at least two-thirds of the board of directors shall be licensed design professionals and at least one shall be an Illinois licensed architect;

   B) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the corporation is organized, whose duty it is to register corporations under the laws of that jurisdiction. If it is a foreign corporation, a copy of the certificate of authority to transact business in this State issued by the Secretary of State is also required. The purpose clause of the Articles of Incorporation or the certificate of authority shall designate that the corporation is authorized to provide architectural services. Each corporation shall remain active and in good standing with the Secretary of State in order to maintain a professional design firm registration;

   C) A signed and dated resolution adopted by the board of directors designating a member of the board of directors who is an Illinois licensed architect and full-time employee of the corporation as the managing agent in charge of the architectural activities in this State. The Illinois license number of the architect designated as the managing agent shall also be included in the resolution;
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D) A copy of the authority to transact business under the Assumed Business Name Act issued by the Secretary of State for any assumed names of the corporation, if applicable; and

E) A certificate of good standing from the Secretary of State and copy of the latest annual report, if applicable.

2) For Partnerships.

A) General

   i) A copy of the signed and dated partnership agreement containing the name of the partnership, its business address and the names of all general partners. The name of the state in which each partner is licensed and the license number of each general partner who is licensed as an architect, structural engineer, professional engineer or land surveyor shall be listed on the application. To qualify under Section 21 of the Act, two-thirds of the general partners shall be licensed in any state or territory and at least one partner shall be an Illinois licensed architect.

   ii) A signed and dated resolution adopted by the general partners designating the general partner who is an Illinois licensed architect and a regular full-time employee of the partnership as the managing agent in charge of the architectural activities in this State. The Illinois license number of the architect designated as the managing agent shall also be included in the resolution.

   iii) A copy of the partnership documentation bearing the stamp of the county clerk where the partnership has been filed.

   iv) A letter or certificate from the county clerk where an assumed name has been filed, if applicable.

B) Limited Partnership

   i) A copy of the signed and dated partnership agreement
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indicating it has been filed with the Secretary of State authorizing the partnership to provide architectural services. The partnership agreement shall contain the name of the partnership, its business address and the names of all partners. The name of the state in which each partner is licensed and the license number shall be listed on the application. To qualify under Section 21 of the Act, at least two-thirds of the board of directors shall be licensed design professionals and at least one shall be an Illinois licensed architect.

ii) A signed and dated resolution adopted by the general partners designating the general partner who is an Illinois licensed architect and a full-time employee of the partnership as the managing agent in charge of the architectural activities in this State. The Illinois license number of the architect designated as the managing agent shall also be included in the resolution.

iii) A copy of the authority to transact business under the Assumed Business Name Act issued by the Secretary of State for any assumed names of the partnership, if applicable.

iv) A certificate of good standing from the Secretary of State and a copy of the latest annual report, if applicable.

3) For Limited Liability Companies or Limited Liability Partnerships.

A) An application containing the name of the limited liability company or partnership, the business address and the members or partners of the company/partnership, the name of the state in which each is licensed and the license number of each member/partner. To qualify under Section 21 of the Act, at least two-thirds of the members or general partners shall be licensed in any state or territory and at least one shall be an Illinois licensed architect.

B) A signed and dated resolution of the members or partners designating a member of the company/partnership who is an
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Illinois licensed architect and a regular full-time employee as the managing agent in charge of the architectural activities in this State. The license number shall be included in the resolution.

C) A copy of the operating agreement or partnership agreement filed with the Secretary of State stating the company or partnership is authorized to offer architectural services.

D) For any assumed name, a copy of the authority to transact business under the Assumed Business Name Act issued by the Secretary of State.

E) A certificate of good standing from the Secretary of State and a copy of the latest annual report, if applicable.

4) For Sole Proprietorships with an Assumed Name. (A sole proprietorship operating under the name of the licensee is not required to register as a professional design firm.)

A) An application containing the name of the sole proprietorship and its business address and the name and license number of the architect who owns and operates the business.

B) A letter or certificate received from the county clerk where an assumed name has been filed.

5) A list of all office locations in Illinois at which the corporation, professional service corporation, limited liability company/partnership, partnership or sole proprietorship provides architectural services. Each individual architectural office maintained for the preparation of drawings, specifications, reports or other professional work shall have a resident architect, licensed in Illinois and regularly employed in that office full-time who shall be responsible for overseeing professional work, and who shall serve as resident architect for that office only. Nothing in this Section shall relieve the managing agent in charge of architectural activities in this State of any legal responsibility for the overall supervision of the individual architectural offices.

6) A list of all assumed names used by the corporation, limited liability
company, partnership or sole proprietorship.

7) The fee required in Section 1150.75.

b) A professional design firm may designate more than one managing agent in charge of architectural activities. However, a licensee designated as managing agent may not serve as managing agent for more than one corporation, professional service corporation, limited liability company/partnership or partnership doing business in Illinois.

c) Upon receipt of a completed application, the Division shall issue a registration authorizing the corporation, professional service corporation, limited liability company/partnership, partnership or sole proprietorship to engage in the practice of architecture or notify the applicant in writing of the reason for the denial of the application.

d) Each corporation, professional service corporation, limited liability company/partnership, partnership or sole proprietorship shall be responsible for notifying the Division, in writing, by certified mail, within 10 business days after any changes in:

1) The membership of the board of directors, members/partners of the limited liability company/partnership or of the general partners;

2) The licensure status of any of the general partners, members/partners of the limited liability company/partnership or any of the design professional members of the board or partners; and

3) An assumed name.

e) Each corporation, professional service corporation, limited liability company/partnership or partnership shall be responsible for notifying the Division, in writing, by certified mail, within 10 business days after the termination or change in status of the managing agent. Thereafter, the corporation, professional service corporation limited liability company/partnership or partnership, if it has so informed the Division, has 30 days to notify the Division of the name and license number of the architect licensed in Illinois who is the newly designated managing agent.

f) Failure to notify the Division as required in subsections (c) and (d) or
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any failure of the corporation, professional service corporation, limited liability company or partnership to continue to comply with the requirements of Section 21 of the Act will subject the corporation or partnership to the loss of its registration to practice architecture in Illinois.

g) Sole Proprietorships. Any sole proprietorship owned and operated by an architect who has an active Illinois license is exempt from the registration requirement of a professional design firm. However, if the sole proprietorship operates under an assumed name, the sole proprietor shall file an application in accordance with subsection (a)(4) as a professional design firm with the Division Department indicating all assumed names utilized. A sole proprietorship shall notify the Division Department of any assumed name changes. Any sole proprietorship not owned and operated by an Illinois licensed architect shall be prohibited from offering architectural services to the public.

h) In addition to the seal requirements in Section 1412 of the Act, all documents or technical submissions prepared by the design firm shall contain the design firm registration number issued by the Division Department.

(Source: Amended at 33 Ill. Reg. ______, effective ____________)

Section 1150.85 Acts Constituting the Practice of Architecture Pursuant to Section 5 of the Act

a) Design/Build

1) The design/build project delivery process is a process characterized for its single point of responsibility in managing, directing and coordinating the design and construction of a project whereby an entity signs a single contract with a client to provide a combination of services that includes architectural and construction services. Design, as used in the term design/build identifying the project delivery process, shall mean architectural services.

2) The design/build entity will not be required to register as a professional design firm pursuant to Section 21 of the Act and Section 1150.80 of this Part only if the architectural services in the design/build project delivery process are provided by the entity in accordance with the following:
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A) An Illinois licensed architect practicing as a sole proprietorship or a professional design firm registered in Illinois to offer the practice of architecture, as set forth in Section 21 of the Act and Section 1150.80 of this Part, independently contracts with the entity and participates substantially in all material aspects of the offering and providing of architectural services relating to any bid process, contract negotiations, design, consultation, development, preparation and coordination of technical submissions, and verification of adherence to technical submissions and completion.

B) At the time of offering services, a written disclosure shall be given to the client by the entity identifying the architect who will be engaged by and is contractually responsible to the entity offering design/build project services.

C) The entity agrees that the architect will have direct supervision of the architectural work and the architect's services will not be terminated on the project without the immediate replacement by another architect mutually agreed to by the client and the entity.

3) A design/build entity shall not offer to provide or provide architectural services, unless the design/build entity is an Illinois licensed architect practicing as a sole proprietorship or registered professional design firm offering architectural services. Offering to provide architectural services shall include, but shall not necessarily be limited to, any tender of architectural services either independently or in combination with construction services by any sign, card, advertisement or other device that might indicate to the public that the entity is entitled to provide architectural services. However, an entity that is not an Illinois licensed architect practicing as a sole proprietorship or registered professional design firm offering architectural services may advertise the design/build project delivery process provided the advertisement does not imply to the public that the entity by itself is either entitled or qualified to offer or provide design services.

b) Architectural Competitions

1) Participants in architectural competitions in Illinois shall comply with the Act. All services, such as preliminary design and design development, are
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to be prepared by or under the direct supervision and control of an Illinois licensed architect.

2) If an architectural competition is conducted in an academic setting or the project is fictitious and will not be constructed, a person/professional design firm is not required to be licensed in Illinois.

c) Use of Title

1) A person, sole proprietorship, professional service corporation, limited liability company, corporation or partnership, or other entity practicing pursuant to an exemption from licensure contained in Section 3 of the Act shall not use the title "architect" or any of its derivations unless the person or other entity holds an active license as an architect or registration as a professional design firm in this State.

2) No person, sole proprietorship, professional service corporation, limited liability company, corporation or partnership, or other entity that practices architecture shall advertise or display any sign or card or other device that might indicate to the public that the person or entity is entitled to practice as an architect or use the title "architect" or any of its derivations unless the person or other entity holds an active license as an architect or registration as a professional design firm in this State.

3) No person, without possessing a valid license as an architect issued by the Division, shall in any manner hold himself or herself out to the public as an architect, attach the title "architect" or any of its derivations, or offer to render or render to individuals, corporations, or the public any architectural services as defined in the Act if the word "architect" or any of its derivations are used to describe the person offering to render or rendering them or describe the services rendered or offered to be rendered.

d) Prototypical Documents

1) "Prototypical documents" consist of drawings or specifications that are not intended as final and complete technical submissions for a building project, but rather are to serve as a prototype for a building or buildings to be constructed in more than one location, with minimal design changes or additions, except those required to adapt the prototype building or
buildings to each particular site and to the regulations and codes that apply. Prototypical documents may or may not be premised upon laws, rules and regulations, or an adopted building code of a particular state, county or municipality, but shall be adaptable to the regulations or codes of each applicable construction location. Prototypical documents are generally not designated for a specific climate, weather, topography, soil, or other site-specific conditions or requirements, but are intended to be adapted to those and other site-specific conditions.

2) Prototypical documents shall be prepared by an architect licensed in any jurisdiction. Technical submissions for the construction of the project shall be prepared by or under the responsible control of an Illinois licensed architect.

3) The documents shall be identified as "prototypical documents". The name, address and seal of the architect who prepared the prototypical documents, and the date the documents were prepared, shall be provided on the first sheet of any bound set or loose sheets of documents utilized as prototypical documents.

4) Nothing in this Part precludes the use of prototypical documents, provided the Illinois licensed architect:
   
   A) Obtains written permission from the architect who prepared or sealed the prototypical documents, and from the legal owner of the prototypical documents, to use, revise, amend and otherwise adapt the prototypical documents;

   B) Thoroughly analyzes the prototypical documents, makes necessary revisions, and adds all required elements and design information (including the design services of engineering consultants, if warranted), so that the prototypical documents become suitable complete technical submissions, in full compliance with applicable codes, regulations, and site-specific requirements;

   C) Independently performs and maintains on file the necessary calculations and analysis to verify the public health and safety suitability of all elements or features portrayed by the original prototypical documents; and
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D) After analyzing, calculating and making revisions and additions, issues the technical submissions with his or her title block, Illinois seal and design firm registration number, as required (including the seals and design firm registration numbers of engineering consultants, as applicable), and maintains control over the use of the final adapted documents as if they were his or her original design, assuming full responsibility as the architect of record.

(Source: Amended at 33 Ill. Reg. _____, effective ____________)

Section 1150.90 Standards of Professional Conduct

In order to safeguard life, health and property, to promote the public welfare, and to establish and maintain a high standard of integrity in the practice of architecture, the following Standards of Professional Conduct shall be binding on every person applying for or holding a license as an architect and on all partnerships and corporations authorized to practice architecture in this State.

a) Competence

1) An architect shall undertake to perform professional services only when the architect, together with those whom the architect may engage as consultants, are qualified by education and training in the specific technical areas involved.

2) An architect engaging in the practice of architecture shall act with reasonable care and competence, and shall apply the technical knowledge and skill that are ordinarily applied by licensed architects of good standing, practicing in the same locality.

3) An architect in designing a project shall take into account all applicable State and municipal building laws and regulations (e.g., the Illinois Environmental Barriers Act [225 ILCS 75]). While an architect may rely on the advice of other professionals, attorneys, engineers and other qualified persons (i.e., building code officials, authorized governmental officials) as to the intent and meaning of regulations, once having obtained advice, an architect shall not knowingly design a project in violation of laws and regulations.
b) Conflict of Interest

1) An architect shall not accept compensation for his/her services from more than one party on a project unless the circumstances are fully disclosed and agreed to in writing by all interested parties.

2) If an architect has any business association or direct or indirect financial interest which is substantial enough to influence the architect's judgment in connection with the architect's performance of professional services, the architect shall fully disclose in writing to the architect's client or employer the nature of the business association or financial interest, and if the client or employer objects to such association or interest, the architect will either terminate such association or interest or offer to give up the commission or employment.

3) An architect shall not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing their products.

4) When acting as the interpreter of building contract documents and the judge of contract performance, an architect shall render decisions impartially, favoring neither party to the contract.

c) Full Disclosure

1) An architect, making public statements on architectural questions, shall disclose when he/she is being compensated for making such statements.

2) An architect shall accurately represent to a prospective or existing client or employer the architect's qualifications and the scope of the architect's responsibility in connection with work for which the architect is claiming credit.

3) If, in the course of the architect's work on a project, an architect becomes aware of a decision taken by the architect's employer or client, against architect's advice, which violates applicable State or municipal building laws and regulations and will, in the architect's judgment, materially and adversely affect the safety to the public of the finished project, the architect shall:
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A) Report the decision to the local building inspector or other public official charged with the enforcement of the applicable State or municipal building laws and regulations;

B) Refuse to consent to the decision; and

C) In circumstances where the architect reasonably believes that other such decisions will be taken, notwithstanding his or her objection, terminate the architect's services with respect to the project. In the case of a termination in accordance with this clause, the architect shall have no liability to the architect's client or employer on account of such termination.

d) Compliance with Laws

1) An architect shall not, in the conduct of his/her architectural practice, knowingly violate any state or federal criminal law of a state or territory of the U.S.

2) An architect shall comply with the licensing and registration laws and regulations governing architectural practice in any state or territory of the U.S. in which the architect is practicing or offering to practice architecture.

3) An architect shall neither offer nor make any payment or gift to a government official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which the architect is interested.

4) An architect shall not knowingly make a materially false statement or fail deliberately to disclose a material fact requested in connection with his or her application for a license or renewal thereof.

5) An architect shall not assist the application for a license of an individual known by the architect to be unqualified in respect to education, training or character.

6) An architect possessing knowledge of a violation of the provisions set
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forth in Sections 22, 23 and 23.5 of the Act by another architect shall report such knowledge to the Division Department.

e) Professional Conduct

1) An architect shall not sign or seal drawings, specifications, reports or other professional work for which the architect has not exercised responsible control as set forth in Section 14 of the Act; provided, however, that in the case of the portions of professional work prepared by the architect's consultants, licensed under another professional licensure law of this jurisdiction, the architect may sign and seal that portion of the professional work if the architect has reviewed the portion, has coordinated its preparation and intends to be responsible for its adequacy pursuant to Section 14(2) of the Act. The signing and sealing of the work of a consultant by the architect does not exempt the consultant from signing and sealing professional work prepared by the consultant as required by the Act or by another licensure law of this jurisdiction.

2) When an architect signs and seals technical submissions not prepared by the architect, but prepared under the architect's responsible control by persons not regularly employed in the office where the architect is resident, such persons shall meet the requirements for licensure as an architect and professional design firm registration to offer or provide architectural services as set forth in the Act and this Part.

3) In the event of the death or incapacity of the architect, a subsequent architect may utilize the drawings, specifications, reports or other professional work produced by the deceased or incapacitated architect, after independent review, in order to complete the project.

4) An architect shall neither offer nor make any payment or gift, other than gifts of nominal value (including, but not necessarily limited to reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the architect is interested.

5) An architect shall not engage in conduct involving fraud or wanton disregard of the rights of others.
Section 1150.95 Architecture Complaint Committee

a) The Architecture Complaint Committee of the Architecture Licensing Board, authorized by Sections 10 and 24 of the Act, shall be composed of at least 2 members of the Architecture Licensing Board, a Supervisor over Design Investigations and a Chief of Prosecutions over Design Prosecutions. The Director of Enforcement shall designate the Supervisor and Chief assigned to the Complaint Committee.

b) The Complaint Committee shall meet at least once every 2 months to exercise its functions and duties set forth in subsection (c) below. The Complaint Committee may meet concurrently with the Complaint Committees of the Land Surveyors Examining Board, the State Board of Professional Engineers and the Structural Engineering Board to discuss interrelated professional matters. The Complaint Committee shall make every effort to consider expeditiously and take prompt action on each item on its agenda.

c) The Complaint Committee shall have the following duties and functions:

1) To review investigative case files after an initial inquiry into the involved parties and their licensure status have been obtained. "Case file" means the allegation made against an involved party that resulted in a preliminary inquiry and other information being obtained in order to determine whether an investigation should be initiated or prosecution pursued. A "Formal Complaint" means the notice of allegations and charges or basis for licensure denial that begins the formal proceedings.

2) To refer the case file to the Supervisor over the Design Investigators for further action. The Complaint Committee shall give the Supervisor an indication as to the prosecutorial merit and relative severity of the allegations to aid in the prioritization of investigative activity.

3) To recommend that a case file be closed.

4) To recommend that an Administrative Warning Letter be issued and the case file closed.
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5) To refer the case file to Prosecutions for review and action.

6) To report the actions of the Complaint Committee at each Board meeting and to present enforcement statistics such as the type of alleged violation.

d) In determining what action to take or whether to proceed with investigation and prosecution of a case file, the Complaint Committee shall consider the following factors, but not be limited to: the effect on the public's health, safety and welfare; the sufficiency of the evidence presented; prosecutorial merit; and sufficient cooperation from complaining parties.

e) At any time after referral to Prosecutions, the Division may enter into negotiations to resolve issues informally by way of a Consent Order. Factors to be considered in deciding whether to enter into settlement negotiations shall include, but not be limited to: the effect on the public's health, safety and welfare caused by the respondent's alleged conduct; sufficient investigation of the case; prosecutorial merit; relative severity of the respondent's alleged conduct; and past practices of the Division.

f) No file shall be closed nor Formal Complaint dismissed except upon recommendation of the Complaint Committee and/or approval by the Architecture Licensing Board. Those case files that previously have been before the Board and are the subject of a Consent Order or Formal Order of the Director may be closed without further recommendation or approval of the Architecture Licensing Board or the Complaint Committee.

g) Complaints Involving Imminent Danger to the Public

1) When a complaint is made to the Division that alleges that a building, or other structure that requires the involvement of an architect in its design, is under construction, construction is imminent, or construction has been completed, and an architect is not or was not involved in its design, the investigation of that complaint shall be expedited to ensure the health and safety of the public. This investigation will be referred to as an "Emergency Investigation".

2) An Emergency Investigation will be given priority attention and assigned to an investigator as soon as possible.
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3) Once assigned to an investigator, the Department, through its investigator, will convene a meeting of the Complaint Committee by teleconference to determine if the complaint shall continue to be treated as an Emergency Investigation. Such meetings will be deemed an emergency and notice of the meeting shall be provided in accordance with the Open Meetings Act.

4) Upon determination by the Complaint Committee that the complaint should be treated as an Emergency Investigation, the complaint will be investigated as soon as possible.

5) Upon completion of the Emergency Investigation, the investigator will again convene a meeting of the Complaint Committee by teleconference. This meeting shall also be considered an emergency and notice of the meeting shall be provided in accordance with the Open Meetings Act. The Complaint Committee will then decide whether to recommend to the Department that the complaint be referred to the Attorney General to seek a temporary restraining order and permanent injunctive relief against the start or further construction of the project or, where the project has already been completed, to enjoin the use of the building or structure. The Complaint Committee will recommend that the case be referred to the Attorney General only upon a finding that the facts alleged in the complaint are credible and constitute an imminent danger to the public.

h) Disqualification of an Architecture Licensing Board member.

1) A Board member shall be recused from consideration of a case file or Formal Complaint when the Board member determines that a conflict of interest or prejudice would prevent that Board member from being fair and impartial.

2) Participation in the initial stages of the handling of a case file, including participation on the Complaint Committee and in informal conferences, shall not bar a Board member from future participation or decision making relating to that case file.

i) An informal conference is the procedure established by the Department that may be used for compliance review, fact finding, discussion of the issues, resolving case files, licensing issues or conflicts prior to initiating any Formal
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Complaint or formal hearing. An informal conference may only be conducted upon agreement of both parties. Informal conferences shall be conducted by a Division Department attorney and shall include a member or members of the Board. Board members shall be scheduled for informal conferences on a rotating basis.

(Source: Amended at 33 Ill. Reg. _____, effective ____________)

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 Department of any change of address. Failure to receive a renewal form from the Division Department 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 such license may renew the license for a two-year period during the month preceding the expiration date thereof by paying the fee specified in Section 1150.75.

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.

(Source: Amended at 33 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.

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
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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 Department 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 such compliance. The evidence shall be retained for at least 4 years following the renewal period for which the continuing education was taken. The Such evidence may include, but not be limited to the following:

A) Certificate of attendance;
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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 Department may conduct random audits to verify compliance with continuing education requirements.

4) If the Department disallows any continuing education hours, unless the Department finds, following notice and hearing, that the licensee willfully disregarded these requirements, then the licensee shall have six months from notice of 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 Department 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 such activities):

A) Contact hours in attendance at short courses or seminars, dealing with architectural subjects and sponsored by colleges or
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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.

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

A) Codes, statutes and administrative regulations governing the
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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 limited to:

1) American Institute of Architects (AIA).
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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.

7) The Department shall 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 such activity restricts participation in a continuing education program.

3) A licensee who demonstrates to the satisfaction of the Department 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 of the renewal period. If the Department finds that such
evidence that good cause has been shown for non-compliance, the Department 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, which 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.

(Source: Amended at 33 Ill. Reg. _____, effective ____________)

Section 1150.110 Granting Variances

a) The Director may grant variances from these rules in individual cases when he/she finds that:
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1) The provision from which the variance is granted is not statutorily mandated;

2) No party will be injured by the granting of the variance; and

3) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

b) The Director shall notify the Board in writing of the granting of such variance, and the reasons for granting the variance therefor, at the next meeting of the Board.

(Source: Amended at 33 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 below)

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 six months after the 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
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experience;

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:
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1) 6-year professional degree (M/Arch) in architecture from a program 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.

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 DIP 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) Pursuant to 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.

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.

(Source: Amended at 33 Ill. Reg. ______, effective ____________ )
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) below

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- )

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- )

c) Building Planning and Building Technology are satisfied by one of the following:

1) Examination Syllabus E (1954-1973)
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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-)

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) below

3) Qualifying Test – Section B (1977-1982) – see subsection (i) below

4) Professional Examination Part III (1973-1978) – see subsection (i) below

5) Professional Examination – Section B, Part III (1979-1982) – see subsection (i) below

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-)

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) below

3) Qualifying Test – Section B (1977-1982) – see subsection (i) below

4) Professional Examination Part III (1973-1978) – see subsection (i) below

5) Professional Examination – Section B, Part III (1979-1982) – see subsection (i) below

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- )

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) below

3) Qualifying Test – Section D (1977-1982) – see subsection (i) below

4) Professional Examination Part III (1973-1978) – see subsection (i) below

5) Professional Examination – Section B, Part III (1979-1982) – see subsection (i) below

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- )

g) Materials & Methods is satisfied by one of the following:

1) Examination Syllabus F (1954-1973)
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2) Equivalency Examination II (1973-1977) – see subsection (i) below

3) Qualifying Test – Section C (1977-1982) – see subsection (i) below

4) Professional Examination Part III (1973-1978) - see subsection (i) below

5) Professional Examination – Section B, Part III (1979-1982) – see subsection (i) below

6) Division HG of the ARE (1983-1996)


8) Building Design & Construction Systems (BD) of the ARE 4.0 (2008-)

h) Construction Documents & Services is satisfied by one of the following:

1) Examination Syllabus H (1954-1973)

2) Professional Examination Part IV (1973-1977)


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-)

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 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
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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.

(Source: Amended at 33 Ill. Reg. ______, effective ____________)
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Section 1150. ILLUSTRATION A   Architect Seal Requirements

a) Every licensed architect shall have a reproducible seal, or facsimile, the print of which shall contain the name of the architect, the license number, and words "Licensed Architect, State of Illinois". The licensed architect shall affix the signature, current date, date of license expiration and seal to the first sheet of any bound set or loose sheets of technical submissions utilized as contract documents between the parties to the contract or contracts or prepared for the review and approval of any governmental or public authority having jurisdiction by that licensed architect or under that licensed architect's responsible control. The seal and dates may be electronically affixed. The signature generated by computer or reproduced by other means shall not be permitted on such documents. The sheet of technical submissions on which the seal is affixed shall indicate those documents or parts thereof for which the seal shall apply (Section 14 of the Act).

b) Partnerships may utilize a reproducible seal or facsimile that contains all partners names and license numbers, provided that the partner(s) responsible for the technical submissions for the building shall sign and seal in the manner prescribed in subsection (a) above. All construction documents issued by an architectural firm, corporation, limited liability company or partnership are required to bear the corporate or assumed business name and design firm registration number, in addition to the seal requirements.

c) The following is a suggested facsimile of the design and lettering of the seal:

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John Q. Public
001-000000

Licensed Architect
State of Illinois

Expires 11-30 _____

Signature
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(Source: Amended at 33 Ill. Reg. _______, effective _____________)

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1) **Heading of the Part:** Construction and Filing of Life Insurance and Annuity Forms

2) **Code Citation:** 50 Ill. Adm. Code 1405

3) **Section Numbers:**
   - Proposed Action:
     - 1405.10 Amendment
     - 1405.15 New Section
     - 1405.20 Amendment
     - 1405.30 Amendment
     - 1405.40 Amendment
     - 1405.50 Amendment
     - 1405.70 Amendment
     - 1405.80 Amendment
     - 1405.90 Amendment

4) **Statutory Authority:** Implementing Section 143 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/143 and 401]

5) **A Complete Description of the Subjects and Issues Involved:** The primary substantive amendment to this Part, found in Section 1405.40(p), will address the fact that disability benefits may only be added to a life policy if the disability is total and permanent. The amendments to this Part will define total and permanent disability as one that results in the insured's inability to work and earn money because of an injury or illness from which recovery is unlikely at any time in the future and that is expected to continue indefinitely or result in death. This is consistent with Section 4 of the Illinois Insurance Code [215 ILCS 5/4]. Additionally, the Division has also made a number of housekeeping changes that accurately reflect the consolidation of our agency under IDFPR and a definition Section has been added that identifies terms that were not previously described.

6) **Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking:** None

7) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** No

10) **Are there any other proposed rulemakings pending on this Part?** No
11) State of Statewide Policy Objectives: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

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

Louis Butler, Staff Attorney          Craig Cellini, Rules Coordinator  
Department of Financial and          Department of Financial and  
Professional Regulation              Professional Regulation  
Division of Insurance                 320 West Washington  
100 West Randolph Street, Suite 9-301 (or) 3rd Floor  
Chicago, Illinois 60601-3251          Springfield, Illinois 62767-0001  
312/814-5398                          217/785-0813

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: These amendments will not affect small businesses, small municipalities or not for profit corporations.

B) Reporting, bookkeeping or other procedures required for compliance: Please see the amendments to this Part.

C) Types of professional skills necessary for compliance: Insurance

14) Regulatory Agenda on which this rulemaking was summarized: July 2008

The full text of the Proposed Amendments begins on the next page:
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NOTICE OF PROPOSED AMENDMENTS

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

SUBCHAPTER s: LEGAL RESERVE LIFE INSURANCE

PART 1405

CONSTRUCTION AND FILING OF LIFE INSURANCE AND ANNUITY FORMS

Section 1405.10 Authority

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AUTHORITY: Implementing Section 143 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/143 and 401].

SOURCE: Filed July 11, 1972, effective August 1, 1972; codified at 7 Ill. Reg. 3466; amended at 12 Ill. Reg. 22184, effective December 16, 1988; amended at 33 Ill. Reg. _______, effective __________.

Section 1405.10 Authority

This Part is issued by the Director of the Department of Financial and Professional Regulation-Division of Insurance (Director) pursuant to Section 401 of the Illinois Insurance Code, which empowers the Director to make reasonable rules and regulations as may be necessary for making effective the insurance laws of this State. This Part implements Section 143 of the Illinois Insurance Code [215 ILCS 5/143](Ill. Rev. Stat. 1987, ch. 73, par. 755) by establishing a "Policy Form Manual" designed to make uniform the requirements and practices in the filing of certain policy forms with the Director.

(Source: Amended at 33 Ill. Reg. _______, effective __________)
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Section 1405.15 Definitions

Code means the Illinois Insurance Code [215 ILCS 5].

Department means the Department of Financial and Professional Regulation.

Director means the Director of the Department of Financial and Professional Regulation-Division of Insurance.

Division means the Illinois Department of Financial and Professional Regulation-Division of Insurance.

(Source: Added at 33 Ill. Reg. _____, effective ____________)

Section 1405.20 Illinois Guidelines for Filing and Approval of Life and Annuity Forms

Following are some general requirements that should be helpful to industry personnel involved in drafting and filing policy forms.

a) Policy Forms

1) "Policy Form" Defined. The term "policy form" as used in these rules is defined in the Insurance Code. It means any policy, certificate, endorsement, rider, by-law or other matter incorporated by reference or an application blank. It does not include riders or endorsements issued or made at the request of the individual policyholder relating to the manner of distribution of benefits or to the reservation of rights and benefits under a life insurance policy.

2) Policy forms exempt from filing are as follows:

A) Notice Regarding Replacement (see 50 Ill. Adm. Code 917.70).

B) Policy Summaries.

C) Buyer's Guides (see 50 Ill. Adm. Code 930.40(a)).

3) Policy forms prohibited pursuant to Sections 143(1) and 224(1)(c) of the Illinois Insurance Code are as follows: (Ill. Rev. Stat. 1987, ch. 73, pars. )
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755(1) and 836(1)(c).

A) Certificates issued in lieu of a duplicate insurance policy.

B) Forms containing provisions excluding scuba diving, hang-gliding, motorcycle racing, race car or stock car racing, or hazardous sports.

b) Form Numbers

1) Each "policy form" must be designated by a suitable form number that may be made up of numerical digits or letters, or both, in the lower left-hand corner of the first page. The form number shall be sufficient to distinguish the basic form from all others used by the insurer. Edition date and/or designation of a state where a special edition is required is permitted in such space, and if printed as a continuation of the form number, will be considered a part of the form thereof. The appearance of a company's stock number and/or printing date in proximity to the form number is permitted.

2) Since the form number must be sufficient to identify any form which has been issued by a company, each submission must bear a unique number. A recently approved but unissued form may be corrected or changed by filing a substitute page or form, which may retain the original form number.

c) General Form Requirements pursuant to Section 149 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 761).

1) The name of the company shall appear on the form.

2) Policy shall show location of the home office and principal
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office Principal Office, if different.

3) Policy shall indicate the issue or policy date and the effective date, if different.

4) Rubber stamp deletions, mechanical overprints or paste-over "stickers" are permitted with the prior approval of the Department (for rubber stamp endorsements, see Section 1405.20(d) of this Part).

5) The name or title of any policy or class of policies may not misrepresent the nature thereof. The title shall be specifically descriptive, such as Universal Term, Annuity, Endowment or Whole Life. Inclusion of words such as "special", "select", "preferred" or "inflation" are not allowed in the title as they imply receiving something not normally offered in a life policy, in violation of Sections 143(1) and 149 of the Illinois Insurance Code.

d) Preparation of Forms

1) "Policy forms" must be submitted pursuant to 50 Ill. Adm. Code 916 in duplicate.

2) "Policy forms" submitted for formal approval shall be submitted in the form intended for actual issue. Typewritten forms may be used only for single cases or when their use will be too infrequent to justify other preparation.

3) All blank spaces of each policy form must be filled in (completed in John Doe manner). The purpose and use of the form shall be explained in the submission letter.

4) When submitting a "policy form" to which a previously approved copy of the application will be attached when issued, a copy of the application shall be attached to the policy form, or if previously approved, reference must be made to approval date and form number of the previously approved application.

5) On applicable life policy forms, nonforfeiture values, if any, for the age and plan of insurance used in filling in the form must be included.
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6) On group forms, variable material may be indicated for language that which may vary from case to case. Variable material shall consist of benefit provisions and benefit levels.

7) Procedures for filing and approval without review of life policies as well as the completion of Certifications of Compliance are set forth in 50 Ill. Adm. Code 916.

8) All rubber stamp endorsements should be submitted for approval in duplicate, under the insurer's letterhead and filed in accordance with 50 Ill. Adm. Code 916.

9) Combination forms (for Life and Accident and Health) shall be submitted in duplicate to both the Life Unit and the Accident and Health Unit of the Product Evaluation Section.

10) Use of a 'pilot' form is recommended before submission of an entirely new series of policy forms.

e) Letters of Submission
The letter of submission must be in duplicate signed by a representative of the company authorized to submit forms for filing or approval and must contain the following information:

1) The letterhead of the company shall show the name of the company for whom the forms are being submitted.

2) The identifying form number of each form submitted.

3) If the form is a new one, not replacing an existing form, a statement to that effect.

4) If the form is intended to supersede another approved form, the form number and the approval date of the superseded form must be stated, together with a statement describing all as to any material changes to the previously approved forms.

5) If a company submits a form that which has been previously submitted, but
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has not been approved, the company shall advise the Department of the date of submission or disapproval of the previously submitted form and any material changes.

6) If the form is other than a policy or contract, give the form number of the policy or contract form or forms with which it will be used, or, if for more general use, describe the type or group of such forms.

7) When a form is approved, in the case of a SERFF filing, a final disposition will be issued in the SERFF filing. When a form is approved in an Illinois electronic filing, an email with a letter of final disposition will be sent to the contact person named in the filing. One copy of the submission letters will be stamped "approved" and returned to the company. To expedite individual approval, the Department of Insurance encourages companies to submit separate submission letters with each form submitted.

8) Reference to previously approved forms shall provide date of approval of those forms.

(Source: Amended at 33 Ill. Reg. ______, effective ____________)

Section 1405.30 Applications

a) General

1) The application for a policy shall contain spaces for the name and signature of the producer or other licensee who solicited and wrote the application, as required by Section 500-75493.2 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 1065.40-2) and the policy or contract shall contain spaces for a resident producer's countersignature if the policy has been negotiated, solicited or effected by a non-resident producer as required by Section 497.2 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 1065.55-2).

2) The size of the type in the declaration portion of an application must meet a reasonable standard of legibility.

3) In applications providing for home office endorsement, there shall be no
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change in the amount of insurance or benefits, unless agreed to in writing by the applicant.

4) Applications shall fully comply with the applicable Sections of Article XL of the Illinois Insurance Code, (Insurance Information and Privacy Protection (Ill. Rev. Stat. 1987, ch. 73, pars. 1065.701 et seq.).

b) Health Questions

1) Questions requiring applicant's opinion regarding past or present health of a person proposed for coverage shall be asked as to the best of the applicant's knowledge and belief.

2) Questions regarding an applicant's past or present health which are phrased so as to require factual information rather than a statement of the applicant's opinion need not be qualified as described in subsection (b)(1) above.

3) Medical Authorization in an application may be handled in one of the following ways:

A) By a direct question to be answered "yes" or "no" that clearly indicates that the applicant has or has not waived the privilege; or

B) By a statement in the declaration immediately above or in close conjunction to the signature line; or

C) By a separate authorization requiring a separate signature of the applicant or other person granting the authorization.

c) Automatic Premium Loan Provision
The application may provide for a specific election of an automatic premium loan provision if such provision is offered in the policy. Failure to elect on the part of the applicant shall result in no election of the automatic premium loan provision, as provided for in Section 1405.40(c) of this Part.

d) Dividend Election
If the contract applied for is participating, the application shall provide for election of all available dividend options as provided for in Section
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1405.40(j) of this Part.

e) Premium Mode
"Salary Savings", "Salary Deduction", "Payroll Deduction" and similar
designations may be used.

f) Replacement
Applications shall be drafted to comply with the replacement provisions of 50 Ill.
Adm. Code 917.

(Source: Amended at 33 Ill. Reg. _______, effective ____________)

Section 1405.40  Policy Forms

a) Payment of Premiums

1) Receipt – Section 224(1)(a) of the Illinois Insurance Code requires that a
policy of life insurance shall contain in substance the following: A provision that all premiums after the first shall be payable in advance either at the home office of the company or to an agent of the company, upon delivery of a receipt signed by one or more of the officers who shall be designated in the policy, when such receipt is requested by the policyholder.

2) Premium Deposits – Contractual premiums under individual policy forms may be captioned as "Premium deposits" (50 Ill. Adm. Code 909).

3) Prepayment of Premiums – Specific premiums may be paid in advance, subject to discount.

4) Advance Premium Deposits – A fund or account for payment of unspecified premiums (whether by policy or by rider) must conform to the requirements of Section 240 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, pars. 852).

5) Grace Period – Policy must provide for continuance in force during the grace period and deduction (not necessarily payment) of any unpaid premium in settlement under the policy pursuant to Section 224(1)(b) of the Illinois Insurance Code.
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b) Continuation of Premiums Beyond Maturity

If a policy provides for continuation of premiums, on an optional basis, beyond an initial or normal maturity date, it must be made clear that coverage and all applicable policy provisions also continue while premiums are being paid. The policyholder must be made aware of applicable policy values while premiums are so continued: either by including such values in the policy, or by specifying that notices of the current value will be sent to the policyholder upon request.

c) Automatic Premium Loan Provision

1) Policy may provide benefit on a positive elective basis, but not as an automatic nonforfeiture benefit. For provisions regarding automatic premium loans in applications, see Section 1405.30(c).

2) Provision must conform to the loan provision of the policy, subject to Sections 224(1)(f), 229.3 and 229.5 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, pars. 836(1)(f), 841.3 and 841.5). The provision must permit revocation of election upon written request.

3) Notification of the policyholder with respect to the initial interest rate on an automatic premium loan must be made as soon as it is reasonably practicable after making the initial loan, but in no event more than 90 days after the initial loan is made. Notification need not be given to the policyholder when a further premium loan is added unless a loan rate increase occurs. When a loan rate increase occurs, reasonable advance notice of any increase in rate must be given; but in no event shall the notice be given less than 15 days prior to the increase in rate. (Ill. Rev. Stat. 1987, ch. 73, par. 841.5(b)(5)(ii) and (iii)).

d) Loan Interest Rate

1) Provision must conform to Sections 224(1)(f), 229.3 and 229.5 of the Illinois Insurance Code. Any variable rate must include a specified maximum rate of interest. The Department requires filing of a description of procedure for changing a variable rate and notifying those policyowners who have outstanding loans of the change, which must be made on a non-discriminatory basis.
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2) The interest rate charged on a policy loan or the interest rate charged upon reinstatement of any policy form which was made under a policy issued after January 1, 1982, will not exceed the rate prescribed in Section 229.5 of the Illinois Insurance Code, either as a maximum rate of not more than 8% or an adjustable maximum interest rate established from time to time by the life insurer as permitted by law, unless the policyholder agrees in writing to the applicability of those provisions.

e) Contestability in Life Policies

1) The period of contestability is limited to a maximum of two years. Permissible exceptions are provisions relative to benefits in the event of total and permanent disability, and provisions which grant additional insurance specifically against death by accident and except for violations of the conditions of the policy relating to naval or military service in time of war or for violation of an express condition, if any, relating to aviation (except riding as a fare-paying passenger of a commercial air line flying on regularly scheduled routes between definitely established airports) as provided by (Section 224(1)(c) of the Illinois Insurance Code).

2) The period of contestability shall be determinable from the policy, i.e., by reference to a specified issue date, policy date or effective date, as referred to in subsection (v) of this Part.

f) Limitation of Coverage

Any limitation of coverage in event of death by suicide or other specified causes must be confined within the contestability period of the policy to comply with Section 225(l)(c) and 225(l)(f) of the Illinois Insurance Code. Exceptions to this restricted limitation are given in Section 224(l)(c) of the Illinois Insurance Code and subsection 1405.40(v)(2) of this Section.

g) Proof of Death

Section 224(l)(j) of the Illinois Insurance Code requires due proof of death. The Division requires that "proof" be singular (not proofs) and not further qualified, i.e., to require submission of "interest of the claimant". Insurers shall not require that a specific form be used when submitting a claim.

h) Time Limit on Claims
1) Filing of Death Claims – There is no time limit for filing death claims if the claim is not conditioned upon other contingencies, i.e., prior disability or accident. Section 224(1)(j) of the Illinois Insurance Code requires, when there is a claim on a policy due to the death of the insured, then settlement shall be made upon receipt of due proof of death. For purposes of this subsection (h)(1), due proof shall consist of sufficient evidence to establish in a court a prima facie case for payment of the claim. Therefore, any limitation with respect to death claims arising during and contingent upon the insured's continued disability must be limited to a requirement that proof of disability be furnished within a stipulated period as a condition precedent to consideration of a death claim.

2) Filing of Disability Claims – Reasonable limits are permitted. The form may require notification of disability during lifetime and continuance of disability and may eliminate accrual of benefits because of any disability which was in existence more than one year prior to furnishing proof of disability.

i) Participating or Non-Participating
A policy must indicate whether the policy is participating or non-participating.

j) Dividend Provisions
The following is applicable to individual policy forms:

1) Required Options – The policy must provide the dividend options required under Section 224(1)(e) of the Illinois Insurance Code.

2) Disposition of Dividends Left With the Company – The policy must indicate what disposition will be made of outstanding dividend credits in event of lapse, termination or maturity of the policy.

3) Other Dividend Options – In addition to the dividend options required under Section 224(1)(e) of the Illinois Insurance Code, other options (such as a one-year term insurance dividend option) may also be provided by the policy. Provisions pertaining to the automatic withdrawal of any accumulated dividends, or current and unapplied dividends for the purpose of paying premiums unpaid at the end of a grace period, may be included if the policy provides for the notification of the policyholder of the
application of dividends and the policyholder is given a minimum of 30 days after the date of the notice within which to direct the insurer to reverse the dividend transaction.

4) One-Year Term Insurance Dividend Option – Provision must be made for the disposition of the value of any one-year term insurance addition in the event of lapse of the policy. The policy may either provide for application of any cash value of the remaining one-year term insurance under nonforfeiture options, or a continuation of the term insurance.


k) Nonforfeiture Values
The nonforfeiture value table must illustrate loan values and options available for each of the first 20 years of the policy or its term, if less, and include a provision that, upon request, the company will furnish an extension of the table. Values and statements in the policy must fulfill the requirements of Section 229.2 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 229.2).

A spouse or children entitled to paid-up insurance upon the death of a covered person under a family or parent-child policy, shall be given the right to obtain the net cash surrender value of such paid-up insurance, and the form shall so state. In lieu of a table of such values, a statement may be included that a notice of the current values will be furnished by the company on request, as provided for in Section 229.2(6) of the Illinois Insurance Code.

m) Inapplicable Language
Inapplicable language is prohibited if the inclusion of such language results in inconsistencies or ambiguities or is misleading, as is required by Section 143 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 755).

n) Back Dating of Life Policy
While the Code prohibits a provision under which any policy purports to be issued or take effect more than six months before the original application was made, this limitation is not applicable in conversion from or exchanges of one
form of policy or annuity to or for another form provided credit is given for the 
reserve accumulation of the converted or terminated policy, and the form clearly 
spells out acceptable provisions relating to indebtedness, tabular cash values, 
dividends, effective date, and dividend accumulations, if any, under the new 
policy, as is prohibited by Section 225(1)(b) of the Illinois Insurance 
Code. The conversion or exchange may not result in the policyholder being charged for 
insurance protection that was not received.

o) Settlement at Maturity – Commuted Value of Unpaid Installments 
The form shall:

1) provide the basis for determining any commuted value as is provided for 
by Section 224(1)(k) of the Illinois Insurance Code; and 

2) indicate whether benefits at death shall be payable to an estate or to a 
named beneficiary.

p) Supplemental Benefits – Accidental Death and Dismemberment Benefits; 
Prohibited Language

1) Supplemental Benefits may be added to a life policy, even though the 
Supplemental Death and Dismemberment benefits may be added to a life 
policy when and Loss of Eyesight Benefits are limited to accidental cause only as is provided for by Sections 4 and 362a of the Illinois Insurance 

2) Language in such supplemental benefits that which does not employ 
"result" language, and that which establishes an accidental means test or 
uses words such as "external," "violent," or "visible wound" is 
prohibited. Additionally, contributory language (e.g., "or indirectly," 
"wholly or in part," or "contributed to by") is also prohibited. For 
purposes of this subsection (p)(2), "result" language includes, but is not 
limited to, death as a result of war, death as a result of suicide and death as 
result of flying. For purposes of this subsection (p)(2), accidental means 
test requires that both the cause and result of the accident to be an 
accident.

3) Provisions for loss due to accident or accidental injury shall not contain 
language limiting, reducing or excluding liability for a loss resulting from
purely accidental circumstances (e.g., involuntary, or unintentional ingestion of poison or an infectious organism, or inhalation of poisonous gases or fumes) as provided for by Section 143 of the Illinois Insurance Code.

4) Other supplemental benefits may be added to the policy for conditions that result in a total and permanent disability, as provided by Section 4 of the Code. For purposes of this subsection (p)(4), "total and permanent disability" means an inability to work and earn money because of an injury or illness from which recovery is unlikely at any time in the future and that is expected to continue indefinitely or result in death.

q) Combination Life and Accident and Health Coverages in Individual Policies Life and Accident and Health coverages may be combined in an individual policy, provided, of course, all statutory requirements are met and the form meets the other tests for approval in Section 143. All individual policies submitted must contain a premium breakdown as to coverages and contain a provision to allow for separation of either part.

r) Spendthrift and Creditor Clause
The policy may include a Spendthrift and Creditor Clause providing in substance that, except as may be otherwise provided in the policy, a Beneficiary may not, at or after the maturity of the policy, assign, transfer or encumber any benefits payable under the policy hereunder, and, to the extent permitted by law, any such benefits shall not be subject to the claims of any creditor of any Beneficiary. Because of the limitations in the statutory provisions relating to the exemption from execution, attachment, garnishment or other process for the debts or liabilities of the insured, no reference to these statutory exemptions is required as is provided for by Sections 238 and 241 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, pars. 850 and 853).

s) Family Policy – Names of Spouse and Children
1) It is necessary to name the spouse and/or children in either the application or policy only when a separate premium is charged for the individual insured in either of such categories.

2) For additional family policy guidelines, refer to 50 Ill. Adm. Code 1403.
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t) Term Life Insurance – Conversion of Term Life Insurance
A form providing term life insurance with conversion rights without evidence of insurability may not withhold such right of conversion because the covered person has established a waiver of premium disability claim. The form may, however, withhold waiver of premium benefits under any new policy resulting from the conversion, or, as an alternative, reduce the face amount in the new policy by not exceeding 25% if waiver is requested and provided in the new policy.

u) War Clauses – Life Policies
War clauses in life policies shall comply with 50 Ill. Adm. Code 1402.

v) Option to Purchase Additional Life Insurance – Incontestable and Suicide Clause
1) Any new policy issued pursuant to a purchase option guaranteeing insurability shall provide that the period specified in the Incontestable Clause shall expire no later than two years from the latter of date of issue of the original policy, date of issue of the rider containing the purchase option, date of change of the original policy requiring proof of insurability or date of last reinstatement of original policy, as is provided for by Section 224(1)(c) of the Illinois Insurance Code.

2) Any new policy issued pursuant to a Purchase Option may contain a limitation of coverage with respect to death by suicide during the period the policy would be contestable in the absence of issuance under the Purchase Option, as provided for by subsection 1405.40(f) of this Part.

3) Company shall indicate to the Division how the incontestability provision of the new policy will be amended.

4) The request form for the exercise of a purchase option shall be furnished to the Division. It may contain medical questions provided it is clearly stated that such questions are to be answered only if coverages additional to those permitted under the option are applied for.

w) Insurable Interest at time of Exercising Option
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In a guaranteed purchase option, a provision may not be included requiring the existence of an insurable interest when the person exercising the right to purchase is other than the insured.

x) Riders and Endorsements

1) Descriptive Title – Unless the nature of the rider or endorsement is obvious (e.g., Home Office Endorsement), the form shall contain a correct descriptive title. Use of words such as "preferred", "special", "select" or "inflation" is prohibited as provided for by Section 143 of the Illinois Insurance Code.

2) Effective Date – Rider or endorsement shall show its effective date, if other than effective date of policy, either within the text or by reference to a policy provision or in the schedule of benefits.

3) Format – Riders and endorsements are forwarded to the policyowner for attachment to the policy shall contain the following information:

   A) Name of company.

   B) Identity of policy and insured, e.g., Attached to and made a part of Policy No._____ Insured: __________.

   C) Effective date of the rider or endorsement.

   D) Signature of at least one company official.

4) Reduction of Benefits – If benefits are reduced, the reduction may be made only pursuant to a signed request or acceptance of the policy owner.

5) Riders or endorsements may not be used to amend another rider or endorsement.

(Source: Amended at 33 Ill. Reg. _____, effective _____________)

Section 1405.50 Group Insurance
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b) Group Insurance — Contributory or Non-Contributory
The policy shall state whether it is either contributory or non-contributory.

c) If a group policy terminates or is amended to terminate any class of insured persons, Section 231.1(k) of the Illinois Insurance Code requires a limited conversion privilege for every insured person who, at termination, had been insured for at least 5 years prior to the termination.

d) Paid-Up Term Life Insurance Benefit in Group Ordinary Life
Any group ordinary life insurance form providing a paid-up term life insurance benefit may contain a limitation to the effect that, when the paid-up benefit amounts to less than $1,000, only the alternative cash value as provided in the form shall be payable.

e) File and Use
Procedures for filing and approval without review of group term life policies and certificates as well as the completion of Certifications of Compliance and Waiver are set forth in 50 Ill. Adm. Code 916.

(Source: Amended at 33 Ill. Reg. ______, effective ___________)

Section 1405.70 Annuities


b) Group Annuities
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c) Group Variable Annuities
The applicable jurisdiction for group variable annuity contracts is the jurisdiction where the group master policy is delivered.

d) Fixed Dollar or Flexible Premium Individual Annuity Contracts – Options to Purchase Additional Annuity
If options for the purchase of additional annuity benefits are provided, including a flexible annuity plan, it must be made clear that the payments are considered "premiums" or purchase payments, rather than deposits, to distinguish annuity premiums from premiums placed in a Premium Deposit Reserve Account, as provided for by Section 240 of the Illinois Insurance Code (Ill. Rev. Stat. 1987, ch. 73, par. 852).

e) Notice to Policyholder
1) The policyholder must be made aware of the amount of annuity purchased, either by including a table of values in the contract, or by specifying in the contract that notices of the current or other values will be sent to the policyholder upon request.

2) The charges, including but not limited to withdrawal and surrender charges, minimum guaranteed interest rates, and a statement of the mortality table to be used must be incorporated in the policy as provided for by Section 229.4 of the Illinois Insurance Code.

f) Reinstatement
Evidence of insurability may not be required in order to reinstate an annuity benefit. However, such evidence may be a requirement for reinstatement of any supplemental benefits that may be attached to an annuity contract.

g) An annuity contract must be incontestable from the date of issue unless it includes an application asking health questions, as provided for by Section 226(1)(b) of the Code. File and Use Procedures for filing and approval without review of annuity policies as well as the completion of Certifications of Compliance are set forth in 50 Ill. Adm. Code 916.

(Source: Amended at 33 Ill. Reg. ______, effective ___________)
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Section 1405.80 Alternate and/or Insert Pages

For "alternate" and/or "insert" pages", a company may use the following guideline:

a) If the policy jacket or the outside covers are to be used with more than one plan of insurance, the form shall be submitted on this basis. The usual title and brief explanation of the type of policy need not be placed on the jacket or covers if the front cover is less than a full policy page, or if the cover contains a window. In those instances, the applicable material shall be placed in a position on the first page so that it would be exposed even when the cover jacket is over the first page, as provided for by Section 224(1)(m) of the Illinois Insurance Code.

b) Where the policy is submitted and the review is desired with consideration given to each individual page, the insert pages shall be properly identified and the letter of submittal shall list each page as a form.

c) For submittal of alternate or insert pages to be used with existing policies in supply, if the page is to be inserted at the date of issue of the policy, consideration will be given if the form is properly identified. The submittal letter shall fully explain the changes that would be made.

d) If a change is to be made on a previously issued policy, with the consent of the policyholder, this change shall be accomplished by an endorsement or rider approved for use in the State of Illinois as provided for by Section 1405.40(x)(2) of this Part.

(Source: Amended at 33 Ill. Reg. ______, effective ____________)

Section 1405.90 Substitution Filings

A substitution filing of a new form for a previously approved form having the same form number must contain the following:

a) The certification required by 50 Ill. Adm. Code 916 if the original form was approved pursuant to the File and Use provision of Part 916; and

b) The approval date of the original form and a statement that the original form was
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never used; and.

b) A red-lined version of the changes to the previously approved form.

(Source: Amended at 33 Ill. Reg. _____, effective _____________)

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1) **Heading of the Part:** Pre-licensing and Continuing Education

2) **Code Citation:** 50 Ill. Adm. Code 3119

3) **Section Numbers:**
   - 3119.10  Amendment
   - 3119.20  Amendment
   - 3119.30  Amendment
   - 3119.45  Amendment
   - 3119.50  Amendment
   - 3119.60  Amendment
   - 3119.65  Amendment
   - 3119.70  Amendment
   - 3119.75  New Section

4) **Statutory Authority:** Implementing Sections 500-25, 500-30 and 500-35 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/500-25, 500-30, 500-35, and 401]

5) **A Complete Description of the Subjects and Issues Involved:** The proposed amendments to this Part will establish disqualification standards together with noncompliance penalty provisions for education providers. The Division has also added a pre-licensing exemption waiver to Section 3119.45(a)(2) for those applicants who have a college degree. Further, in order to make our State licensure standards uniform with those set by the NAIC, the Division is amending Section 3119.65(d) to be consistent with the licensure cycle by permitting courses to be repeated every two years instead of every three. Finally, a simple technical revision is being made throughout this regulation, which removes the distinction between traditional and partnership long-term care education credits. This revision was prompted by the repeal of the long-term care partnership statute.

6) **Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking:** None

7) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** No
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

10) Are there any other proposed rulemakings pending on this Part? No

11) Statement of Statewide Policy 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:

Helen Kim, Staff Attorney
Department of Financial and Professional Regulation
Division of Insurance
100 West Randolph Street, Suite 9-301
Chicago, Illinois 60601-3251
(312) 814-5422

Craig Cellini, Rules Coordinator
Department of Financial and Professional Regulation
320 West Washington
3rd Floor
Springfield, Illinois 62767-0001
(217) 785-0813

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Insurance producers and education providers, as those term are defined in Section 3119.20 of this Part.

B) Reporting, bookkeeping or other procedures required for compliance: Please review the proposed amendments to this Part.

C) Types of professional skills necessary for compliance: Insurance/Administrative

14) Regulatory Agenda on which this rulemaking was summarized: January 2008

The full text of the Proposed Amendments begins on the next page:
PART 3119

PRE-LICENSING AND CONTINUING EDUCATION

Section
3119.10 Purpose
3119.20 Definitions
3119.30 Provider Responsibilities
3119.40 Responsibilities of Applicant for Insurance Producer Licenses and Licensed Insurance Producers Until 1/1/97 (Repealed)
3119.45 Responsibilities of the Applicant for Insurance Producer Licenses and the Licensed Insurance Producers
3119.50 Pre-Licensing – Course of Study Requirements
3119.60 Continuing Education Requirements
3119.65 Course Credit
3119.70 Course and Provider Disqualification
3119.75 Additional Penalties
3119.80 Severability
3119.EXHIBIT A Request for Certification of a Pre-Licensing Course (Repealed)
3119.EXHIBIT B Request for Certification of a Continuing Education Course (Repealed)
3119.EXHIBIT C Provider List – Proof of Completion (Repealed)
3119.EXHIBIT D Provider List – Proof of Completion (Continuing Education) (Repealed)
3119.EXHIBIT E Course of Study – Life
3119.EXHIBIT F Course of Study – Accident/Health
3119.EXHIBIT G Course of Study – Fire
3119.EXHIBIT H Course of Study – Casualty/Motor Vehicle


DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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29 Ill. Reg. 15515, effective September 29, 2005; amended at 33 Ill. Reg. ______, effective ____________.

Section 3119.10 Purpose

The purpose of this Part is to establish pre-licensing education requirements for applicants for an insurance producer license, establish continuing education requirements for licensed insurance producers, and establish requirements for providers and instructors of pre-licensing and continuing education courses. Additionally, this Part establishes disqualification and non-compliance penalty provisions for providers.

(Source: Amended at 33 Ill. Reg. ______, effective ____________)

Section 3119.20 Definitions

For the purposes of this Part, the following definitions shall apply:

Code means the Illinois Insurance Code [215 ILCS 5].

Contact instruction means a course presented in a classroom or seminar format.

Course means any course of study certified to the Director that meets the requirements of this Part, including but not limited to seminar, classroom, and self-study formats.

Date of Original Issue means the date of the issuance of a producer's license. Any lapse or suspension of 1 year or more shall establish a new date of original issue and subject the person to this Part.

Department means the Department of Financial and Professional Regulation.

Director means the Director of the Department of Financial and Professional Regulation-Division of Insurance of the State of Illinois or anyone to whom the Director's responsibilities and authority are lawfully delegated.

Division means the Department of Financial and Professional Regulation-Division of Insurance.
Interactive Online means self-study courses only presented on the Internet that do not require a proctored final exam.

Long Term Care Training (LTCT) Traditional Long-Term Care (TLTC) and Long-Term Care Partnership (LTCP) Training Credit means prescribed training required by licensed producers prior to the producer being allowed to sell long term care insurance coverage TLTC and LTCP. This training is required pursuant to 50 Ill. Adm. Code 2012.121-2012.122(d)(1) and 2018.80(d) and may satisfy a part of the continuing education requirement if the course is filed with the Division as a continuing education course.

Provider means any person who offers a course for which certification has been received by the Director.

Successful Completion means passing an examination with a score of 70% or above in accordance with criteria established by the provider.

Supervised Examination means a proctored, timed and closed book examination.

(Source: Amended at 33 Ill. Reg. ______, effective ____________)

Section 3119.30  Provider Responsibilities

a) Each provider shall submit a certification to the Director for each course it intends to offer for pre-licensing or continuing education credit. Certification is to be submitted to the Division of Insurance at least 30 days prior to the first date the course will be offered. Certification must be accompanied by the appropriate fee (see 215 ILCS 5/500-135(a)(6) or (7)), be signed and dated by the provider, and contain: the provider's name; Federal Employer Identification Number (FEIN) and/or Social Security number of the individual provider; contact person and that person's telephone number; published provider telephone number; course title; first date course will be offered; whether the course is for public education; class of insurance to which the course is applicable; and type of course instruction (see 215 ILCS 5/500-35(b)(1)). The certification format and content have also been posted to the Division's website at: www.idfpr.com/DOI/Producer/producer_information.asp and will be made available upon request from the Division. Use of the National Association of Insurance Commissioners (NAIC) Midwest Zone Form is also permissible for purposes of certification.
b) Each provider shall submit a new certification when there is a significant change in the course. No provider shall submit the same or substantially the same course content for more than one course.

c) Each provider shall maintain a copy of all instructional materials for each course. If the provider ceases to offer a course or makes a significant change in the course materials, the provider shall maintain the original material for 1 year from the date the course was terminated or significantly changed.

d) Each provider shall maintain the following records for 3 years at a central location:

1) Classroom or seminar – roster for each classroom course or seminar identifying the instructors, the student, the course, the location, the date and hours of attendance, the completion date, the examinations and the results of any examinations administered.

2) Self-study online – name of student, name of course, date of completion, the examinations, the results of examinations, and other applicable proof of completion.

e) Each provider shall provide to the Director a list of students who have successfully completed a pre-licensing or continuing education course. The list shall contain course number; credit hours; course title; reporting week being submitted; provider name; FEIN and/or Social Security number for the individual provider; and student data (including student name and Social Security number, date course completed and either class of insurance for pre-licensing or credit hours for continuing education). The information shall be submitted to the Director by computer diskette or other electronic method of transfer prescribed by the Director and in the specifications established by the Director. Each list shall be received by the Director within 10 days following the end of the week in which the course was completed. The list shall be compiled pursuant to the criteria established in Section 3119.50(b) and (e) or Section 3119.62 of this Part. The date of completion for a course with an examination shall be the date the examination is graded by the provider. Other than the original course fee, no additional fee shall be charged to the student for reporting the student's successful completion to the Division. If the initial report contains an error, no additional charge shall be given for re-reporting the credits to the Division.
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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f) Instructors shall have either a Bachelor's degree or 3 years experience in the course subject matter. Providers must maintain evidence of such qualifications while the instructor is actively engaged in instructing the course and for 1 year thereafter.

g) Providers shall, upon the request of the Director, provide a copy of all course material, provider records, and evidence of instructor's qualifications to the Director. All such requests shall be subject to a warrant of the Director and for the express purpose of gauging compliance with the Illinois Insurance Code and Department of Financial and Professional Regulation regulations pertaining to the Insurance Code.

h) The Director may make arrangements, including contracting with an outside service administrator, for the purpose of administrating and collecting the educational data from the providers. Under such an arrangement, all or a portion of the reporting requirements of the provider shall be made to the servicing administrator.

i) Providers may not advertise a pre-licensing or continuing education course unless it has been approved by the Division of Insurance.

(Source: Amended at 33 Ill. Reg. _____, effective ____________)

Section 3119.45 Responsibilities of the Applicant for Insurance Producer Licenses and the Licensed Insurance Producers

a) Applicants for Insurance Producer Licenses

1) Prior to taking the licensing examination, each applicant shall complete the pre-licensing education requirements for each class of insurance for which an examination is being taken. The pre-licensing education course must be used within 1 year after completion.

2) Applicants who either have earned a college degree in insurance or hold any of the following designations listed below will be exempt from the pre-licensing requirement of this Part. A copy of the college degree or certification for the following designations must be provided to the Division at the time of licensure application.
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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Class of Insurance Designation
Life CEBS, ChFC, CIC, CFP, CLU, FLMI, and LUTCF
Accident and Health RHU, CEBS, REBC, and HIA
Property and Casualty AAI, ARM, CIC, and CPCU

3) The following abbreviations and acronyms are used in subsection (a)(2):

Life Designations

CEBS Certified Employee Benefits Specialist
ChFC Chartered Financial Consultant
CIC Certified Insurance Counselor
CFP Certified Financial Planner
CLU Chartered Life Underwriter
FLMI Fellow Life Management Institute
LUTCF Life Underwriting Training Council Fellow

Accident and Health Designations

RHU Registered Health Underwriter
CEBS Certified Employee Benefits Specialist
REBC Registered Employee Benefits Consultant
HIA Health Insurance Associate

Property and Casualty Designations

AAI Accredited Advisor Insurance
ARM Associate in Risk Management
CIC Certified Insurance Counselor
CPCU Chartered Property and Casualty Underwriter

b) Licensed Insurance Producers

1) Each producer shall complete 30 hours of continuing education requirements prior to requesting an extension of an insurance producer license. The producer should complete the course no later than 1 month prior to the license extension date to allow time for the provider to submit proof of completion to the Director. Each producer shall maintain a
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record of each course completed for 3 years from the date of completion. The record shall include the name of the provider, the course title, and the date of completion.

2) Hours taken, course material provided or presented, in whole or in part, or in conjunction with a pre-licensing course that is not certified as pre-licensing education requirement, shall not be used to meet continuing education requirements.

3) Courses initiated or completed prior to the original issue date of the license shall not be used to meet continuing education requirements.

4) The producer may accumulate a maximum of 45 credit hours on file with the Division.

(Source: Amended at 33 Ill. Reg. _____, effective ____________)

Section 3119.50 Pre-Licensing – Course of Study Requirements

a) The certification form must be received by the Director at least 30 days prior to any course being offered.

b) A course to be certified by the provider as a pre-licensing course of study shall meet the content requirements of Section 500-30(b) of the Illinois Insurance Code [215 ILCS 5/500-30(b)] and time distribution requirements as set forth in Exhibit E, F, G or H of this Part, whichever is applicable.

c) For purposes of this Section, the minimum number of hours may be made up of any combination of classroom, seminar, or self-study hours. A self-study course must have an examination.

d) One credit will be awarded for each 50 minutes of contact instruction.

e) No credit shall be given for a self-study course if the student does not successfully complete the examination. If the student fails an examination and successive examinations are given, the successive examinations must be substantially different from each other. Self-study courses are subject to the following additional requirements:
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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1) No students shall evaluate their own examination. The evaluation of the examination must be completed by the provider;

2) No provider shall furnish the answers to an examination prior to the student completing the examination;

3) Self-study exams must contain at least 25 questions. The number of questions must increase proportionately as the amount of material increases;

4) No more than a third of the questions shall be true/false;

5) Credit hours shall be determined by the time it may take a student to study the material using 10 8½" by 11" full pages per credit hour (10-12 point font text), single line spacing with 1" margins; and

6) Graphs, charts, forms and pictures may be used in course materials; however, only a total of 10 percent will count toward the course content. The graphs, charts, forms and pictures must pertain to the course content.

f) Interactive Online Courses
Interactive online is considered a type of self-study course. Interactive online courses are, by definition, only presented on the Internet and do not require a proctored final exam. To be eligible for certification under Section 3119.30 of this Part, an interactive online course must meet the following additional requirements:

1) The course must provide at least 5 questions after each unit or chapter. The questions must be answered prior to proceeding to the next unit or chapter. The material may be reviewed while answering questions;

2) The course must provide clear instructions on how to navigate through the course;

3) The course must provide the ability to go back and review any unit at any time;

4) The course must provide online viewing access to the Division at all times;
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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5) The course must include a statement that the student information will not be sold or distributed to any third party without prior written consent of the student. Taking the course shall not constitute consent;

6) The course must provide some type of encryption. All personal information, including credit card number, name and address of the student must be encrypted so that the information cannot be read as it passes across the Internet;

7) Students must affirm that they, and only they, completed the course; and

8) The course must include the ability to contact an instructor (i.e., automated e-mail).

(Source: Amended at 33 Ill. Reg. ______, effective ____________)

Section 3119.60 Continuing Education Requirements

a) The certification must be received by the Director at least 30 days prior to any course being offered.

b) For purposes of this Section, "full credit" shall mean the reasonable amount of time, as certified by the provider, that is necessary for a student to study for and pass an examination, or in the case of a course with no examination, the number of documented classroom attendance hours.

c) Courses shall be intended to increase the knowledge and understanding of insurance principles and coverages, applicable laws, insurance regulations, agency management, customer service and sales. The following courses shall not be considered for continuing education:

1) Courses used for insurance pre-licensing training or insurance qualifying examination preparation.

2) Courses with less than 1 hour of certified continuing education credit.

d) For purposes of this Section, the minimum number of hours may be made up of any combination of classroom, seminar, or self-study hours.
e) One credit will be awarded for each 50 minutes of contact instruction.

f) No credit shall be given for a self-study course if the student does not successfully complete the examination. If the student fails an examination and successive examinations are given, the successive examinations must be substantially different from each other. Self-study courses are subject to the following additional requirements:

1) No students shall evaluate their own examination. The evaluation of the examination must be completed by the provider;

2) No provider shall furnish the answers to an examination prior to the student completing the examination;

3) Self-study exams must contain at least 25 questions. The number of questions must increase proportionately as the amount of material increases;

4) No more than a third of the questions shall be true/false; and

5) Credit hours shall be determined by the time it may take a student to study the material using 10 8½" by 11" full pages per credit hour (10-12 point font text), single line spacing with 1" margins.

g) Interactive Online Courses
Interactive online is considered to be a type of self-study course. Interactive online courses are, by definition, only presented on the Internet and do not require a proctored final exam. To be eligible for certification under Section 3119.30 of this Part, an interactive online course must meet the following additional requirements:

1) The course must provide at least 5 questions after each unit or chapter. The questions must be answered prior to proceeding to the next unit or chapter. The material may be reviewed while answering questions;

2) The course must provide clear instructions on how to navigate through the course;
NOTICE OF PROPOSED AMENDMENTS

3) The course must provide the ability to go back and review any unit at any time;

4) The course must provide online viewing access to the Division at all times;

5) The course must include a statement that the student information will not be sold or distributed to any third party without prior written consent of the student. Taking the course shall not constitute consent;

6) The course must provide some type of encryption. All personal information, including credit card number, name and address of the student must be encrypted so that the information cannot be read as it passes across the Internet;

7) Students must affirm that they, and only they, completed the course; and

8) The course must include the ability to contact an instructor (i.e., automated e-mail).

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h) LTC TLTC and LTCP Training Credit

1) Continuing education credit may be earned based on the criteria established in Section 3119.65.

2) Training credit may be obtained after a failed examination if the provider gives, and the student successfully completes, a substantially different examination.

3) If a student receives training credit only, the provider shall issue a proof of completion certificate to the student but the certificate shall be prominently stamped "NO CON-ED CREDIT".

(Source: Amended at 33 Ill. Reg. _______, effective ____________)

Section 3119.65 Course Credit

The value of course credit for purposes of this Section shall be determined as follows:
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

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a) Supervised Examinations
   1) Successful Completion
      Students who successfully complete a supervised examination will receive
      full credit for the course.
   2) Unsuccessful Completion
      Students who do not successfully complete a supervised continuing
      education examination shall receive one hour of credit for each hour of
      documented classroom attendance not to exceed 50% of full credit.

b) Non-Supervised Examination
   1) Successful Completion
      Students who successfully complete a non-supervised examination will
      receive full credit for the course.
   2) Unsuccessful Completion
      Students who do not successfully complete a non-supervised examination
      will receive no credit. If the student fails a non-supervised examination
      and successive examinations are given, the successive examinations must
      be substantially different from each other.

c) Courses Without Examination
   Students will receive credit for documented attendance based on the certified
   hours assigned to the course.

d) A producer will not be permitted to take a course for credit more than once in a license continuation period. No additional credit will be given to a producer for a repeated course unless 3 years have passed since credit was given for the course.

e) Continuing education instructors may receive continuing education credit for courses they teach. The credit earned shall be determined pursuant to the criteria established in this Section.

(Source: Amended at 33 Ill. Reg. _____, effective _____________)

Section 3119.70 Course and Provider Disqualification
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

a) The Director may disqualify any provider and/or any provider's courses if the Director finds that:

1) the provider or course has not met the requirements of this Part;

2) the provider has made a material misstatement or intentional misrepresentation on a certification form filed with the Director; a misstatement will be considered material if the course would not have been certified in the absence of such statement;

3) the provider has intentionally misrepresented itself or its course to students or prospective students;

4) the provider has violated any commitment made in the request for certification and supplementary attachments to the certification, including failure to maintain the standards and method of operation set forth in the request for certification and any supplementary attachments;

5) the provider has employed instructors who do not meet the requirements of Section 3119.30(f) of this Part;

6) the provider is deemed by the Director to have failed to act in good faith in providing a course. A failure to act in good faith may only be evidenced by the following:

   A) a student pass/fail ratio inconsistent with those of other providers for courses which are similar in content and difficulty;

   B) the number of complaints received by the Director that specifically relate to the provider's courses;

   C) provides to the student a proof of completion form that contains false or incomplete information;

   D) provides to the student a partially completed proof of completion form;

7) the provider has failed to maintain the materials and records pursuant to Section 3119.30 of this Part;
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

8) the provider failed to furnish the Director with information and records required by Section 3119.30 of this Part, or the provider supplied false or incomplete information or records;

9) the provider frequently fails to furnish the Director with an accurate student proof of completion list required by Section 3119.30(e) of this Part within 10 days following the end of the week in which the course was completed;

10) The provider has, while conducting business as a provider, used fraudulent or dishonest practices, or has demonstrated incompetence or untrustworthiness.

b) Disqualification of a provider or course shall be by order of the Director and will be sent to the provider by certified or registered mail at the address specified in the Division's records. The provider may request a hearing in writing in accordance with 50 Ill. Adm. Code 2402, within 30 days from the date of mailing. If no written request is made, the order shall be final upon the expiration of 30 days.

c) If the provider requests a hearing within 30 days, then the Director shall issue within 30 days after receipt of the request a written notice of hearing to the provider by certified or registered mail and it will be sent to the provider at the address specified in the Division's records. The notice of hearing must state:

1) The grounds, charges or conduct that justifies disqualification under this Section;

2) A specific time for the hearing, which may not be less than 20 days nor more than 30 days after the mailing of the notice of hearing; and

3) A specific place for the hearing.

d) Upon disqualification, the provider shall immediately discontinue offering its courses as certified courses. The Director shall publish all final disqualifications.

e) In any order of disqualification, the Director shall give consideration for credit hours to present students.
f) An education provider who has been disqualified will be ineligible to apply to the Division for 3 years after the date of the disqualification. A provider whose certification has been disqualified may not be employed, contracted or engaged in any insurance education related capacity during the time the disqualification is in effect.

(Source: Amended at 33 Ill. Reg. _______, effective ____________)

Section 3119.75 Additional Penalties

In addition to, or instead of, course and provider disqualification as set forth in Section 3119.70, the Director may take any appropriate regulatory action authorized by Article XXIV of the Code or any other provision of the Code or rule against a provider who fails to meet the requirements of this Part.

(Source: Added at 33 Ill. Reg. _______, effective ____________)
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENT

1) **Heading of the Part:** Medical Payment

2) **Code Citation:** 89 Ill. Adm. Code 140

3) **Section Number:** Proposed Action:
   140.425 Amendment

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 amendment is necessary to update and clarify the Department's policy regarding podiatry services.

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

7) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** No

10) **Are there any other proposed rulemakings pending on this Part?** Yes

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140.443 Amendment  33 Ill. Reg. 19; January 1, 2009
140.3 Amendment  33 Ill. Reg. 1617; January 30, 2009
140.403 Amendment  33 Ill. Reg. 1617; January 30, 2009
140.402 Amendment  33 Ill. Reg. 2053; February 6, 2009

11) Statement of Statewide Policy Objectives: 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:

Tamara Tanzillo Hoffman
Chief of Staff
Illinois Department of Healthcare and Family Services
201 South Grand Avenue E., 3rd Floor
Springfield IL  62763-0002

217/557-7157

The Department requests the submission of written comments within 30 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].

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: Medicaid funded podiatrists
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENT

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: January 2009

The full text of the Proposed Amendment begins on the next page:
DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENT

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 Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION

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SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.425 Podiatry Services

a) Payment for podiatry services shall be made only to licensed podiatrists.

b) Except for the "Services Not Covered" specified below, payment shall be made for those podiatric services that are:

1) Essential for the diagnosis and treatment of conditions of the feet.

2) Listed in the Current Procedure Terminology (CPT) for podiatric office visits, diagnostic radiology, pathology, or orthomechanical procedures included in the Department's schedule of podiatric services.
3) Performed by the podiatrist or under the direct supervision of the podiatrist.

4) Routine foot care services (trimming of nails, treatment of calluses, corns, and similar services) when a participant is under active treatment for diabetes mellitus or has a systemic condition that has resulted in severe circulatory impairment or an area of desensitization in the legs or feet and a routine type of foot care is required. These services may not be provided at less than 60 day intervals.

c) The only podiatric services which meet the definition of "Covered Services' above for which payment shall not be made are:

1) Making a referral, obtaining a specimen, handling a specimen for analysis, or ordering a laboratory test,

2) Visits and services provided to recipients eligible for Medicare benefits if the services are determined not medically necessary by Medicare,

3) Services provided to recipients in group care facilities by a podiatrist who derives direct or indirect profit from total or partial ownership of such facility,

4) Routine foot care, except as described in subsection (b)(4) of this Section,

5) Preventive or reconstructive procedures;

56) Screening for foot problems,

7) Visits by more than one family member on the same day, unless definitive pathology is present,

68) Provider transportation costs,

79) X-rays, and laboratory procedures performed at a location other than the podiatrist's own office,

840) X-rays, laboratory work or similar services not specifically required by the
condition for which the recipient is being treated,

911) Routine post-operative visits,

12) Subsequent treatment of children with congenital foot deformities,

13) Surgical assistance,

14) An office visit when physical therapy, x-ray, or laboratory tests only are done,

15) A visit when a charge is submitted for a procedure performed at the time of the visit,

16) Consultations.

(Source: Amended at 33 Ill. Reg. ______, effective ___________)
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

1) **Heading of the Part**: Temporary Assistance for Needy Families

2) **Code Citation**: 89 Ill. Adm. Code 112

3) **Section Numbers**: Proposed Action:
   - 112.9 Amendment
   - 112.65 Amendment
   - 112.69 Amendment
   - 112.127 Amendment
   - 112.150 Amendment
   - 112.151 Repealed
   - 112.152 Repealed
   - 112.153 Repealed
   - 112.305 Amendment
   - 112.307 Amendment

4) **Statutory Authority**: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13]

5) **A Complete Description of the Subjects and Issues Involved**: This proposed rulemaking is the result of a Department initiative that simplifies policy for TANF, General Assistance and Food Stamps. This rulemaking is being proposed to eliminate an asset limit for TANF. These changes make TANF policy consistent with Family Care Medical Assistance policy. By eliminating the asset test, families can be encouraged to build a savings fund that will assist them in maintaining self-sufficiency when they experience an employment setback.

Companion amendments are also being proposed to 89 Ill. Adm. Code 114 and 89 Ill. Adm. Code 121.

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

7) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** No
DEPARTMENT OF HUMAN SERVICES

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10) Are there any other rulemakings pending on this Part? Yes

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11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.

12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after the date of this issue of the Illinois Register. All requests and comments should be submitted in writing to:

   Tracie Drew, Chief
   Bureau of Administrative Rules and Procedures
   Department of Human Services
   100 South Grand Avenue East
   Harris Building, 3rd Floor
   Springfield, Illinois 62762

   217/785-9772

13) Initial Regulatory Flexibility Analysis:

   A) Types of small businesses, small municipalities and not-for-profit corporations affected: None

   B) Reporting, bookkeeping or other procedures required for compliance: None

   C) Types of professional skills necessary for compliance: None

14) Regulatory agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent regulatory agendas because: it was not anticipated by the Department with the two most recent regulatory agendas were published.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

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112.416 Fees for Service for Transitional Child Care (Repealed)
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AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].

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SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section 112.9 Client Cooperation

a) As a condition of eligibility, clients must cooperate:

1) in the determination of eligibility;

2) with Department programs conducted for the purposes of acquisition or verification of information upon which eligibility may depend;

3) in applying for all financial benefits for which they may qualify and to avail themselves of such benefits at the earliest possible date;

4) by designing a Responsibility and Services Plan (RSP) appropriate for his or her situation, signing the RSP and following through on the activities agreed to in the RSP. An applicant who refuses to cooperate in designing or signing an RSP is not eligible for TANF cash assistance. An applicant who refuses to follow through or fails, without good cause, to follow through with the activities agreed upon in the RSP is also ineligible for
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TANF cash assistance.

b) TANF applicants who quit working without good cause during the application process are not eligible for cash assistance.

c) Clients are required to avail themselves of all potential income resources.

d) When eligibility cannot be conclusively determined because the individual is unwilling or fails to provide essential information or to consent to verification, the client is ineligible.

e) At screening, applicants shall be informed, in writing, of any information they are to provide at the eligibility interview.

f) At the eligibility interview or at any time during the application process, when the applicant is requested to provide information in his or her possession, the Department will allow a reasonable period for the return of the requested information. The first day of the period is the calendar day following the date the information request form is sent or given to the applicant. The last day of the period shall be a work day and is to be indicated on the information request form. If the applicant does not provide the information by the date on the information request form, the application shall be denied on the following work day.

g) At the eligibility interview or at any time during the application process, when the applicant is requested to provide third party information, the Department shall allow a reasonable period for the return of the requested information or for verification that the third party information has been requested. The first day of the period is the calendar day following the date the information request form is sent or given to the applicant. The last day of the period shall be a work day and is to be indicated on the information request form. It is to be indicated on the information request form that the applicant shall provide written verification of the request for the third party information. If the applicant does not provide the information or the verification that the information was requested by the date on the information request form, the application shall be denied on the following work day.

1) Third party information is defined as information which must be provided by someone other than the applicant. An authorized representative or person applying on another's behalf is not a third party but is treated as if
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he were the applicant.

2) The Department shall advise clients of the need to provide written verification of third party information requests and the consequences of failing to provide such verification.

3) If the applicant requests an extension, either verbally or in writing, in order to obtain third party information and provides written verification of the request for the third party information such as a copy of the request that was sent to the third party, an extension of 90 days from the date of application shall be granted. The first day of the 90-day period is the calendar day following the date of application. The 90th day must be a work day.

4) If an applicant's attempt to obtain third party information is unsuccessful, upon the applicant's request the Department will assist in securing evidence to support the client's eligibility for assistance.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 112.65 Responsibility and Services Plan

a) The Department shall advise every applicant and recipient of:

1) the requirement that all recipients move toward self-sufficiency; and

2) the value and benefits of employment.

b) Clients who are adults or minor parents must prepare, sign and submit a personal Responsibility and Services Plan. Active recipients who are adults or minor parents who have previously prepared, signed and submitted a personal Responsibility and Services Plan must comply with the plan. Department staff shall assist each client in completing the plan.

c) The Responsibility and Services Plan includes the following:

1) job history;

2) job preferences;
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3) job search plans;

4) child immunization;

5) school attendance;

6) family well-being, including domestic violence, substance abuse, homelessness and mental and physical health issues;

7) family information;

8) income and assets;

9) child support;

10) education/training;

11) child care;

12) transportation;

13) legal; and

14) referral.

d) This Section does not apply to Representative Payees.

e) A parent who refuses to complete the Responsibility and Services Plan, when appropriate for his or her family, renders the entire assistance unit ineligible. Supervisory approval is required to confirm refusal.

f) A client who fails to follow up in taking the necessary steps that will lead to self-sufficiency, as decided upon in the Responsibility and Services Plan, is subject to sanction (see Section 112.79). Failure to comply with provisions relating to domestic violence will not result in sanction.

(Source: Amended at 33 Ill. Reg. _____, effective _____________)
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Section 112.69 Felons and Violators of Parole or Probation

a) Persons convicted, for acts that occur after August 21, 1996, of a Class X or Class 1 felony involving the possession, use or distribution of a controlled substance under Illinois or comparable federal law will not receive payment.

b) Persons convicted, for acts that occur after August 21, 1996, of any drug-related felony not listed in subsection (a) of this Section under Illinois or federal law are ineligible for two years following the date of the conviction, unless they are in drug treatment or aftercare as defined in the Illinois Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301/1-10] or have successfully participated in and completed drug treatment and/or aftercare subsequent to their conviction.

c) Persons convicted in state or federal court of misrepresenting an address to receive assistance from programs funded by a federal TANF grant, Title XIX, the Food Stamp Act of 1977, or the Supplemental Security Income program in two or more states is ineligible to participate in the Illinois TANF program for a ten-year period beginning with the date of the conviction.

d) Probation and parole violators are not eligible.

e) Fugitive felons are not eligible.

f) Family members of the persons ineligible under subsections (a) through (e) of this Section may be eligible, unless the ineligible person is the only child in the family. In considering eligibility and the amount of assistance for such family members, the income and resources of the ineligible person are considered available to them.

(Source: Amended at 33 Ill. Reg. _____, effective ________________)

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section 112.127 Lump-Sum Payments

a) Income received either in the form of a one-time only payment that does not continue on a regular basis or in the form of a retroactive payment for income that continues on a regular basis is considered non-recurring lump-sum income (a lump-sum payment). Examples of non-recurring lump-sum income are
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retroactive social security payments, retroactive unemployment insurance benefits, personal injury settlements, workers compensation injury settlements, lottery winnings, inheritances and insurance settlements.

b) Any portion of the lump-sum payment used to pay for expenses incurred as a result of the lump-sum payment shall be exempt from consideration as non-recurring lump-sum income as follows:

1) Personal Injury Settlement – That portion of a personal injury payment is exempt which is used to pay for:

   A) necessary costs of litigation or settlement, including attorney's fees;

   B) the Department's charge (see 89 Ill. Adm. Code Section 102.260);

   C) medical costs resulting from the injury and paid by the client;

   D) expenses to repair or replace personal property which was damaged as a result of the injury.

2) Workers' Compensation Payment – That portion of a Workers' Compensation payment is exempt which is used to pay for:

   A) necessary costs of litigation or settlement, including attorney's fees;

   B) medical costs resulting from the injury and paid by the client.

3) Insurance Payments

   A) Insurance Payments – That portion of an insurance payment received due to loss is exempt when used to:

      i) Repair or replace a lost or damaged resource including but not limited to repair or replacement of home, furniture, or clothing lost or damaged in a fire or flood and repair or replacement of a car as a result of an accident or fire;
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ii) Pay the funeral, burial or medical expenses of an insured where the client is the beneficiary of the insured's life insurance policy.

B) Any insurance proceeds not spent or contracted to be spent as specified in subsection (b)(3)(A) of this Section within 60 days after receipt shall be budgeted as non-recurring lump-sum income. A payment receipt shall be required as verification of any insurance-related expenses claimed as exempt under subsection (b)(3)(A) of this Section.

c) Lump-sum payments are considered nonexempt unearned income for the month of receipt. Any amount remaining is considered an asset for the following month.

(Source: Amended at 33 Ill. Reg. _____, effective ______________)

Section 112.150 Assets

a) The value of nonexempt assets shall not be considered in determining eligibility for an assistance payment.

b) The entire equity value of a jointly-held liquid asset or the client's proportional share of a jointly-held non-liquid asset shall be considered in determining eligibility for an assistance payment, unless:

1) the asset is a joint income tax refund;

2) the client can document the amount of his or her legal interest in the asset, and that such amount is less than the entire value of the asset, the documented amount shall be considered. Appropriate documentation, may include, but is not limited to, bank documents, trust documents, signature cards, divorce papers, or court orders;

3) the asset is held jointly with a client or clients of any Department assistance program other than food stamps;

4) the client documents that he or she does not have access to the asset. Appropriate documentation may include but is not limited to, bank
documents, trust documents, signature cards, divorce papers, or court orders;

5) the client documents that the asset or a portion of the asset is not owned by the client and the client’s accessibility to the asset is changed (see subsections (b)(2) and (4) of this Section for examples of documentation);

6) the co-owner refuses to make the asset available; or

7) the co-owner has engaged in violent activity against a family member in the past.

e) Income tax refunds shall be considered available assets and are to be considered against the appropriate non-exempt asset limitation of the assistance unit. One-half of joint tax refunds shall be considered available for each payee. A client who declares that less than one-half of the joint income tax was received may claim an exception. Only the amount claimed to be received shall be considered.

d) An applicant or recipient can appeal the Department’s decision relating to consideration of assets in accordance with 89 Ill. Adm. Code 14.

e) Pension plans are exempt from consideration as an asset, including accounts owned solely by an individual, such as an Individual Retirement Account (IRA), 401 K or Keogh Plan.

(Source: Amended at 33 Ill. Reg. _____, effective ____________)

Section 112.151 Exempt Assets (Repealed)

a) The following assets are exempt from consideration in determining eligibility for assistance and the amount of the assistance payment:

1) A home that is the usual residence of the assistance unit.

2) Clothing, personal effects and household furnishings.

3) One automobile per assistance unit.

4) The value of the coupon allotment under the Food Stamp Act of 1977 (7
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5) The value of the U.S. Department of Agriculture donated foods (surplus commodities).

6) The value of supplemental food assistance received under the Child Nutrition Act of 1966 (42 USC 1771 et seq.) and the special food service program for children under the National School Lunch Act (42 USC 1751 et seq.).

7) The principal and interest of a trust fund which the court refuses to release and one-time only payments released for a specific purpose other than income maintenance needs of the child.

8) Burial spaces and additions or improvements to a burial space.

9) Prepaid Funeral Agreements worth $1500 or less per person.

10) Donations or benefits from fund raisers held for a seriously ill client provided the client or a responsible relative of the client does not have control (that is, not available to the client or the responsible relative) over the donations or benefits or the disbursement of the donations or benefits.

11) A nonrecurring lump-sum SSI payment and a nonrecurring lump-sum SSA payment based on the individual’s disability and made to that individual in a TANF assistance unit is exempt as an asset for the month of receipt and the following month. For the third month, any remainder must be counted as a nonexempt asset.

12) The value of any savings in which the money is accumulated from the earning of a child. The interest is also exempt as well as gifts to the child not exceeding $50 per quarter.

13) The value of micro equipment and inventory needed for a functioning self-employment enterprise or being held in accordance with a Responsibility and Services Plan for the establishment of a self-employment enterprise.

14) Funds held in Individual Development Accounts meeting the requirements
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of Section 404(h) of the Social Security Act or in a program approved by the Department.

b) In addition to the above, the following assets are exempt. The assets listed in this subsection (b) remain exempt only as long as they can be separately identified if they are added to an existing account. If the amount of combined assets at any time, from the time of the receipt of the exempt asset or assets until the date of the eligibility determination or redetermination, fall below the amount of the exempted assets, only the lowest balance remains exempt.

1) The assets of a stepparent for purposes of determining the stepchild's eligibility.

2) Any benefits received under Title VII, Nutrition Program for the Elderly of the Older Americans Act of 1965 (42 USC 3045 et seq.), as amended.

3) Any payment received under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC 4601 et seq.).

4) Any payments distributed per capita or held in trust for members of any Indian Tribe under P.L. 92-254, P.L. 93-134 or P.L. 94-540.

5) Tax-exempt portions of payments made pursuant to the Alaska Native Claims Settlement Act (43 USC 1601 et seq.).

6) Federally subsidized housing payments under Section 8 of the Housing and Community Development Act of 1974 (42 USC 1437f) of the U.S. Housing Act of 1937.

7) Effective October 17, 1975, receipts distributed to certain Indian Tribunal members of marginal land held by the United States government.

8) Payments for supporting services or reimbursement for out-of-pocket expenses made to volunteers serving as senior health aides, senior companions, foster grandparents, and persons serving in the Service Corps of Retired Executives (SCORE) and Active Corps of Executives (ACE) and any other programs under Titles II and III, pursuant to Section 418 of P.L. 93-113.
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9) Any grant or loan to an undergraduate student for educational purposes made or insured under any programs administered by the Commissioner of Education.

10) For those individuals who have approved self-employment plans under Section 112.78, business assets must be separate from personal assets. Business assets are those assets that are directly related to producing goods and services that have been purchased after the business begins or as part of an approved self-employment plan (see Section 112.78). Business assets are considered exempt unless it is determined that the equity value (the value for which the asset can be sold less any amount owned on the asset) exceeds $1,000. If the assets are determined to exceed $1,000 but are less than $5,000, the case will be reviewed in the DHS central office to ensure that the assets in excess of $1,000 are appropriate as business assets. A determination of business assets will be completed two years after the plan is approved.


12) Any payment received under Title II of P.L. 100-383 of the Aleutian and Pribilof Islands Restitution Act (50 USC 1989c through 1989c-8).

13) Payments made to veterans who receive an annual disability payment or to the survivors of deceased veterans who receive a one-time lump-sum payment from the Agent Orange Settlement Fund or any other fund referencing Agent Orange product liability under P.L. 101-201.

14) Payments made by the Illinois Department of Mental Health and Developmental Disabilities under the Family Assistance Program for Mentally Disabled Children under P.A. 86-921.

15) Assets accumulated from income earned through employment under the federal "Health Start" Project.

16) Disaster relief payments provided by federal, State or local government or a disaster assistance organization.

17) Earmarked child support payments received by a client for the support of a
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18) Payments received under the federal Radiation Exposure Compensation Act (42 USC 2210 nt).

19) Payments made to individuals because of their status as victims of Nazi persecution pursuant to P.L. 103-286.

(Source: Repealed at 33 Ill. Reg. _____, effective ______________)

Section 112.152 Asset Disregards (Repealed)

In addition to the exempt assets listed in Section 112.151, the Department disregards up to $2000 of equity value of other resources for a one-person family and up to $3000 of equity value of other resources for a two-person family. The asset disregard increases $50 for each additional person (for example, $3050 for a three-person family and $3100 for a four-person family).

(Source: Repealed at 33 Ill. Reg. _____, effective ______________)

Section 112.153 Deferral of Consideration of Assets (Repealed)

Non-exempt real property is to be deferred for six consecutive months provided the family makes a good faith effort to sell the property and agrees to use the proceeds to repay the amount of assistance received during such period that would not have been paid had the property been sold at the beginning of the period.

(Source: Repealed at 33 Ill. Reg. _____, effective ______________)

SUBPART I: OTHER PROVISIONS

Section 112.305 Strikers

a) Definition

1) A striker is anyone directly involved in:

   A) a strike;
   
   B) a work stoppage planned by employees, including a work stoppage
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because a contract expired;

C) a slowdown planned by employees;

D) other interruption of operations planned by employees.

2) A person who is a sympathy striker is considered to be a striker.

3) An individual who has been or is on strike at any time during a fiscal month is considered a striker for the fiscal month.

b) An employee affected by a lockout is not a striker.

c) A family with a parent on strike, or a caretaker relative on strike who is not a parent, or a child on strike shall be ineligible unless the family was receiving TANF or was eligible to receive TANF on the day before the strike began.

d) Eligibility and level of benefits for a striker's family are determined using the family's income and assets as they were on the day before the strike began. If eligible on the day before the strike, eligibility and level of benefits are determined by using the greater of the striker's pre-strike income or current income plus the non-striking household member's current income.

(Source: Amended at 33 Ill. Reg. _____, effective _____________)

Section 112.307 Responsibility of Sponsors of Non-Citizens Entering the Country Prior to 8/22/96

a) This Section 112.307, except as specified in subsection (b), applies to all non-citizens who entered the country prior to August 22, 1996, or who entered the country on or after that date, but whose sponsor did not sign an Affidavit of Support under Section 213A of the Immigration and Nationality Act (INA).

b) This Section applies to all non-citizens except the following:

1) persons paroled under Section 212(d)(5) of the INA for at least one year and who entered the United States before August 22, 1996;

2) persons granted asylum by the U.S. Attorney General under Section 208
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of the INA;

3) persons admitted as Cuban or Haitian Entrants;

4) persons admitted by application before April 1, 1980 under Section 203(a)(7) of the INA;

5) persons admitted as refugees by application after March 31, 1980 under Section 207(c) of the INA; and

6) persons whose deportation is being withheld under Section 243(h) of the INA.

c) Certain amounts of the income and assets of a sponsor of a non-citizen and the sponsor's spouse, if they live together, are deemed to be available unearned income of the individual non-citizen applying for or receiving assistance if:

1) the sponsor signed an affidavit of support or a similar agreement assuring the non-citizen will not become a public charge;

2) the sponsor is not a recipient of TANF or SSI;

3) the non-citizen has been a resident of the U.S. for less than three years;

4) the non-citizen is not a child or spouse of the sponsor.

d) A sponsor is an individual, private organization or agency or public organization or agency.

e) The sponsor's income and assets will be counted even if the sponsor and spouse married after the agreement was signed.

f) The sponsor, if found able to support the non-citizen, wholly or partially, is liable for the needs of the individual only. The sponsor is not responsible for the needs of the spouse or child or children of the non-citizen if he or she did not sponsor them.

g) If two or more non-citizens applying for assistance are sponsored by the same sponsor, the income of the sponsor deemed available is divided equally among the
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The sponsor's income and assets available to meet the needs of the non-citizen are determined in the following manner:

1) Determination of Available Income

   A) Disregard 20 percent, not to exceed $175, of the earned income of the sponsor or of the sponsor and sponsor's spouse, if they live together. This includes net earnings from self-employment, allowing business expenses incurred in the production of self-employment income.

   B) Add the unearned income of the sponsor and spouse, if they live together.

   C) Deduct 3 times the TANF payment level for the size of the sponsor's family unit. This includes the sponsor and other individuals living with the sponsor who are claimed as federal tax dependents.

   D) Deduct any amount paid to individuals outside the home whom the sponsor claims as federal tax dependents.

   E) Subtract any alimony or child support paid to individuals not living with the sponsor.

2) Income remaining is applied to the needs of the immigrant.

3) Determination of Sponsor's Assets

   The asset disregard for a sponsor of a non-citizen is $1500. The same assets are exempt for a TANF case as provided in Section 112.151.

   i) If nonexempt assets are more than the $1500 disregard, the amount over the disregard shall be considered as available to the non-citizen.

(Source: Amended at 33 Ill. Reg. _____, effective _____________)

(Source: Amended at 33 Ill. Reg. _____, effective _____________)
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1) **Heading of the Part**: General Assistance

2) **Code Citation**: 89 Ill. Adm. Code 114

3) **Section Numbers**: Proposed Action:
   - 114.9 Amendment
   - 114.223 Amendment
   - 114.250 Repealed
   - 114.252 Repealed
   - 114.408 Amendment

4) **Statutory Authority**: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. VI and 12-13]

5) **A Complete Description of the Subjects and Issues Involved**: This proposed rulemaking is the result of a Department initiative that simplifies policy for TANF, General Assistance and Food Stamps. This rulemaking is being proposed to eliminate an asset limit for General Assistance. These changes make General Assistance policy consistent with Family Care Medical Assistance policy. By eliminating the asset test, families can be encouraged to build a savings fund that will assist them in maintaining self-sufficiency when they experience an employment setback.

   Companion amendments are also being proposed to 89 Ill. Adm. Code 112 and 89 Ill. Adm. Code 121.

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

7) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** No

10) **Are there any other proposed rulemakings pending on this Part?** Yes

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114.353 Amendment 32 Ill. Reg. 9794; July 11, 2008
114.230 Amendment 33 Ill. Reg. 4527; March 27, 2009

11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.

12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after the date of this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Tracie Drew, Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Building, 3rd Floor
Springfield, Illinois 62762

217/785-9772

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

14) Regulatory agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent regulatory agendas because: it was not anticipated by the Department with the two most recent regulatory agendas were published.

The full text of the Proposed Amendments begins on the next page:
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TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 114
GENERAL ASSISTANCE

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114.516 Fees for Service for Transitional Child Care (Repealed)
114.518 Rates of Payment for Transitional Child Care (Repealed)

AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. VI and 12-13].

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SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section 114.9 Client Cooperation

a) As a condition of eligibility, clients must cooperate:

1) in the determination of eligibility;

2) with Department programs conducted for the purposes of acquisition or verification of information upon which eligibility may depend;

3) in applying for all financial benefits for which they may qualify and to avail themselves of such benefits at the earliest possible date.

b) Clients are required to avail themselves of all potential income sources.

c) When eligibility cannot be conclusively determined because the individual is unwilling or fails to provide essential information or to consent to verification, the client is ineligible.
d) At screening, applicants shall be informed, in writing, of any information they are to provide at the eligibility interview.

e) At the eligibility interview or at any time during the application process, when the applicant is requested to provide information in his or her possession, the Department will allow ten (10) days for the return of the requested information. The first day of the ten (10) day period is the calendar day following the date the information request form is sent or given to the applicant. The last day of the ten (10) day period shall be a work day and is to be indicated on the information request form. If the applicant does not provide the information by the date on the information request form, the application shall be denied on the following work day.

f) At the eligibility interview or at any time during the application process, when the applicant is requested to provide third party information, the Department shall allow ten (10) days for the return of the requested information or for verification that the third party information has been requested. The first day of the ten (10) day period is the calendar day following the date the information request form is sent or given to the applicant. The last day of the ten (10) day period shall be a work day and is to be indicated on the information request form. It is to be indicated on the information request form that the applicant shall provide written verification of the request for the third party information. If the applicant does not provide the information or the verification that the information was requested by the date on the information request form, the application shall be denied on the following work day.

1) Third party information is defined as information which must be provided by someone other than the applicant. An authorized representative or person applying on another's behalf is not a third party but is treated as if he were the applicant.

2) The Department shall advise clients of the need to provide written verification of third party information requests and the consequences of failing to provide such verification.

3) If the applicant requests an extension either verbally or in writing in order to obtain third party information and provides written verification of the request for the third party information such as a copy of the request that
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was sent to the third party, an extension of ninety (90) days from the date of application shall be granted. The first day of the ninety (90) day period is the calendar day following the date of application. The 90th day must be a work day.

4) If an applicant's attempt to obtain third party information is unsuccessful, upon the applicant's request the Department will assist in securing evidence to support the client's eligibility for assistance.

(Source: Amended at 33 Ill. Reg. ______, effective ____________)

SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

Section 114.223 Lump-Sum Payments

a) Income received either in the form of a one-time only, payment that does not continue on a regular basis or in the form of a retroactive payment for income that continues on a regular basis is considered nonrecurring lump-sum income (a lump-sum payment). Examples of nonrecurring lump-sum income are retroactive social security payments, retroactive unemployment insurance benefits, personal injury settlements, Workers' Compensation injury settlements, lottery winnings, inheritances and insurance settlements.

b) Any portion of the lump-sum payment used to pay for expenses incurred as a result of the lump-sum payment shall be exempt from consideration as nonrecurring lump-sum income as follows:

1) Personal Injury Settlement – That portion of a personal injury payments is exempt which is used to pay for:

   A) necessary costs of litigation or settlement, including attorney's fees;

   B) the Department's charge (see 89 Ill. Adm. Code 102.260);

   C) medical costs resulting from the injury and paid by the client;

   D) expenses to repair or replace personal property which was damaged as a result of the injury.
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2) Workers' Compensation Payment – That portion of a Workers' Compensation payment is exempt which is used to pay for:

A) necessary costs of litigation or settlement, including attorney's fees;
B) medical costs resulting from the injury and paid by the client.

3) Insurance Payments

A) Insurance Payments – That portion of an insurance payment received due to loss is exempt when used to:

i) repair or replace a lost or damaged resource including but not limited to repair or replacement of home, furniture, or clothing lost or damaged in a fire or flood and repair or replacement of a car as a result of an accident or fire;
ii) pay the funeral/burial or medical expenses of an insured where the client is the beneficiary of the insured's life insurance policy.

B) Any insurance proceeds not spent or contracted to be spent as specified in subsection (b)(3)(A) of this Section within 60 days after receipt shall be budgeted as nonrecurring lump-sum income. A payment receipt shall be required as verification of any insurance-related expense claimed as exempt under subsection (b)(3)(A) of this Section.

c) A SSI lump-sum payment made on behalf of a child that is paid directly into a dedicated account is disregarded.

d) Lump-sum payments are considered nonexempt unearned income for the month of receipt. Any amount remaining is considered an asset for the following month.

(Source: Amended at 33 Ill. Reg. ______, effective ____________)

Section 114.250 Assets (Repealed)
a) The value of non-exempt assets shall be considered in determining eligibility for an assistance payment.

b) The entire equity value of jointly held assets shall be considered in determining eligibility for an assistance payment, unless:

1) The asset is a joint income tax refund; or

2) The client documents that he/she does not have access to the asset. Appropriate documents may include, but are not limited to, bank documents, signature cards, trust documents, divorce papers, and papers from court proceedings; or

3) The client can document the amount of his legal interest in the asset, and that such amount is less than the entire value of the asset, then the documented amount shall be considered. Appropriate documentation may include, but is not limited to, bank documents, trust documents, signature cards, divorce papers, or court orders; or

4) The asset is held jointly with a client of any Illinois Department of Human Services assistance program, other than Food Stamps; or

5) The client documents that the asset or a portion of the asset is not owned by the client and the client's accessibility to the asset is changed (see subsections (b)(2) and (b)(3) for documentation examples).

c) Income tax refunds

1) Income tax refunds shall be considered available assets and are to be considered against the appropriate nonexempt asset limitation of the assistance unit. One-half of joint tax refunds shall be considered available for each payee.

2) A client who declares that less than one-half of the joint income tax was received may claim an exception. Only the amount claimed to be received shall be considered.

d) Trust Fund for the Benefit of a Dependent Child
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1) When trust fund exists in the name of a child or for the benefit of a child included in the assistance unit and the amount of the trust fund by itself or combined with other nonexempt assets of the assistance unit exceeds the asset disregard, the caretaker shall be allowed 45 days to petition the court for release of the funds. When someone other than the caretaker is the trustee of the trust fund, the caretaker is responsible for taking action within 45 days of the Department's becoming aware of the existence of the trust fund to petition the court to order the trustee to release the funds. The child for whom the trust fund was established shall remain in the assistance unit for the 45 days.

2) When the trust fund combined with other nonexempt assets of the assistance unit does not exceed the asset disregard, petitioning the court for release of the funds is not required.

3) At the end of 45 days, if the caretaker:

A) does not provide verification that the court has been petitioned, the amount of the trust fund shall be considered a nonexempt asset and shall be applied to the asset disregard of the assistance unit. When the trust fund and other nonexempt assets exceed the asset disregard, the child may be deleted or if the child is the only child in the assistance unit, the case may be changed to an adult only case. The eligibility of all other members of the assistance unit shall not be affected unless the child with the trust fund is the only child in the assistance unit, or

B) provides verification that the court has been petitioned and the court denied the request for release of the funds, the amount of the trust fund shall be considered an exempt asset, or

C) provides verification the court will release the funds for the child, the released amounts shall be considered as follows:

i) When the petition and court order direct the money be used for the child's income maintenance needs or do not specify a purpose, payments shall be budgeted as nonexempt unearned income. The caretaker may request the child be
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removed from the assistance unit if the earmarked income meets the child's needs. The earmarked income shall be considered available to meet the needs of the child only and the other assistance unit members remain eligible.

ii) When the petition and court order direct the money be used for the child's income maintenance needs or do not specify a purpose, a one-time only release of the money shall be considered an asset subject to the asset disregard. If the payment plus other nonexempt assets exceed the asset disregard, the caretaker may choose to delete the child from the assistance unit. The other assistance unit members shall remain eligible.

iii) When the petition and court order direct the money be used for a specific purpose other than the income maintenance needs of the child, the money shall be considered exempt and does not affect eligibility, or

D) provides verification the court was petitioned but a decision was not made, assistance shall be continued for the child and a control established for 30 days.

e) Pension plans are exempt from consideration as an asset, including accounts owned solely by an individual, such as an Individual Retirement Account (IRA), 401-K or Keogh Plan.

(Source: Repealed at 33 Ill. Reg. ______, effective _____________)

Section 114.251 Exempt Assets (Repealed)

a) The following assets are exempt from consideration in determining eligibility for assistance:

1) Homestead property.

2) Household furnishings.

3) Clothing and personal effects.
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4) One motor vehicle.

5) The principal and interest of a court-ordered trust fund established for a child which, upon petition, the court refuses to release and one-time only payments released for a specific purpose other than the income maintenance needs of the child.

6) Donations or benefits from fund raisers held for a seriously ill client provided the client or responsible relative of the client does not have control over the donations or benefits or the disbursement of the donations or benefits and the donations or benefits are not available to the client or the responsible relative.

b) The following payments are also exempt:

1) The value of any savings in which the money is accumulated from the earnings of a child.


3) Any payment received under Title II of P.L. 100-383 of the Aleutian and Pribilof Islands Restitution Act (50 U.S.C. 1989c through 1989c-8).

4) Payments made by the Illinois Department of Mental Health and Developmental Disabilities under the Family Assistance Program for Mentally Disabled Children under P.A. 86-921.

5) Disaster relief payments provided by federal, State or local governments or a disaster assistance organization.

(Source: Repealed at 33 Ill. Reg. _______, effective ____________)

Section 114.252 Asset Disregards (Repealed)

In addition to the exempt assets listed in Section 114.251, the cash value of assets shall be disregarded as follows:
All assets or the cash value of assets other than those listed in Section 114.251 are nonexempt
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and must be considered in determining initial or continued eligibility for assistance and level of assistance payment. The client's asset disregard is the same as the TANF asset disregard contained in 89 Ill. Adm. Code 112.152.

(Source: Repealed at 33 Ill. Reg. _______, effective ____________)

SUBPART G: OTHER PROVISIONS

Section 114.408 Responsibility of Sponsors of Non-citizens Entering the Country On or After 8/22/96

a) This Section applies to all non-citizens who entered the country on or after August 22, 1996, and whose sponsors signed an Affidavit of Support under Section 213A of the Immigration and Nationality Act (INA) (8 USCA 1183A).

b) This Section applies to all non-citizens except the following:

1) persons granted asylum by the U.S. Attorney General under Section 208 of the INA (8 USCA 1158);

2) persons admitted as Cuban or Haitian entrants;

3) persons admitted as refugees by application after March 31, 1980, under Section 207 of the INA (8 USCA 1157); and

4) persons whose deportation is being withheld under Section 243(h) of the INA (8 USCA 1253(h)).

c) Certain amounts of the income and assets of a sponsor and of a sponsor's spouse, if they live together, are deemed to be available unearned income and/or assets of the individual non-citizen applying for or receiving General Assistance if:

1) the sponsor signed an Affidavit of Support under Section 213A of the INA (8 USCA 1183A) assuring that the non-citizen would not become a public charge;

2) the sponsor is not a recipient of GA, TANF, SSI or SSP; and

3) the non-citizen is not a child or spouse of the sponsor.
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d) A sponsor is an individual, private organization or agency, or public organization or agency.

e) The sponsor's spouse's income and assets will be counted even if the sponsor and spouse married after the agreement was signed.

f) The sponsor, if found able to support the non-citizen wholly or partially, is liable for the needs of the individual non-citizen only. The sponsor is not responsible for the needs of the spouse or child or children of the non-citizen if he or she did not sponsor them.

g) If two or more non-citizens applying for assistance are sponsored by the same sponsor, the income of the sponsor is deemed available and is divided equally among the non-citizens.

h) The sponsor's income and assets available to meet the needs of the non-citizen are determined in the following manner:

1) Determination of Available Sponsor's Income

   A) The Department shall disregard 20%, not to exceed $175, of the earned income of the sponsor or of the sponsor and sponsor's spouse if they live together. This includes net earnings from self-employment, allowing business expenses incurred in the production of self-employment income.

   B) The Department shall add the unearned income of the sponsor and spouse if they live together.

   C) The Department shall deduct 3 times the appropriate TANF cash payment level for the size of the sponsor's family unit. This includes the sponsor and other individuals living with the sponsor who are claimed as federal tax dependents.

   D) The Department shall deduct any amount paid to individuals outside the home whom the sponsor claims as federal tax dependents.
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E) The Department shall subtract any alimony or child support paid to individuals not living with the sponsor.

2) Any remaining income is applied to the needs of the non-citizen.

3) Determination of Sponsor's Assets

The asset disregard for a sponsor of a non-citizen is $1500. The same assets are exempt for a GA case as provided in Section 114.251.

i) If nonexempt assets are more than the $1500 disregard, the amount over the disregard shall be considered as available to the non-citizen.

j) The sponsor's income and assets shall be deemed available to meet the needs of the non-citizen until the non-citizen is naturalized or has worked 40 qualifying quarters of coverage as specified in Section 421 of the Personal Responsibility and Work Opportunities Reconciliation Act of 1996.

(Source: Amended at 33 Ill. Reg. ______, effective ____________ )
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1) **Heading of the Part:** Food Stamps

2) **Code Citation:** 89 Ill. Adm. Code 121

3) **Section Numbers:**
   - 121.57 Amendment
   - 121.58 Amendment

4) **Statutory Authority:** Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13]

5) **A Complete Description of the Subjects and Issues Involved:** This proposed rulemaking is the result of a Department initiative that simplifies policy for TANF, General Assistance and Food Stamps. This rule change revises the Food Stamp rules to no longer consider vehicles when determining countable assets. This proposed rulemaking simplifies the determination of assets for Food Stamp households by adopting the exemption of vehicle policy used for TANF. Provisions from the Food and Nutrition Act of 2008 allow the use of vehicle asset policy adopted for TANF to be applied to Food Stamps.

   Companion amendments are also being proposed to 89 Ill. Adm. Code 112 and 89 Ill. Adm. Code 114.

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

7) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** No

10) **Are there any other proposed rulemakings pending on this Part?** Yes

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121.10 Amendment 33 Ill. Reg. 4537; March 27, 2009
121.63 Amendment 33 Ill. Reg. 4537; March 27, 2009
121.120 Amendment 33 Ill. Reg. 4537; March 27, 2009
121.125 Amendment 33 Ill. Reg. 4537; March 27, 2009

11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.

12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after the date of this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Tracie Drew, Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Building, 3rd Floor
Springfield, Illinois 62762

217/785-9772

13) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not-for-profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

14) Regulatory agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent regulatory agendas because: it was not anticipated by the Department with the two most recent regulatory agendas were published.

The full text of the Proposed Amendments begins on the next page:
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PROPOSED AMENDMENTS

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CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121
FOOD STAMPS

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**SUBPART I: WORK REQUIREMENT FOR FOOD STAMPS**

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121.223 Work Experience Component (Repealed)
121.224 Supportive Service Payments to Meet the Work Requirement (Repealed)
121.225 Meeting the Work Requirement with the Illinois Works Component (Repealed)
121.226 Meeting the Work Requirement with the JTPA Employability Services Component (Repealed)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].

NOTICE OF PROPOSED AMENDMENTS

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Section 121.57 Assets

a) The value of nonexempt assets shall be considered in determining eligibility.

b) Value of Nonexempt Assets

1) The value of nonexempt assets is the equity value (fair market value less the amount owed), except for prepaid funeral agreements valued over $1500.

2) The Department considers the following assets in determining eligibility:

A) Liquid Assets

i) Liquid assets are those properties in the form of cash or other financial instruments which are convertible to cash, such as, but not limited to, cash on hand, money in checking or savings accounts, credit union accounts, savings certificates, stocks or bonds, lump-sum payments, and prepaid funeral agreements.

ii) Exempt any retirement funds in a plan, contract, or account, described in sections 401(a), 403(a), 403(b), 408, 408A, 457(b), and 501(c)(18) of the Internal Revenue Code of 1986 and the value of funds in a Federal Thrift Savings Plan account as provided in section 8439 of title 5, United States Code. Exempt any funds in a qualified tuition program described in section 529 of the Internal Revenue Code of 1986 or in a Coverdell education savings account under section 530 of that Code.

B) Nonliquid Assets

Nonliquid assets are those properties which are not in the form of cash or other financial instruments, such as personal property, licensed vehicles, unlicensed vehicles, buildings, land, recreational properties, and any other property not specifically exempted in Section 121.58.
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C) Assets of Sponsors of Aliens
Consider the assets of the sponsor and the sponsor's spouse who sponsored an alien on or after February 1, 1983 (7 CFR 272.1(g)(54) (2001)) in accordance with Section 121.55.

D) Licensed Vehicles
The Department shall consider the equity value of a licensed vehicle unless exempt as stated in Section 121.58.

Prepaid Funeral Agreements
The value of prepaid funeral agreements over $1500.00 per person is considered.

(Source: Amended at 33 Ill. Reg. _______, effective ____________)

Section 121.58 Exempt Assets

a) Homestead Property

1) The home and surrounding property which, exclusive of public rights of way, is not separated from the home by intervening property owned by others.

2) Homes which are temporarily unoccupied for reasons of employment, training for future employment, illness, or inhabitability caused by casualty or natural disaster, remain exempt if the household intends to return.

3) A lot owned or being purchased by the household if the household intends to build or is building a permanent home and the household does not currently own a home.

b) Personal Property
Household goods, personal effects, one burial plot per household member, and the cash value of life insurance policies. Pension plans are exempt from consideration as an asset, except accounts owned solely by an individual, such as an Individual Retirement Account (IRA), 401 K or Keogh Plan, that are accessible without a penalty for withdrawal.
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c) Income Producing Property

1) Property which is annually producing income consistent with its fair market value (including land or buildings being sold by installment contract), even if only used on a seasonal basis.

2) Property which is essential to the employment or self-employment of a household member, such as, farmland and work related equipment (tools of a tradesman, farm machinery). In the case of farm property (including land, equipment, and supplies) that is essential to the self-employment of a household member in a farming operation, the value of such property shall be excluded from financial resources until the expiration of the one year period beginning on the date such member ceases to be self-employed in farming.

3) A rental home which is used by a household for vacation purposes at sometime during the year is an asset, unless excluded by subsection (c)(1) of this Section.

d) Disaster Relief Payments
Disaster relief payments provided by federal, state or local government or a disaster assistance organization.

e) Inaccessible Assets
Assets whose cash value is not accessible to the household, such as but not limited to:

1) irrevocable trust funds,

2) security deposits on rental property and utilities,

3) property in probate,

4) real property when a good faith effort is being made to sell at a reasonable price,

5) jointly owned assets which cannot be practically subdivided and are accessible only with the consent of the joint owner who refuses to give that consent,
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6) non-liquid asset or assets (see Section 121.57(b)(2)(B)) which have a lien against it as a result of a business loan and the household is prohibited by the security or lien agreement from selling the asset or assets,

7) monies received from the Social Security Administration under the PASS Program that are held in a separate account, or

8) an asset if when sold or otherwise disposed of would net the household less than $1500. The net is determined by subtracting the expenses of disposing of the property from the equity value. This does not apply to negotiable financial instruments or stocks and bonds.

f) Prorated Income
Money which has been prorated as income, such as income of self-employed persons or students.

g) Indian Lands
Indian lands held jointly with the tribe, or land that can be sold only with the approval of the Bureau of Indian Affairs.

h) Federal Statute Exclusions
Assets excluded for food stamp purposes by express provision of Federal Statute.

i) Licensed Vehicles

1) used primarily for producing income such as, but not limited to, a taxi, truck, or fishing boat. "Used primarily" means: used over 50% of the time the vehicle is used;

2) annually producing income consistent with its fair market value (even if only used on a seasonal basis);

3) necessary for long-distance travel essential to employment, other than daily commuting (such as a sales person, migrant farmworker);

4) necessary for subsistence hunting or fishing (game and fish necessary for the livelihood of the household);
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5) used as the household's home;

6) necessary to transport a physically disabled household member regardless of the purpose of such transportation. Only one vehicle per disabled person is allowed. The vehicle need not be specially equipped or used primarily for the transportation of the disabled individual;

*Agency Note: Exclusions (1) (6) also apply when the vehicle is not in use because of temporary unemployment.

7) one licensed vehicle per household, regardless of its use;

8) the equity value of one licensed vehicle for each adult household member, regardless of its use;

9) the equity value of any other licensed vehicles used by household members under age 18 to drive to and from employment, training or education which is preparatory for employment, or to seek employment. Temporary periods of unemployment are not to affect this exemption;

10) any vehicle if the net proceeds would total less than $1500 if sold; and

11) property, real or personal, to the extent that it is directly related to the maintenance or use of a vehicle excluded under subsections (i)(1), (i)(2) or (i)(3) of this Section.

j) Assets of a TANF or SSI household member
All assets of a household member who receives TANF or SSI benefits.

(Source: Amended at 33 Ill. Reg. _______, effective ____________)
ATTORNEY GENERAL

NOTICE OF PROPOSED AMENDMENTS

1) **Heading of the Part:** Illinois Estate and Generation-Skipping Transfer Tax Return

2) **Code Citation:** 86 Ill. Adm. Code 2000

3) **Section Numbers:**
   - Proposed Action:
     - 2000.100 Amendment
     - 2000.110 New Section

4) **Statutory Authority:** Implementing Section 6(f) and authorized by Section 16 of the Illinois Estate and Generation-Skipping Transfer Tax Act [35 ILCS 405/6(f) and 16]

5) **A Complete Description of the Subjects and Issues Involved:** For persons dying between 2006-2009, the Illinois exemption mirrored the federal exemption of $2 million during the years 2006-2008. However, in 2009, the federal exemption increases to $3.5 million and the Illinois exemption remains fixed at $2 million. Thus, a taxable estate of less than $3.5 million and more than $2 million will generate an Illinois estate tax with no corresponding federal estate tax. The proposed amendment seeks to resolve the issue of attaching a copy of the federal estate tax return to the Illinois estate tax return in such situation where no federal return is required to be filed and describes the schedules which must be filed in conjunction with the Illinois estate tax return.

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

7) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Does this rulemaking contain incorporations by reference?** No

10) **Are there any other proposed rulemakings pending on this Part?** No

11) **Statement of Statewide Policy Objectives:** Neither creates nor enlarges a State mandate within the meaning of 30 ILCS 805/3b of the State Mandates Act.

12) **Time, Place and Manner in which interested persons may comment on this proposed rulemaking:** During the First Notice period (within 45 days after publication in the Illinois Register) by writing:
ATTORNEY GENERAL

NOTICE OF PROPOSED AMENDMENTS

John Flores, Chief
Revenue Litigation Bureau North
Office of the Attorney General
100 West Randolph Street, 13th floor
Chicago, Illinois 60601

312/814-6153

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: Records of estate assets and information, and Federal Estate Tax Return and its supporting documents are required. These items will already have been prepared in the course of estate administration.

C) Types of professional skills necessary for compliance: The preparer of the Return must be familiar with Federal Estate Tax statutes and regulations, the Illinois Estate and Generation-Skipping Transfer Tax Act, and the law concerning estate administration.

14) Regulatory Agenda on which this rulemaking was summarized: January 2009

The full text of the Proposed Amendments begins on the next page:
Section 2000.100  Prescribed Return

All persons required by Section 6(c) of the Illinois Estate and Generation-Skipping Transfer Tax Act [35 ILCS 405/6(c)] to file a return pursuant to the Illinois Estate and Generation-Skipping Transfer Tax shall file a return. The Attorney General shall provide a form for the return, but other forms that contain the information prescribed in this Section will also be accepted. An acceptable form must contain the following information:

   a) Decedent's name;
   b) Date of death;
   c) Decedent's complete address;
   d) Decedent's Social Security Number;
   e) Name of Illinois county in which decedent resided or, if non-resident, Illinois county in which the greatest value of property is located;
   f) Name of personal representative or person filing return;
ATTORNEY GENERAL

NOTICE OF PROPOSED AMENDMENTS

g) Complete address and telephone number of personal representative or person filing return;

h) Name of preparer of return;

i) Complete address and telephone number of preparer of return;

j) Statement of whether a federal estate tax return is required to be filed and, if so, a copy of the federal return shall be attached to the Illinois return; if not, an itemized schedule of all assets, wherever located, in the form described in Section 2000.110, shall be attached;

k) Statement of whether the decedent was an Illinois resident, a non-resident or an alien, and the year domicile was established;

l) Statement of the due date of the return, any extension of the due date of the federal estate tax return, and, if extended, a copy of the federal return extension request;

m) A certification that the return, and all accompanying schedules and attachments, are true and correct and that any copies of the federal return and its attachments are true and correct copies of the originals;

n) Signature, title and date of signature of the personal representative;

o) Signature and date of signature of the preparer;

p) A statement of the total amount of Illinois estate tax due, which is an amount equal to the maximum tax credit calculable from the federal state death tax credit table in effect on December 31, 2001 (26 USCA 2011(b)(1) (West 2002));

q) A statement of taxes that were paid to other states and that would have qualified for the federal state death tax credit as of December 31, 2001 in accordance with subsection (p) of this Section;

r) A statement of the net tax remaining after deduction of qualifying taxes paid to other states;
ATTORNEY GENERAL

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s) A statement of the gross estate value for estate tax purposes of assets having taxable situs in Illinois;

t) A statement of the gross estate assets' value for federal estate tax purposes wherever located;

u) A statement of the percentage of Illinois situs assets to gross estate assets;

v) A statement as to the amount of tax attributable to Illinois as determined by multiplying the total amount of Illinois estate tax due by the percentage of the Illinois situs assets to gross estate assets;

w) A statement of the maximum allowable credit for state taxes pursuant to section 2604 of the Internal Revenue Code (26 USC 2604, Generation-Skipping Transfer Tax provisions). If any such credit is allowable, the federal Generation-Skipping Transfer Tax return with computations shall be attached;

x) A statement of any allowable Generation-Skipping Transfer Tax credit for tax paid to other states;

y) A statement of the difference between the total Generation-Skipping Transfer Tax state credit and the amount paid to other states;

z) A statement of the total tax payable to Illinois;

aa) A statement of any late filing penalty;

bb) A statement of any late payment penalty;

cc) A statement of any interest;

dd) A statement of the total tax, penalties, and interest due;

ee) A statement of all payments made and copies of receipts for payments;

ff) A statement of any balance due;

gg) A statement of any amount payable in installments under 35 ILCS 405/6;
ATTORNEY GENERAL

NOTICE OF PROPOSED AMENDMENTS

hh) If any amounts are payable in installments, a statement of the gross value of the closely held business in Illinois, the gross value of all Illinois assets, the percentage of Illinois closely held business assets to all Illinois assets, and the result of applying the percentage to tax due Illinois.

(Source: Amended at 33 Ill. Reg. ______, effective ____________)

Section 2000.110 Schedule of Assets

a) Any itemized schedule of all assets must contain:

1) A schedule showing real estate owned individually by the decedent, with identification of any real estate valued under Section 2032A of the Internal Revenue Code (26 USC 2032A);

2) A schedule showing stocks and bonds owned individually by the decedent with description, face amount of bonds, or number of shares;

3) A schedule showing mortgages, notes and cash owned individually;

4) A schedule showing insurance on the decedent's life;

5) A schedule showing all jointly owned property of the decedent separated by interests held with a spouse as the only joint tenant and all other joint interests;

6) A schedule showing all other miscellaneous property not reportable under any other schedule of the decedent;

7) A schedule showing all transfers within three years before the decedent's death;

8) A schedule showing powers of appointment held by the decedent;

9) A schedule showing all annuities owned by the decedent;

10) A schedule showing funeral expenses and expenses incurred in administering property subject to claims of the decedent's estate;
NOTICE OF PROPOSED AMENDMENTS

11) A schedule showing debts of the decedent, and mortgages and liens;

12) A schedule showing net losses during administration and expenses incurred in administering property not subject to claims;

13) A schedule showing bequests and transfers to a surviving spouse;

14) A schedule showing charitable, public, and similar gifts and bequests;

15) A recapitulation of all schedules;

16) A schedule of all adjusted taxable gifts as determined under the Gift and Estate Taxes provisions of the Internal Revenue Code;

17) A schedule showing the calculation of the tentative taxable estate by subtracting allowable deductions from the gross estate total of all schedules without adjusted taxable gifts;

18) An explanation and documentation of the distribution of the estate, including, but not limited to, wills, trusts, and beneficiary designations, including the social security numbers of such transferees.

b) All schedules provided as part of the itemized schedule of assets shall include documentation of values and amounts.

c) The requirements of this Section may be satisfied by the filing of the most recent United States Estate (and Generation-Skipping Transfer) Tax Return published by the Internal Revenue Service or by the filing of any other form that contains the same information.

(Source: Added at 33 Ill. Reg. _____, effective ____________)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

1) **Heading of the Part:** Horse Barns at Sites Having Equestrian Use Areas

2) **Code Citation:** 17 Ill. Adm. Code 140

3) **Section Numbers:**
   - 140.10  Amendment
   - 140.20  Amendment
   - 140.30  Amendment
   - 140.40  Amendment
   - 140.50  Amendment

4) **Statutory Authority:** Implementing and authorized by Sections 1, 4, 4c and 6 of the State Parks Act [20 ILCS 835/1, 4, 4c and 6]; and by Section 5 of the State Parks Designation Act [20 ILCS 840/5]

5) **Effective Date of Amendments:** March 25, 2009

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 all material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** December 19, 2008; 32 Ill. Reg. 19324

10) **Has JCAR issued a Statement of Objection to this rulemaking?** No

11) **Differences between proposal and final version:** None

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR?** No agreements were necessary.

13) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

14) **Are there any amendments pending on this Part?** No
15) **Summary and Purpose of Rulemaking:** This Part was amended to add language to clarify the use of horse barns by field trial participants and equestrians, update regulations for use of facilities and update a statutory citation.

16) **Information and questions regarding this adopted rulemaking shall be directed to:**

William Richardson, General Counsel  
Department of Natural Resources  
One Natural Resources Way  
Springfield IL  62702-1271  

217/782-1809

The full text of the Adopted Amendments begins on the next page:
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER a: LANDS

PART 140
HORSE BARNs AT SITES HAVING EQUESTRIAN USE AREAS

Section 140.10  Location

Overnight barn stabling of horses on Department of Natural Resources' land will be allowed at major designated field trial areas and equestrian use areas when those areas have usable barns.

(Source: Amended at 33 Ill. Reg. 5270, effective March 25, 2009)

Section 140.20  Non-Field Trial Areas Having Equestrian Use Areas With Horse Barns

a) Equestrians using horse use areas at these sites may use the horse barns. The cost per horse for a barn stall is $2.00 per night paid daily for a maximum of 15 nights at a specific site in a 30 day period starting the first night the horse is stabled in the barn.

b) Each equestrian desiring to use a barn stall for his/her horse shall contact the site
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superintendent in advance as the barn stalls for overnight use are available on a first come-first served basis.

c) No horse will be stabled overnight unless the horse is being used to ride the use area provided at the site.

d) Each person assigned a barn stall for his/her horse shall keep the assigned stall clean.

(Source: Amended at 33 Ill. Reg. 5270, effective March 25, 2009)

Section 140.30 Major Designated Field Trial Areas

a) During the dates of field trials authorized by the Department according to 17 Ill. Adm. Code (Part 910) at a designated major field trial area, the horse barn at the site shall be made available only to participants of the field trial on an individual daily basis at no cost for a barn stall.

b) During times when authorized field trial activities are not taking place at designated major field trial areas, equestrians using the horse use areas or equestrians and field trialers transporting horses at these sites may use the horse barns. The cost per horse for a barn stall is $2.00 per night paid daily for a maximum of 15 nights at a specific site in a 30 day period starting the first night the horse is stabled in the barn.

1) Each equestrian or field trialer desiring to use a barn stall for his/her horse shall contact the site superintendent in advance as the stalls for overnight use are available on a first come-first served basis.

2) No horse will be stabled overnight unless the horse is being used to ride the trails provided at the site or the horse is being transported by an equestrian or field trialer.

c) Each person assigned a barn stall for his/her horse shall keep the assigned stall clean.

(Source: Amended at 33 Ill. Reg. 5270, effective March 25, 2009)

Section 140.40 Horse Riding and Stable Leased Concessions
This Part rule shall not affect authorized Department horse riding and stable leased concession operations provided through 17 Ill. Adm. Code 150 (Regulations for the Letting of Concessions, Farm Leases, Sale of Buildings and Facilities, and Demolitions).

(Source: Amended at 33 Ill. Reg. 5270, effective March 25, 2009)

**Section 140.50 Denying Use – Removal – Field Trial Participants and/or Equestrians**

The site superintendent has the right to deny a field trial participant or equestrian the use of an overnight barn stall for his/her horse or to remove a field trial participant or equestrian from the stable facility for the following reasons based on a visual inspection by, and the subsequent opinion of, the site superintendent:

a) Person is not using the equestrian area as stated in Sections 140.20(c) or 140.30(b)(2).

b) Person is an equestrian but is not a non-field trial participant at a major field trial area during a field trial period as stated in Section 140.30(a).

c) Person fails to follow the Department's cleaning schedule and/or does not perform the work necessary to keep the assigned barn stall at the same level of cleanliness as he originally accepted the stall, as stated in Sections Section 140.20(d) and 140.30(c).

d) Person's horse shows signs of improper care or mistreatment, i.e., sickness or disease not publicly acceptable in accordance with applicable provisions of the "The Humane Care for Animals Act [50 ILCS 70](Ill. Rev. Stat. 1979, ch. 8, pars. 701 et seq.)." In cases in which the horse owner or person designated by the owner does not agree with the judgement of the site superintendent, the owner or person designated by the owner, at the owner's expense, shall have the horse examined and a written certification made as to the horse's condition by an Illinois licensed veterinarian, registered doctor of veterinary medicine to resolve the matter.

(Source: Amended at 33 Ill. Reg. 5270, effective March 25, 2009)
# DEPARTMENT OF NATURAL RESOURCES

**NOTICE OF ADOPTED AMENDMENTS**

1) **Heading of the Part:** Sport Fishing Regulations for the Waters of Illinois

2) **Code Citation:** 17 Ill. Adm. Code 810

3) **Section Numbers:**
   - 810.37  Amendment
   - 810.45  Amendment
   - 810.70  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 and 25-5]

5) **Effective Date of Amendments:** March 25, 2009

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 amendments, including all material incorporated by reference, is on file in the Department of Natural Resources' principal office and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** 32 Ill. Reg. 19329; December 19, 2008

10) **Has JCAR issued a Statement of Objection to this rulemaking?** No

11) **Differences between proposal and final version:** None

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR?** No agreements were necessary.

13) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

14) **Are there any amendments pending on this Part?** No

15) **Summary and Purpose of Rulemaking:** This Part was updated for the 2009 fishing
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season. Changes were made to: update individual site-specific fishing regulations referred to by numbers listed in parentheses in Section 810.45, update the list of open water areas and site-specific regulations at those water areas and add dates for 2009 Free Fishing Days.

16) Information and questions regarding these adopted amendments shall be directed to:

William Richardson, General Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/782-1809

The full text of the Adopted Amendments begins on the next page:
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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

PART 810
SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section
810.10 Sale of Fish and Fishing Seasons
810.20 Snagging
810.30 Pole and Line Fishing Only (Repealed)
810.35 Statewide Sportfishing Regulations – Daily Catch and Size Limits
810.37 Definitions for Site Specific Sportfishing Regulations
810.40 Daily Catch 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 Regulations
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
and 25-5].

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
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,
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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 subsections listed below are referred to by number in Section 810.45. Each water area listed in Section 810.45 has numbers in parenthesis 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 while fishing, except that legal size cast nets, (in accordance with subsection 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 inches in total length or greater than 15 inches in total length.

4) Except that sport fishermen shall be allowed to use trotlines, jugs, and by hand, except that the use and aid of underwater breathing devices is prohibited. West of Wolf Creek Road, fishing from boats is permitted all year. Trotlines/jugs must be removed from sunrise until sunset from
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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 and buffalo with bow and arrow is permissible.

5) Except that sport fishermen may take carp, carpsuckers, buffalo, gar, bowfin and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices.

6) Including the Fox River south of the Illinois-Wisconsin line to the Algonquin Dam and the Nippersink Creek upstream to the Wilmot Road Bridge.

7) Except that 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 catch 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 taken 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 taken during that period.

12) Daily catch limit for largemouth or smallmouth bass, singly or in the aggregate, shall not exceed 6 fish per day, no more than one of which shall be greater than 15 inches in length and none of which shall be greater than
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12 inches and less than or equal to 15 inches in length.

13) Except that jug fishing is permitted from the hours of sunset to sunrise, and except that 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 catch 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, redbreast sunfish or pumpkinseed
D) Channel or blue catfish

15) Daily catch limit includes white, black, or hybrid crappie either singly or in the aggregate.

16) Daily catch limit includes striped bass, white bass and hybrid striped bass either singly or in the aggregate.

17) Daily catch limit shall not exceed 10 fish daily, no more than 3 of which may be 17 inches or longer in length.

18) Except that sport fishermen shall be allowed to use trotlines, jugs and bank poles in the portions of the lake that lie north of the Davenport Bridge and northeast of the Parnell 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 200 yards of any developed recreation areas.

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...
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to enter 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. No fishing within 250 yards of an occupied waterfowl blind (within the hunting area) on all Department-owned or -managed sites.

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, except that 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, except that 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 catch limit for black, white or hybrid crappies, singly or in the aggregate, shall not exceed 20 fish daily, no more than 10 of which can be below 10" in total length and no more than 10 of which can be 10" or longer in total length.

24) 15" minimum length limit for walleye with no possession of walleye greater than or equal to 20" and less than or equal to 27" in total length – protected slot limit.
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25) Daily catch 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 equal to or greater than 15 inches in total length and no more than 2 of which may be less than 15 inches in total length.

26) Lake Vermilion – Trotline and jug fishing allowed north of Boiling Springs Road.

27) Except that 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) Except that trotlines may be set within 300 feet from shore.

29) Except that 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 catch 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 equal to or greater than 15 inches in total length and no more than 2 of which may be less than 12 inches in total length.

32) Daily catch limit includes striped bass, white bass, yellow bass and hybrid striped bass, either singly or in the aggregate, no more than 4 of which may be 15 inches or longer in length.

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) Except that sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs, or spears from May 1
35) Daily catch limit for walleye, sauger, or hybrid walleye, singly or in the aggregate, shall not exceed 3 fish greater than or equal to 14" and less than 18" in total length and/or 1 fish greater than 24" in total length daily creel limit daily, no more than one of which may be greater than 24 inches in total length and no more than 2 of which may be less than 18 inches in total length and greater than or equal to 14 inches in total length.

36) Except that sportfishermen 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) All smallmouth bass taken must be less than 12 inches in total length or greater than 18 inches in total length. Only 1 bass greater than 18 inches and 2 bass less than 12 inches may be taken in the creel daily.

38) All largemouth and smallmouth bass taken must be less than 14 inches in total length or greater than 18 inches in total length. Only 1 bass greater than 18 inches and 5 bass less than 14 inches may be taken in the creel daily.

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.
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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.

Forbes State Lake (Marion County) – including no tailwaters.

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 Mingo and Kennekuk Cove Park Ponds (Vermilion County) – no tailwaters.

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.

Shabbona Lake (DeKalb County) – including that portion of Indian Creek below the Shabbona Lake Dam downstream to Shabbona Grove Road.

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

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
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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) Except that sport fishermen may take carp from boat by bow and arrow and bow and arrow devices, but not within 100 feet of any developed recreation areas.

45) Except that 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) It shall be unlawful to enter upon a designated duck hunting area between sunset of the Sunday immediately proceeding 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 2 weeks prior to the start of the regular duck season through the end of duck and Canada goose season.

(Source: Amended at 33 Ill. Reg. 5275, effective March 25, 2009)

Section 810.45 Site Specific Water Area Regulations

Fishing regulations, including species of fish, fishing methods and daily catch limits are listed for each water area. The numbers in parenthesis refer to the corresponding numbered definitions in Section 810.37 of this Part. If a water area is not listed or if a specific species is not listed, then state-wide restrictions apply. Check the bulletin boards at the specific site for any emergency changes to regulations.
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Anderson Lake Fish and Wildlife Area (33)
Fulton County

Andover Lake, City of Andover
Henry County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Anna City Lake, City of Anna
Union County
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish - 8" Minimum Length Limit
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel 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)

Apple River and tributaries, State of Illinois
Jo Daviess County
All Fish - 2 Pole and Line Fishing Only (1)
Smallmouth Bass - 14" Minimum Length Limit
Trout - Spring Closed Season (11)

Argyle Lake, Argyle Lake State Park
McDonough County
Recreational Use Restrictions - All live bait in excess of 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 Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Hybrid Walleye - 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14) - 1 Fish > 15" and/or 5 < 12" Daily (12)
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Trout - Fall Closed Season (10)
White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie - 9" Minimum Length Limit

Arrowhead Heights Lake, Village of Camp Point
Adams County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 16" Minimum Length Limit
Channel Catfish - 3 Fish Daily Creel Limit
Bluegill or Redear Sunfish - 8" Minimum Length Limit
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Large or Smallmouth Bass - 18" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie - 10" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit

Arrowhead Lake, City of Johnston City
Williamson County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Ashland City Old Reservoir #4611, City of Ashland
Morgan County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Ashland City Reservoir, City of Ashland
Morgan County
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit

Auburn Park Lagoon, Chicago Park District
Cook County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 4 Fish Daily Creel Limit
**DEPARTMENT OF NATURAL RESOURCES**

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<table>
<thead>
<tr>
<th>Location</th>
<th>Details</th>
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</table>
| **Axehead Lake, Cook County Forest Preserve**<br>Cook County | All Fish - 2 Pole and Line Fishing Only (1) (36)  
Bluegill, Redear, or Pumpkinseed - 15 Fish Daily Creel Limit  
Sunfish (14) - 14" Minimum Length Limit  
Large or Smallmouth Bass - 1 Fish Daily Creel Limit  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)  
White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit |
| **Bakers Lake, City of Peru**<br>LaSalle County | All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit |
| **Baldwin Lake, Baldwin Lake Conservation Area**<br>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  
Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit  
White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit  
White, Black, or Hybrid Crappie - 9" Minimum Length Limit |
| **Banana Lake, Lake County Forest Preserve District**<br>Lake County | All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 3 Fish Daily Creel Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit  
Large or Smallmouth Bass - 15" Minimum Length Limit  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11) |

**Banner Marsh Lake & Ponds, Banner Marsh State Fish and Wildlife Area (33)**<br>Peoria/Fulton Counties
Recreational Use Restrictions

- All live bait in excess of 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1) (34)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Large or Smallmouth Bass - 12"-18" Protected Slot Length Limit (no possession)
- Pure Muskellunge - 42" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie - 9" Minimum Length Limit

| Bass Lake, DuPage County Forest Preserve District |
| DuPage County |
| All Fish - 2 Pole and Line Fishing Only (1) |
| Channel Catfish - 3 Fish Daily Creel Limit |
| Channel Catfish - 12" Minimum Length Limit |
| Large or Smallmouth Bass - 18" Minimum Length Limit |
| Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit |
| White, Black, or Hybrid Crappie - 9" Minimum Length Limit |
| White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit |

| Batchtown Wildlife Management Area (19)(33) |
| Calhoun County |

| Baumann Park Lake, City of Cherry Valley |
| Winnebago County |
| All Fish - 2 Pole and Line Fishing Only (1) |
| Channel Catfish - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass - 14" Minimum Length Limit |
| Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit |

| Beall Woods Lake, Beall Woods Conservation Area |
| Wabash County |
| All Fish - 2 Pole and Line Fishing Only (1) |
| Channel Catfish - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass - 15" Minimum Length Limit |
| Trout - Spring Closed Season (11) |
| Trout - Fall Closed Season (10) |
### Beaver Dam Lake, Beaver Dam State Park

Macoupin County

<table>
<thead>
<tr>
<th>Fish Type</th>
<th>Limit</th>
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<tbody>
<tr>
<td>All Fish</td>
<td>2 Pole and Line Fishing Only (1)</td>
</tr>
<tr>
<td>Bluegill or Redear Sunfish (14)</td>
<td>25 Fish Daily Creel Limit</td>
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<tr>
<td>Channel Catfish</td>
<td>6 Fish Daily Creel Limit</td>
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<tr>
<td>Large or Smallmouth Bass</td>
<td>15&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass (14)</td>
<td>3 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Trout</td>
<td>Fall Closed Season (10)</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie (15)</td>
<td>10 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie</td>
<td>9&quot; Minimum Length Limit</td>
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### Beck Lake, Cook County Forest Preserve District

Cook County

<table>
<thead>
<tr>
<th>Fish Type</th>
<th>Limit</th>
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<tbody>
<tr>
<td>All Fish</td>
<td>2 Pole and Line Fishing Only (1) (36)</td>
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<tr>
<td>Bluegill, Redear, or Pumpkinseed Sunfish (14)</td>
<td>15 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Channel Catfish</td>
<td>6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>14&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Walleye, Sauger, or Hybrid Walleye</td>
<td>18&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie (15)</td>
<td>15 Fish Daily Creel Limit</td>
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### Belk Park Pond, City of Wood River

Madison County

<table>
<thead>
<tr>
<th>Fish Type</th>
<th>Limit</th>
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<tbody>
<tr>
<td>All Fish</td>
<td>2 Pole and Line Fishing Only (1)</td>
</tr>
<tr>
<td>Channel Catfish</td>
<td>6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>18&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass (14)</td>
<td>1 Fish Daily Creel Limit</td>
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</tbody>
</table>

### Belleau Lake, Cook County Forest Preserve District

Cook County

<table>
<thead>
<tr>
<th>Fish Type</th>
<th>Limit</th>
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</thead>
<tbody>
<tr>
<td>All Fish</td>
<td>2 Pole and Line Fishing Only (1) (36)</td>
</tr>
<tr>
<td>Bluegill, Redear, or Pumpkinseed Sunfish (14)</td>
<td>15 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>14&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Trout</td>
<td>Fall Closed Season (10)</td>
</tr>
<tr>
<td>Trout</td>
<td>Spring Closed Season (11)</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie (15)</td>
<td>15 Fish Daily Creel Limit</td>
</tr>
</tbody>
</table>

### Belvidere Ponds, City of Belvidere
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Boone County
  - Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
  - Large or Smallmouth Bass - 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 Creel Limit

Bird Park Quarry, City of Kankakee
  - Kankakee County
  - Trout - Fall Closed Season (10)
  - Trout - Spring Closed Season (11)

Borah Lake, City of Olney
  - Richland County
  - All Fish - 2 Pole and Line Fishing Only (1)
  - Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
  - Channel Catfish - 6 Fish Daily Creel Limit
  - Large or Smallmouth Bass - 14” Minimum Length Limit

Boston Pond, Stephen A. Forbes State Park
  - Marion County
  - Trout - Fall Closed Season (10)
  - Trout - Spring Closed Season (11)

Bowen Lake, City of Washington
  - Tazewell County
  - All Fish - 2 Pole and Line Fishing Only (1)
  - Channel Catfish - 6 Fish Daily Creel Limit
  - Large or Smallmouth Bass - 12”-15” Protected Slot Length Limit (no possession)
  - Large or Smallmouth Bass (14) - 3 Fish Daily Creel 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
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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 Fish | - 2 Pole and Line Fishing Only (1) |
| Large or Smallmouth Bass | - 18" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
| White, Black or Hybrid Crappie (15) | - 10 Fish Daily Creel Limit |

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

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

| All Fish | - 2 Pole and Line Fishing Only (1) (36) |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Bluegill or Redear Sunfish | - 8" Minimum Length Limit |
| Bluegill, or Redear, or Pumpkinseed Sunfish (14) | - 15 Fish Daily Creel Limit |
| White, Black, or Hybrid Crappie (15) | - 15 Fish Daily Creel Limit |

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

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

Burrells Wood Park Pond
NOTICE OF ADOPTED AMENDMENTS

White County
Channel Catfish - 6 Fish Daily Creel Limit

Busse Lake, Cook County Forest Preserve
Cook County
All Fish - 2 Pole and Line Fishing Only (1) (36)
Bluegill or Redear Sunfish - 8" Minimum Length Limit
Bluegill or Redear, or Pumpkinseed - 15 Fish Daily Creel Limit
Sunfish (14)
Channel Catfish - 6 Fish Daily Creel 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 Creel Limit

Cache River State Natural Area (49)
Pulaski/Johnson Counties
All Fish - 2 Pole and Line Fishing Only (1)
All Fish - No Seines

Calhoun Point Wildlife Management Area (19) (33)
Calhoun County
Calumet River
Cook County
Yellow Perch - 15 Fish Daily Creel Limit
Yellow Perch - Closed During July

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 Creel 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 Creel Limit
DEPARTMENT OF NATURAL RESOURCES
NOTICE OF ADOPTED AMENDMENTS

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

Canton Lake, City of Canton
Fulton County
Recreational Use Restrictions
- All live bait in excess of 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 Creel Limit
Large or Smallmouth Bass
- 15" Minimum Length Limit
Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit

Carbondale City Reservoir, City of Carbondale
Jackson County
Large or Smallmouth Bass
- 15" Minimum Length Limit
Large or Smallmouth Bass (14)
- 3 Fish Daily Creel Limit

Carlinville Lake #1, City of Carlinville
Macoupin County
All Fish
- 2 Pole and Line Fishing Only (1)
Channel Catfish
- 6 Fish Daily Creel Limit

Carlinville Lake #2, City of Carlinville
Macoupin County
All Fish
- 2 Pole and Line Fishing Only (1)
Channel Catfish
- 6 Fish Daily Creel Limit

Carlton Silt Basin, State of Illinois
Whiteside County
All Fish
- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish
- 8" Minimum Length Limit
Bluegill or Redear Sunfish (14)
- 10 Fish Daily Creel 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)
- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie
- 10" Minimum Length Limit
DEPARTMENT OF NATURAL RESOURCES
NOTICE OF ADOPTED AMENDMENTS

Carthage Lake, City of Carthage
Hancock County
- All Fish: 2 Pole and Line Fishing Only (1)
- Channel Catfish: 6 Fish Daily Creel Limit

Casey Park Pond, City of Casey
Clark County
- All Fish: 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14): 15 Fish Daily Creel Limit of which only 5 fish over 8" are allowed
- Channel Catfish: 6 Fish Daily Creel Limit
- Large or Smallmouth Bass: 18" Minimum Length Limit
- Large or Smallmouth Bass (14): 1 Fish Daily Creel Limit

Cedar Lake and Little Cedar Lake, U.S. Forest Service and City of Carbondale
Jackson County (19)
- All Fish: 2 Pole and Line Fishing Only (1) (5)
- Large or Smallmouth Bass: 14"-18" Protected Slot Length Limit (no possession)
- Large or Smallmouth Bass (14): 5 Fish Under 14" and 1 Fish over 18" Daily Creel Limit (38)
- Striped, White, or Hybrid Striped Bass: 17" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass (16): 3 Fish Daily Creel Limit

Centralia Foundation Park Catfish Pond, Centralia Park Foundation
Marion County
- All Fish: 2 Pole and Line Fishing Only (1)
- Channel Catfish: 6 Fish Daily Creel Limit

Centralia Lake, City of Centralia
Marion County
- 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 Creel Limit
NOTICE OF ADOPTED AMENDMENTS

Sunfish (14)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Champaign Park District Lakes (Kaufman Lake, Heritage Lake, and Mattis Lake), Champaign Park District
Champaign County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel 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 Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)
White, Black or Hybrid Crappie (15) - 10 Fish Daily Creel Limit for Fish Under 10"; 10 Fish Daily Creel Limit for Fish 10" and Longer (23)

Charlie Brown Lake & Pond, City of Flora
Clay County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel 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 Creel Limit
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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

Chauncey Marsh (19)
Lawrence County

Chautauqua Lake North Pool, U.S. Fish and Wildlife Service
Mason County
Recreational Use Restrictions
- Lake Chautauqua North Pool will be closed to boat fishing from October 15 through January 14
- Bank fishing will be allowed in selected areas only
- Ice fishing will be allowed following the January 15 reopening
Black, White, or Hybrid Crappie - 10" Minimum Length Limit (except, when the Illinois River overflows the levee system of the North Pool, there is no minimum length limit)
Black, White, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit (except, when the Illinois River overflows the levee system of the North Pool, there is no daily creel limit)
Largemouth Bass - 15" Minimum Length Limit (12" minimum length limit when the Illinois River overflows the levee system of the North Pool)

Chenoa City Lake, City of Chenoa
McLean County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
**DEPARTMENT OF NATURAL RESOURCES**

**NOTICE OF ADOPTED AMENDMENTS**

- **Chicago River (including its North Branch, South Branch, and the North Shore Channel)**
  - Cook County
    - **Yellow Perch** - 15 Fish Daily Creel Limit
    - **Yellow Perch** - Closed During July

- **Christopher Old City Lake, City of Christopher**
  - Franklin County
    - **All Fish** - 2 Pole and Line Fishing Only (1)
    - **Channel Catfish** - 6 Fish Daily Creel Limit

- **Citizen's Lake, City of Monmouth**
  - Warren County
    - **All Fish** - 2 Pole and Line Fishing Only (1)
    - **Bluegill or Redear Sunfish (14)** - 10 Fish Daily Creel Limit
    - **Channel Catfish** - 6 Fish Daily Creel Limit
    - **Large or Smallmouth Bass (14)**
      - 1 Fish Over 15" and 5 Fish under 12"
      - Daily Creel Limit (12)
    - **Trout** - Fall Closed Season (10)

- **Clear Lake, Kickapoo State Park**
  - Vermilion County
    - **All Fish** - 2 Pole and Line Fishing Only (1)
    - **Channel Catfish** - 6 Fish Daily Creel Limit
    - **Large or Smallmouth Bass** - 14" Minimum Length Limit
    - **Large or Smallmouth Bass (14)** - 3 Fish Daily Creel Limit
    - **Trout** - fall Closed Season (10)
    - **Trout** - Spring Closed Season (11)

- **Clinton Lake, Clinton Lake State Recreation Area (19)**
  - DeWitt County
    - **All Fish** - 2 Pole and Line Fishing Only (1) (18) (36)
    - **Large or Smallmouth Bass** - 16" Minimum Length Limit
    - **Large or Smallmouth Bass (14)** - 3 Fish Daily Creel Limit
    - **Striped, White, or Hybrid Striped Bass (16)** - 10 Creel/3 Fish 17" or Longer Daily (17)
    - **White, Black, or Hybrid Crappie (15)** - 15 Fish Daily Creel Limit
    - **White, Black, or Hybrid Crappie** - 9" 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 - 15" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish > 15" and 2 Fish < 15" daily (25) Daily Creel Limit  
White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit  
White, Black, or Hybrid Crappie - 10" Minimum Length Limit  
Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit  
Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit

Coles County Airport Lake, Coles County Airport  
Coles County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit  
Large or Smallmouth Bass - 14" Minimum Length Limit

Coleta Trout Pond, State of Illinois  
Whiteside County  
Trout - Fall Closed Season (10)  
Trout - Spring Closed Season (11)

Columbus Park Lagoon, Chicago Park District  
Cook County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 4 Fish Daily Creel Limit

Commissioners Park Pond, Alsip Park District  
Cook County  
All Fish - 2 Pole and Line Fishing Only (1)  
Channel Catfish - 6 Fish Daily Creel Limit

Conservation World Ponds, Illinois State Fairgrounds  
Sangamon County  
Fishing by special permit only for senior groups, children's groups or group guests
NOTICE OF ADOPTED AMENDMENTS

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 (F.P.D.) Lakes, Cook County Forest Preserve District
Cook County

| All Fish | - 2 Pole and Line Fishing Only (1) (36) |
| Bluegill, Redear, or Pumpkinseed | - 15 Fish Daily Creel Limit |
| Sunfish (14) |
| 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 Creel Limit |

Coulterville City Lake, City of Coulterville
Randolph County

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

Crab Orchard National Wildlife Refuge – Crab Orchard Lake, U.S. Fish and Wildlife Service (19)
Williamson County

| All Fish | - 2 Pole and Line Fishing Only (1) (4) |
| Striped, White, or Hybrid Striped Bass (16) | - 10 Creel/3 Fish 17" or Longer Daily (17) |
| Large or Smallmouth Bass | - 16" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |

Crab Orchard National Wildlife Refuge – Devil's Kitchen Lake, U.S. Fish and Wildlife Service (19)
Williamson County

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

Crab Orchard National Wildlife Refuge – Little Grassy Lake, U.S. Fish and Wildlife Service (19)
Williamson County

| All Fish | - 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 12-15" Slot Length Limit (3) |

Crab Orchard National Wildlife Refuge Restricted Use Area Ponds (30) and Crab Orchard
DEPARTMENT OF NATURAL RESOURCES
NOTICE OF ADOPTED AMENDMENTS

National Wildlife Refuge – All Other Ponds (19), U.S. Fish and Wildlife Service
Williamson County
   All Fish - 2 Pole and Line Fishing Only (1)
   Channel Catfish - 6 Fish Daily Creel Limit
   Large or Smallmouth Bass - 15" Minimum Length Limit

Crawford Co. Cons. Area – Picnic Pond, Crawford County Conservation Area
Crawford County
   All Fish - 2 Pole and Line Fishing Only (1)
   Channel Catfish - 6 Fish Daily Creel Limit
   Large or Smallmouth Bass - 15" Minimum Length Limit
   Trout - Fall Closed Season (10)

Crawford Co. Cons. Area Ponds, Crawford County Conservation Area
Crawford County
   All Fish - 2 Pole and Line Fishing Only (1)
   Channel Catfish - 6 Fish Daily Creel 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 Creel 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 Creel Limit
   Large or Smallmouth Bass - 15" Minimum Length Limit

Cypress Creek National Wildlife Refuge – Cache River from Rt. 37 to Rt. 51 in Ullin, U.S.
Fish and Wildlife Service
Johnson/Pulaski Counties
   All Fish - 2 Pole and Line Fishing Only (1)
   All Fish - No Seines
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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) - 15 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14) - 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Decatur Park Dist. Ponds, City of Decatur
Macon County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit (except for Fairview Park – Dreamland Pond, which has a 3 Fish Daily Creel Limit)

Deep Pit Lake, Boone County Conservation District
Boone County

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

Deep Quarry Lake, DuPage County Forest Preserve District
DuPage County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 3 Fish Daily Creel Limit
Channel Catfish - 12" Minimum Length Limit
Large or Smallmouth Bass - 18" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye - 16" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14) - 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie - 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Defiance Lake, Moraine Hills State Park
McHenry County
NOTICE OF ADOPTED AMENDMENTS

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

Des Plaines River Basin (Hoffman Dam to 47th Street Bridge, including tributaries)
Cook County
Channel Catfish - 15" Minimum Length Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - Catch and Release Only – No Harvest Permitted (9)
Northern Pike - 30" Minimum Length Limit
Northern Pike - 1 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15) - 10 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14) - 1 Fish Daily Creel Limit

Des Plaines River Conservation Area (19)
Will County

Diamond Lake, City of Mundelein
Lake County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Dog Island Wildlife Management Area (19)
Pope County

Dolan Lake, Hamilton County Conservation Area
Hamilton County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
Large or Smallmouth Bass - 18" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
### DEPARTMENT OF NATURAL RESOURCES

**NOTICE OF ADOPTED AMENDMENTS**

Donnelley State Wildlife Area (33)  
Bureau County

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

<table>
<thead>
<tr>
<th>Recreational Use Restrictions</th>
<th>- 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)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Fish</td>
<td>- All live bait in excess of 8&quot; must be rigged with a quick set rig (43)</td>
</tr>
<tr>
<td>Bluegill or Redear Sunfish (14)</td>
<td>- 2 Pole and Line Fishing Only (1)</td>
</tr>
<tr>
<td>Channel or Blue Catfish</td>
<td>- 25 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>- 6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass (14)</td>
<td>- 21&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Pure Muskellunge</td>
<td>- 1 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie</td>
<td>- 42&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie (15)</td>
<td>- 10&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie (15)</td>
<td>- 25 Fish Daily Creel Limit</td>
</tr>
</tbody>
</table>

Douglas Park Lagoon, Chicago Park District  
Cook County

<table>
<thead>
<tr>
<th>All Fish</th>
<th>- 2 Pole and Line Fishing Only (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Channel Catfish</td>
<td>- 4 Fish Daily Creel Limit</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>All Fish</th>
<th>- 2 Pole and Line Fishing Only (1)</th>
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<tbody>
<tr>
<td>Channel Catfish</td>
<td>- 6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Channel Catfish</td>
<td>- 12&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
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<td>Large or Smallmouth Bass (14)</td>
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<tr>
<td>Walleye, Sauger, or Hybrid Walleye (14)</td>
<td>- 16&quot; Minimum Length Limit</td>
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<tr>
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<td>- 3 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>White, Black or Hybrid Crappie</td>
<td>- 9&quot; Minimum Length Limit</td>
</tr>
</tbody>
</table>
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

White, Black or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

DuPage River – West Branch (between the dams 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 - 6 Fish Daily Creel Limit
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
Large or Smallmouth Bass - 14"-18" Protected Slot Length Limit (no possession) (38)
Large or Smallmouth Bass (14) - 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit
White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

East Fork Lake, City of Olney
**Richland County**
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

**Eldon Hazlet State Park** (19) (See Also Carlyle Lake)
**Clinton County**

Elkville City Reservoir, City of Elkville
**Jackson County**
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Elliott Lake, Wheaton Park District
**DuPage County**
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 36 Fish Daily Creel Limit
Large or Smallmouth Bass (14) - 15" Minimum Length Limit
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Emiquon Lake, Emiquon National Wildlife Refuge
Fulton County
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Black, White, or Hybrid Crappie - 9" Minimum Length Limit
- Black, White, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit
- Bluegill, Redear, Pumpkin Seed, Green, or Orange Spotted Sunfish and Hybrid Sunfish (14) - 25 Fish Daily Creel Limit
- Large or Smallmouth Bass - 18" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Walleye, Sauger, or Hybrid Walleye (14) - 14" Minimum Length Limit

Evergreen Lake, City of Bloomington
McLean County
- Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Pure Muskellunge - 48" Minimum Length Limit (40)
- White, Black, or Hybrid Crappie - 9" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Fairgrounds Pond – Fort Massac State Park, State of Illinois
Massac County
- Trout - Fall Closed Season (10)
- Trout - Spring Closed Season (11)

Fairview Park – Dreamland Pond, City of Decatur
Macon County
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 3 Fish Daily Creel Limit

Ferne Clyffe Lake, Ferne Clyffe State Park
Johnson County
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Trout - Fall Closed Season (10)
Trout - 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 Creel Limit
Sunfish (14)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Foli Park Pond, Village of Plano
Kendall County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel 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)(19)
Marion County
Recreational Use Restrictions - All live bait in excess of 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 Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Pure Muskellunge - 48" Minimum Length (40)
Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit

Forbes State Park Ponds, Stephen A. Forbes State Park (19)
Marion County
All Fish - 2 Pole and Line Fishing Only (1) (5)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit

Forest Park Lagoon, City of Shelbyville
Shelby County
All Fish - 2 Pole and Line Fishing Only (1)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish - 6 Fish Daily Creel Limit
Trout - Fall Closed Season (10)
Trout - Spring Closed Season (11)

Fort de Chartres Historic Site (19)
Randolph County

Four Lakes, Winnebago County Forest Preserve
Winnebago County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

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 Wilmot Road Bridge) (6) (Applies to Grass Lake and Nippersink Lake State Managed Blind Areas Only (19)), State of Illinois
Lake and McHenry Counties
Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish - 2 Pole and Line Fishing Only (1) only on State Park property bordering the Fox River and Grass Lake
Large or Smallmouth Bass - 14" Minimum Length Limit (6)
Large or Smallmouth Bass (14) - 6 Fish Daily Creel 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
Walleye, Sauger, or Hybrid Walleye - 14" Minimum Length Limit with an 18-24" Protected Slot Length Limit (no possession) (6)
Walleye, Sauger, or Hybrid Walleye (14) - 32 Fish ≥ 14" and <18" &/or 1 Fish >24" Daily Creel Limit (35)

Fox Ridge State Park (see also Hurricane Pond, Wilderness Pond and Ridge Lake) (19)
Coles County

Fox River, Algonquin Dam to confluence with the Illinois River, including tributaries, State of
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Illinois
Multiple Counties
    Smallmouth Bass - 1 Fish 12" or over and 2 Fish under 12” Daily Creel 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 GregoryBlackberry Lake), Fox Valley Park District
Kane and DuPage Counties
    All Fish - 2 Pole and Line Fishing Only (1)
    Channel Catfish - 6 Fish Daily Creel Limit
    Large or Smallmouth Bass - 15" Minimum Length Limit
    Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Frank Holten Lakes, Frank Holten State Park
St. Clair County
    All Fish - 2 Pole and Line Fishing Only (1)
    Channel Catfish - 6 Fish Daily Creel Limit
    Large or Smallmouth Bass - 14" Minimum Length Limit
    Trout - Fall Closed Season (10)
    Trout - 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**: 2 Pole and Line Fishing Only (1)
- **Large or Smallmouth Bass**: 15" Minimum Length Limit
- **Large or Smallmouth Bass (14)**: 1 Fish Daily Creel Limit

#### Fuller Lake (19) (33)
Calhoun County

Fulton County Camping and Recreation Area Waters, Fulton County Board
Fulton County
- **All Fish**: 2 Pole and Line Fishing Only (1)
- **Channel Catfish**: 6 Fish Daily Creel Limit
- **Large or Smallmouth Bass**: 12"-15" Protected Slot Length Limit (no possession)
- **Large or Smallmouth Bass (14)**: 3 Fish Daily Creel Limit
- **Bluegill or Redear Sunfish (14)**: 25 Fish Daily Creel Limit

Gages Lake, Wildwood Park District
Lake County
- **Large or Smallmouth Bass**: 15" Minimum Length Limit
- **Large or Smallmouth Bass (14)**: 3 Fish Daily Creel Limit
- **Walleye, Sauger, or Hybrid Walleye (14)**: 16" Minimum Length Limit
- **Walleye, Sauger, or Hybrid Walleye (14)**: 3 Fish Daily Creel Limit

Garfield Park Lagoon, Chicago Park District
Cook County
- **All Fish**: 2 Pole and Line Fishing Only (1)
- **Channel Catfish**: 4 Fish Daily Creel Limit

Gebhard Woods Pond, Gebhard Woods State Park
Grundy County
- **All Fish**: 2 Pole and Line Fishing Only (1)
- **Channel Catfish**: 6 Fish Daily Creel Limit
- **Large or Smallmouth Bass**: 15" Minimum Length Limit
- **Trout**: Spring Closed Season (11)

Germantown Lake, City of Germantown
### Clinton County
- **All Fish**: 2 Pole and Line Fishing Only (1)
- **Bluegill or Redear Sunfish (14)**: 15 Fish Daily Creel Limit
- **Channel Catfish**: 6 Fish Daily Creel Limit
- **Large or Smallmouth Bass**: 18" Minimum Length Limit
- **Large or Smallmouth Bass (14)**: 1 Fish Daily Creel Limit

### Giant City Park Ponds, Giant City State Park
- **All Fish**: 2 Pole and Line Fishing Only (1)
- **Channel Catfish**: 6 Fish Daily Creel Limit
- **Largemouth and Spotted Bass**: 15" Minimum Length Limit

### Gillespie New City Lake, City of Gillespie
- **Macoupin County**
  - **All Fish**: 2 Pole and Line Fishing Only (1)
  - **Channel Catfish**: 6 Fish Daily Creel Limit
  - **Large or Smallmouth Bass**: 12-15" Slot Length Limit (3)
  - **Large or Smallmouth Bass (14)**: 3 Fish Daily Creel Limit

### Gillespie Old City Lake, City of Gillespie
- **Macoupin County**
  - **All Fish**: 2 Pole and Line Fishing Only (1)
  - **Channel Catfish**: 6 Fish Daily Creel Limit
  - **Large or Smallmouth Bass**: 15" Minimum Length Limit
  - **Large or Smallmouth Bass (14)**: 3 Fish Daily Creel Limit

### Glades – 12 Mile Island Wildlife Management Area (19)(33)
- **Jersey County**

### Gladstone Lake, Henderson County Conservation Area
- **Henderson County**
  - **All Fish**: 2 Pole and Line Fishing Only (1)
  - **Bluegill or Redear Sunfish (14)**: 10 Fish Daily Creel Limit
  - **Channel or Blue Catfish (14)**: 6 Fish Daily Creel Limit
  - **Large or Smallmouth Bass (14)**: 1 Fish ≥ 15" and/or 2 <12" Daily (31)

### Glen Oak Park Lagoon, Peoria Park District
- **Peoria County**
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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

Glen Shoals Lake, City of Hillsboro
Montgomery County
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit

Calhoun County
Godar-Diamond/Hurricane Island Wildlife Management Area (19)(33)

Cook County
Gompers Park Lagoon, Chicago Park District
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 4 Fish Daily Creel Limit

Madison County
Gordon F. More Park Lake, City of Alton
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

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

Grayslake Park District (Grayslake and Park Ponds), City of Grayslake
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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

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 Creel Limit
   Channel Catfish - 6 Fish Daily Creel Limit
   Large or Smallmouth Bass - 12"-15" Protected Slot Length Limit (no possession)
   Large or Smallmouth Bass - 5 Fish Under 12" and 1 Fish Over 15" Daily Creel Limit

Greenville Old City Lake, Kingsbury Park District
   Bond County
   All Fish - 2 Pole and Line Fishing Only (1)
   Channel Catfish - 6 Fish Daily Creel Limit
   Trout - Fall Closed Season (10)
   Large or Smallmouth Bass - 15" Minimum Length Limit
   Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Grove Lake, DuPage County Forest Preserve District
   DuPage County
   All Fish - 2 Pole and Line Fishing Only (1)
   Channel Catfish - 3 Fish Daily Creel Limit
   Channel Catfish - 12" Minimum Length Limit
   Large or Smallmouth Bass - 18" Minimum Length Limit
   Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
   White, Black, or Hybrid Crappie - 9" Minimum Length Limit
   White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel 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 Creel Limit
   Channel Catfish - 6 Fish Daily Creel Limit
### NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>Fish Type</th>
<th>Minimum Length Limit</th>
<th>Daily Creel Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large or Smallmouth Bass</td>
<td>14&quot;</td>
<td>1 Fish</td>
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<tr>
<td>Large or Smallmouth Bass (14)</td>
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<tr>
<td>Channel Catfish</td>
<td>2 Pole and Line Fishing Only (1)</td>
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<td>Striped, White, or Hybrid Striped Bass (16)</td>
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<td>Striped, White or Hybrid Striped Bass</td>
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<tr>
<td>Walleye, Sauger, or Hybrid Walleye (14)</td>
<td>16&quot;</td>
<td>3 Fish</td>
</tr>
</tbody>
</table>

**Harrisburg New City Reservoir, City of Harrisburg**

Saline County

- **All Fish**: 2 Pole and Line Fishing Only (1)
- **Channel Catfish**: 6 Fish Daily Creel Limit
- **Striped, White, or Hybrid Striped Bass** (16):
  - 17" Minimum Length Limit
  - 3 Fish Daily Creel 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 in excess of 8" must be rigged with a quick set rig (43)**
- **All Fish**: 2 Pole and Line Fishing Only (1)
- **Channel Catfish**: 6 Fish Daily Creel Limit
- **Large or Smallmouth Bass**: 15" Minimum Length Limit
- **Large or Smallmouth Bass (14)**: 3 Fish Daily Creel Limit
- **Striped, White, or Hybrid Striped Bass (16)**: 10 Creel/3 Fish 17" or Longer Daily (17)
- **Walleye, Sauger, or Hybrid Walleye**: 16" Minimum Length Limit
- **Walleye, Sauger, or Hybrid Walleye (14)**: 3 Fish Daily Creel Limit

**Helmbold Slough (19)**

Calhoun County

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

Multiple Counties
DEPARTMENT OF NATURAL RESOURCES
NOTICE OF ADOPTED AMENDMENTS

All Fish - 2 Pole and Line Fishing Only (1) (13)
Large or Smallmouth Bass - 14" Minimum Length Limit
Trout - 14" Minimum Length Limit
Trout - Fall Closed Season (10)
Trout - Spring Closed Season (11)

Hennepin-Hopper Lakes, The Wetlands Initiative
Putnam County
Recreational Use Restrictions
All Fish
Black, White or Hybrid Crappie
Black, White or Hybrid Crappie (15)
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)
Pure Muskellunge
Walleye, Sauger or Hybrid Walleye
Walleye, Sauger or Hybrid Walleye (14)

Herrin Lake #1, City of Herrin
Williamson County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

Herrin Lake #2, City of Herrin
Williamson County
All Fish
Channel Catfish
Large or Smallmouth Bass
Large or Smallmouth Bass (14)

Hidden Springs State Forest Pond, Hidden Springs State Forest
Shelby County
All Fish
Bluegill or Redear Sunfish (14)
Channel Catfish
Large or Smallmouth Bass

All live bait in excess of 8" must be rigged with a quick set rig (43)
### DEPARTMENT OF NATURAL RESOURCES

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<tr>
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<th>Regulations</th>
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</thead>
<tbody>
<tr>
<td><strong>Large or Smallmouth Bass (14)</strong> - 1 Fish Daily Creel Limit</td>
<td>Highland Old City Lake, City of Highland - Madison County</td>
</tr>
<tr>
<td>All Fish</td>
<td>2 Pole and Line Fishing Only (1)</td>
</tr>
<tr>
<td>Channel Catfish</td>
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<td>15&quot; Minimum Length Limit</td>
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<td>Trout</td>
<td>Fall Closed Season (10)</td>
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<td><strong>Channel Catfish - 6 Fish Daily Creel Limit</strong></td>
<td>Hillsboro Old City Lake, City of Hillsboro - Montgomery County</td>
</tr>
<tr>
<td>All Fish</td>
<td>2 Pole and Line Fishing Only (1)</td>
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<td>Large or Smallmouth Bass</td>
<td>12-15&quot; Slot Length Limit</td>
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<tr>
<td><strong>Bluegill or Redear Sunfish (14)</strong> - 10 Fish Daily Creel Limit</td>
<td>Homer Guthrie Pond – Eldon Hazlet State Park, State of Illinois - Clinton County</td>
</tr>
<tr>
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<td>Homer Lake, Champaign County Forest Preserve District - Champaign County</td>
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<tr>
<td>All Fish</td>
<td>2 Pole and Line Fishing Only (1)</td>
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<tr>
<td>Channel Catfish</td>
<td>8&quot; Minimum Length Limit</td>
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<td><strong>Large or Smallmouth Bass (14)</strong> - 1 Fish Daily Creel Limit</td>
<td>Hormel Pond, Donnelly State Fish and Wildlife Area - Bureau County</td>
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<td></td>
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</tbody>
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DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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 Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit

Horseshoe Lake – Madison County, Horseshoe Lake State Park (19)-(46)
Madison County
All Fish - 2 Pole and Line Fishing Only (1) (28) (34)
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Horsetail Lake, 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 Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Trout - Fall Closed Season (10)
White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Horton Lake, Nauvoo State Park
Hancock County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Humbolt Park Lagoon, Chicago Park District
Cook County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 4 Fish Daily Creel Limit

Hurricane Pond, Fox Ridge State Park
Coles County
Recreational Use Restrictions - Waterfowl Refuge and Hunting Area (19)
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 5 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
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<td>Grundy/LaSalle/ Will Counties</td>
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<td>Illinois Beach State Park Ponds, Illinois Beach State Park</td>
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<tr>
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<tr>
<td>Illinois Department of Transportation Lake, State of Illinois</td>
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<tr>
<td>Sangamon County</td>
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</tr>
<tr>
<td>Trout</td>
<td>Fall Closed Season (10)</td>
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<tr>
<td>Trout</td>
<td>Spring Closed Season (11)</td>
</tr>
<tr>
<td>Illinois River – Pool 26 (19)-(33)</td>
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</tr>
<tr>
<td>Calhoun County</td>
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<tr>
<td>Illinois River – Starved Rock and Marseilles Pools</td>
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</tr>
<tr>
<td>LaSalle and Grundy Counties</td>
<td></td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>18&quot; Minimum Length Limit</td>
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<tr>
<td>Large or Smallmouth Bass (14)</td>
<td>1 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>White, Black or Hybrid Crappie (15)</td>
<td>10 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Illinois River – State of Illinois</td>
<td></td>
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<tr>
<td>Multiple Counties</td>
<td></td>
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<tr>
<td>Large or Smallmouth Bass</td>
<td>12&quot; Minimum Length Limit</td>
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<tr>
<td>Indian Boundary South Pond, Frankfort Square Park District</td>
<td></td>
</tr>
<tr>
<td>Will County</td>
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</tr>
<tr>
<td>All Fish</td>
<td>2 Pole and Line Fishing Only (1)</td>
</tr>
</tbody>
</table>
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish - 6 Fish Daily Creel Limit

Iroquois & Kankakee Rivers and their Tributaries, State of Illinois

Multiple Counties

Walleye, Sauger and Hybrid Walleye - 16" Minimum Length Limit
Walleye, Sauger and Hybrid Walleye (14) - 3 Fish Daily Creel Limit

Walleye, Sauger and Hybrid Walleye - 16" Minimum Length Limit
Walleye, Sauger and Hybrid Walleye (14) - 3 Fish Daily Creel 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 Creel 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 Creel Limit

Jericho Lake, Fox Valley Park District
Kane County

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

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 - All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
Pure Muskellunge - 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 - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
NOTICE OF ADOPTED AMENDMENTS

Jim Edgar/Panther Creek Fish and Wildlife Area, Gurney Road Pond, Jim Edgar/Panther Creek Fish and Wildlife Area
Cass County
- All Fish: 2 Pole and Line Fishing Only (1)
- Channel Catfish: 6 Fish Daily Creel Limit
- Large or Smallmouth Bass: 15" Minimum Length Limit
- Large or Smallmouth Bass (14): 3 Fish Daily Creel Limit
- Trout: Spring Closed Season (11)

Johnson Sauk Trail Lake & Pond, Johnson Sauk Trail State Park
Henry County
- Recreational Use Restrictions: All live bait in excess of 8" must be rigged with a quick set rig (43)
- All Fish: 2 Pole and Line Fishing Only (1)
- Channel Catfish: 6 Fish Daily Creel 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 Creel Limit
- Trout: Fall Closed Season (10)
- Trout: 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 Creel Limit
- Large or Smallmouth Bass: 14"-18" Protected Slot Length Limit (no possession) (38)
- Large or Smallmouth Bass (14): 5 Fish under 14" and 1 Fish over 18" Daily Creel Limit

Jubilee College State Park Pond, Jubilee College State Park
NOTICE OF ADOPTED AMENDMENTS

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

Kankakee-Iroquois Rivers and their Tributaries, State of Illinois
- Multiple Counties
  - Walleye, Sauger, and Hybrid Walleye: 16" Minimum Length Limit
  - Walleye, Sauger, and Hybrid Walleye (14): 3 Fish Daily Creel Limit

Kankakee River, from the Kankakee Dam to the mouth of the Kankakee River, including tributaries, State of Illinois
- Multiple Counties
  - Smallmouth Bass: 12"-18" Protected Slot Length Limit (no possession)
  - Smallmouth Bass: 1 Fish over 18" and 2 Fish under 12" Daily Creel Limit (37)

Kankakee River State Park (19) (33)
Kankakee/Will Counties

Kaskaskia River Fish and Wildlife Area (19)
St.Clair/Randolph/Monroe Counties

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)
- Channel Catfish: 6 Fish Daily Creel Limit
- Large or Smallmouth Bass: 14" Minimum Length Limit
- Large or Smallmouth Bass (14): 3 Fish Daily Creel Limit

Kent Creek
Winnebago County
- Trout: Spring Closed Season (11)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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 Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Kincaid City Reservoir, City of Kincaid
Christian County
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit

Kinkaid Lake, Kinkaid Lake State Fish and Wildlife Area
Jackson County
- Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
- Large or Smallmouth Bass - 16" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Pure Muskellunge - 48" Minimum Length Limit (40)
- White, Black, or Hybrid Crappie - 9" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Kinmundy Reservoir, City of Kinmundy
Marion County
- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel 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)
- Channel Catfish - 6 Fish Daily Creel Limit
NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel 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 - 8" Minimum Length Limit
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)
White, Black or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Lake Carlton, Morrison-Rockwood State Park
Whiteside County
Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Pure Muskellunge - 36" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel 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 Creel Limit
Large Smallmouth Bass (14) - 1 Fish Daily Creel Limit
Large or Smallmouth Bass - 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 - 10" Minimum Length Limit
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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

Lake George, Loud Thunder Forest Preserve
Rock Island County

Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Pure Muskellunge - 36" Minimum Length Limit
Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16) - 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Lake Jacksonville, City of Jacksonville
Morgan County

All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie - 9" Minimum Length Limit

Lake Kakusha, City of Mendota
LaSalle County
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish | - 8" Minimum Length Limit |
| Bluegill or Redear Sunfish (14) | - 10 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |
| White, Black, or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit |

Lake Le-Aqua-Na, Lake Le-Aqua-Na State Park
Stephenson County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit

Lake Mendota, City of Mendota
LaSalle County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14) - 1 Fish ≥ 15" &/or 2 <12" Daily (31)

Lake Michigan (Illinois Portion), State of Illinois
Lake/Cook Counties
Trout and Salmon - 10" Minimum Length Limit
Trout and Salmon - No more than 5 fish of any one species daily, except for Lake Trout
Lake Trout - 2 Fish Daily Creel Limit
Yellow Perch - 15 Fish Daily Creel Limit
Yellow Perch - Closed During July (exception: 10 fish daily limit during July for youth under age 16)
Large or Smallmouth Bass - 21" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Lake Milliken, Des Plaines Conservation Area
Will County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
**DEPARTMENT OF NATURAL RESOURCES**

**NOTICE OF ADOPTED AMENDMENTS**

**Trout** - Spring Closed Season (11)

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

**Vermilion County**

- **Recreational Use Restrictions**: All live bait in excess of 8" must be rigged with a quick set rig (43)
- **All Fish**: 2 Pole and Line Fishing Only (1) (44)
- **Bluegill or Redear Sunfish (14)**: No more than 5 fish over 7" permitted; unlimited daily creel for fish 7" and under
- **Channel Catfish**: 6 Fish Daily Creel Limit
- **Large or Smallmouth Bass**: 15" Minimum Length Limit
- **Pure Muskellunge**: 48" Minimum Length Limit (40)
- **White, Black, or Hybrid Crappie**: 9" Minimum Length Limit
- **White, Black, or Hybrid Crappie (15)**: 15 Fish Daily Creel Limit

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### Lake Murphysboro, Lake Murphysboro State Park

**Jackson County**

- **All Fish**: 2 Pole and Line Fishing Only (1)
- **Channel Catfish**: 6 Fish Daily Creel Limit
- **Large or Smallmouth Bass (14)**: 3 Fish Daily Creel Limit

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### Lake Nellie, City of St. Elmo

**Fayette County**

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

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

**Champaign County**

- **Recreational Use Restrictions**: All live bait in excess of 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 over 7" permitted; unlimited daily creel for fish 7" and under
- **Channel Catfish**: 6 Fish Daily Creel Limit
- **Large or Smallmouth Bass**: 15" Minimum Length Limit
- **Large or Smallmouth Bass (14)**: 1 Fish Daily Creel Limit
- **Trout**: Spring Closed Season (11)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Lake Owen, Hazel Crest Park District
Cook County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

Lake Paradise, City of Mattoon
Coles County
All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass - 14" Minimum Length Limit

Lake Paradise Shadow Ponds, City of Mattoon
Coles County
All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass - 14" Minimum Length Limit
Channel Catfish - 6 Fish Daily Creel Limit

Lake Sara, City of Effingham
Effingham County
Large or Smallmouth Bass - 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel 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 in excess of 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 Creel Limit with only 5 Fish for fish under 10" and 10 Fish Daily Creel Limit for fish 10" and over permitted longer
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Lake Shelbyville – U.S. Army Corps of Engineers Project Ponds and Wood Lake, and Lake Shelbyville State Fish and Wildlife Management Area Ponds (33)
Moultrie/Shelby Counties
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14" Minimum Length Limit
- White, Black, or Hybrid Crappie - 10" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit with only 5 Fish under 10" and 10 Fish 10" and over permitted

Lake Shermerville, Northbrook Park District
Cook County
- All Fish - 2 Pole and Line Fishing Only
- Channel Catfish - 6 Fish Daily Creel Limit

Lake Sinnissippi (19)-(33)
Whiteside County

Lake Springfield, City of Springfield
Sangamon County
- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Large or Smallmouth Bass - 15" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie - 10" Minimum Length Limit

Lake Storey, City of Galesburg
Knox County
- Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Bluegill and Redear Sunfish (14) - 25 Fish Daily Creel Limit
- Channel or Blue Catfish (14) - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass (14) - 1 Fish > 15" and/or 5 <12" Daily (12)
- Pure Muskellunge - 42" Minimum Length Limit
- Walleye, Sauger, or Hybrid Walleye (14) - 3 Fish Daily Creel Limit
### DEPARTMENT OF NATURAL RESOURCES

#### NOTICE OF ADOPTED AMENDMENTS

<table>
<thead>
<tr>
<th>Lake Strini, Village of Romeoville</th>
<th>Will County</th>
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<tbody>
<tr>
<td>All Fish</td>
<td>- 2 Pole and Line Fishing Only (1)</td>
</tr>
<tr>
<td>Channel Catfish</td>
<td>- 6 Fish Daily Creel Limit</td>
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<table>
<thead>
<tr>
<th>Lake Sule, Flagg-Rochelle Park District</th>
<th>Ogle County</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recreational Use Restrictions</td>
<td>- All live bait in excess of 8&quot; must be rigged with a quick set rig (43)</td>
</tr>
<tr>
<td>All Fish</td>
<td>- 2 Pole and Line Fishing Only (1)</td>
</tr>
<tr>
<td>Bluegill or Redear Sunfish (14)</td>
<td>- 5 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Channel Catfish</td>
<td>- 6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>- 14&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass (14)</td>
<td>- 1 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Pure Muskellunge</td>
<td>- 36&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>White, Black or Hybrid Crappie (15)</td>
<td>- 10 Fish Daily Creel Limit</td>
</tr>
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<table>
<thead>
<tr>
<th>Lake Taylorville, City of Taylorville</th>
<th>Christian County</th>
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</thead>
<tbody>
<tr>
<td>Large or Smallmouth Bass</td>
<td>- 15&quot; Minimum Length Limit</td>
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<tr>
<td>White, Black, or Hybrid Crappie</td>
<td>- 9&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie (15)</td>
<td>- 25 Fish Daily Creel Limit</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Lake Vandalia, City of Vandalia</th>
<th>Fayette County</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Fish</td>
<td>- 2 Pole and Line Fishing Only (1)</td>
</tr>
<tr>
<td>Channel Catfish</td>
<td>- 6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>- 14&quot; Minimum Length Limit</td>
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<tr>
<td>Striped, White, or Hybrid Striped Bass</td>
<td>- 17&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Striped, White, or Hybrid Striped Bass</td>
<td>- 3 Fish Daily Creel Limit</td>
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<tr>
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<td>(16)</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Lake Vermilion, Vermilion County Conservation District</th>
<th>Vermilion County</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Fish</td>
<td>- 2 Pole and Line Fishing Only (1)</td>
</tr>
<tr>
<td>(except that sport fishermen may take carp,</td>
<td>(26)</td>
</tr>
<tr>
<td>carpsuckers, buffalo, gar, bowfin, and suckers</td>
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<tr>
<td>by pitchfork, gigs, bow and arrow or bow and arrow</td>
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<tr>
<td>devices north of Boiling)</td>
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</tbody>
</table>
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Springs Road, but not within 300 feet around the wetland boardwalk
Large or Smallmouth Bass - 15" Minimum Length Limit
White, Black, or Hybrid Crappie - 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Lake Victoria, City of South Beloit
Winnebago County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Lake Williamsville, City of Williamsville
Sangamon County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit

LaSalle Lake, LaSalle Lake State Fish and Wildlife Area
LaSalle County
Recreational Use Restrictions - Waterfowl refuge or hunting area; LaSalle Lake is closed to all fishing and boating from October 16 until March 15; during October and March, the lake is closed on Mondays and Tuesdays
All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
Large or Smallmouth Bass - 18" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16) - 10 Creel/3 Fish 17" or Longer Daily (17)

Levings Lake, Rockford Park District
Winnebago County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Lincoln Log Cabin Pond, Lincoln Log Cabin Historical Site
DEPARTMENT OF NATURAL RESOURCES

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

Lincoln Park North Lagoon, Chicago Park District
    All Fish                - 2 Pole and Line Fishing Only (1)
    Channel Catfish        - 4 Fish Daily Creel Limit

Lincoln Park South Lagoon, Chicago Park District
    All Fish                - 2 Pole and Line Fishing Only (1)
    Channel Catfish        - 4 Fish Daily Creel Limit

Lincoln Trail Lake, Lincoln Trail State Park
    All Fish                - 2 Pole and Line Fishing Only (1)
    Channel Catfish        - 6 Fish Daily Creel Limit
    Large or Smallmouth Bass - 14-18" Slot Length Limit (14" to 18" protected)
    Large or Smallmouth Bass (14) - 4 Creel/1 Fish >18" Daily (daily Catch Limit for large or smallmouth bass, singly or in the aggregate, shall not exceed 4 fish per day, no more than one of which shall be greater than 18" in length)

Litchfield City Lake, City of Litchfield
    Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit – 1 Fish 15" or Over and 2 Fish Under 15" Total Length (25)

    White, Black or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Loami Reservoir, City of Loami
    All Fish                - 2 Pole and Line Fishing Only (1)
    Channel Catfish        - 6 Fish Daily Creel Limit
NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass - 15” Minimum Length Limit

Lou Yeager Lake, City of Litchfield
Montgomery County
  Large or Smallmouth Bass - 15” Minimum Length Limit
  Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Lyerla Lake, Union County Conservation Area
Union County
(All fishing and boat traffic prohibited from October 16 through the last day of February)
  All Fish - 2 Pole and Line Fishing Only (1)(5)
  Channel Catfish - 6 Fish Daily Creel Limit

Mackinaw Ponds 1, 2, and 3, Mackinaw State Fish and Wildlife Area
Tazewell County
  Large or Smallmouth Bass - 15” Minimum Length Limit
  Large or Smallmouth Bass (14) - 1 Fish Daily Creel 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
  All Fish - 2 Pole and Line Fishing Only (1)
  Channel Catfish - 3 Fish Daily Creel Limit
  Channel Catfish - 12” Minimum Length Limit
  Large or Smallmouth Bass - 15” Minimum Length Limit
  Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
  Pure Muskellunge - 48” Minimum Length Limit (40)
  Walleye, Sauger, or Hybrid Walleye - 16” Minimum Length Limit
  Walleye, Sauger, or Hybrid Walleye (14) - 3 Fish Daily Creel Limit
  White, Black, or Hybrid Crappie - 9” Minimum Length Limit
  White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Maple Lake, Cook County Preserve District
Cook County
  All Fish - 2 Pole and Line Fishing Only (1) (36)
NOTICE OF ADOPTED AMENDMENTS

Bluegill, Redear, or Pumpkinseed - 15 Fish Daily Creel Limit
Sunfish (14)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14” Minimum Length Limit

White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Marissa City Lake, City of Marissa
St. Clair County
  All Fish - 2 Pole and Line Fishing Only (1)
  Channel Catfish - 6 Fish Daily Creel Limit

Marquette Park Lagoon, Chicago Park District
Cook County
  All Fish - 2 Pole and Line Fishing Only (1)
  Channel Catfish - 4 Fish Daily Creel 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 (49)(33)
Marshall County

Mascoutah Reservoir, City of Mascoutah
St. Clair County
  All Fish - 2 Pole and Line Fishing Only (1)
  Channel Catfish - 6 Fish Daily Creel Limit
  Large or Smallmouth Bass - 15” Minimum Length Limit
  Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Matthiessen Lake, Matthiessen State Park
LaSalle County
  All Fish - 2 Pole and Line Fishing Only (1)
  Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
  Channel Catfish - 6 Fish Daily Creel Limit
  Large or Smallmouth Bass - 14” Minimum Length Limit

Mattoon Lake, City of Mattoon
Coles County
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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

Mautino Fish and Wildlife Area, Mautino Fish and Wildlife Area
Bureau County
All Fish - 2 Pole and Line Fishing Only (1) (34)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Mauvaise Terre/Morgan Lake, City of Jacksonville
Morgan County
Large or Smallmouth Bass - 15" Minimum Length Limit

Mazonia Lakes & Ponds (excluding Ponderosa Lake), Mazonia State Fish and Wildlife Area
Grundy/Kankakee/Will Counties
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15) - 10 Fish Daily Creel 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 Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

McKinley Park Lagoon, Chicago Park District
Cook County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 4 Fish Daily Creel Limit

McLeansboro City Lakes, City of McLeansboro
Hamilton County
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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

Meredosia Lake – Cass County Portion Only (meandered waters only) (33)
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 Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel 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 Creel Limit
Channel Catfish - 6 Fish Daily Creel 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)
DEPARTMENT OF NATURAL RESOURCES
NOTICE OF ADOPTED AMENDMENTS

Mill Creek Lake, Clark County Park District
Clark County
Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
Pure Muskellunge - 42" Minimum Length Limit

Mill Pond, Pearl City Park District
Stephenson County
All Fish - 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass - 14" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Mill Race Ponds, Belvidere Park District
Boone County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Trout - Spring Closed Season (11)

Miller Park Lake, City of Bloomington
McLean County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel 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 Creel Limit
Trout - Fall Closed Season (10)

| Mississippi River Pools 16, 17, 18, 21, 22, 24(19) (33) |
| Multiple Counties |
| Mississippi River Pools 25 and 26 (19)-(46) |
| 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
- Tailwaters of Lock and Dam 12 (down to Mill Creek, an Iowa tributary located at River Mile 556.0) and tailwaters of Lock and Dam 13 (down to the downstream end of Stamp Island, River Mile 521.5) closed to all fishing from December 1 through March 15

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 Creel Limit singly or in aggregate

Large or Smallmouth Bass
- 14” Minimum Length Limit

Large or Smallmouth Bass (14)
- 5 Fish Daily Creel Limit

Northern Pike
- 5 Fish Daily Creel Limit

Paddlefish
- Snagging for paddlefish is permitted from January 1 through April 15 within a 500 yard downstream limit below locks and dams on the Mississippi River between Illinois and Iowa except the tailwaters of Lock and Dam 12 and 13 are closed to all fishing from December 1 through March 15; daily catch limit is 2 fish; no sorting allowed; once the daily limit of paddlefish has been reached, snagging must cease

Rock Bass
- 25 Fish Daily Creel Limit

Striped, White, Yellow or Hybrid Striped Bass
- 25 Fish Daily Creel Limit singly or in aggregate – statewide regulation limiting daily creel to 3 fish 17” or longer is not in effect on the Mississippi River between Illinois and Iowa

Walleye and Sauger (14)
- 6 Fish Daily Creel Limit with no more than 1 walleye greater than 27” in total length
DEPARTMENT OF NATURAL RESOURCES

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Walleye - 15" Minimum Length Limit with a 20-27" Protected Slot Length Limit (24)
White, Black or Hybrid Crappie (15) - 25 Fish Daily Creel Limit singly or in aggregate
Yellow Perch - 25 Fish Daily Creel 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

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, Chain/Grass Pickeral, Walleye, Sauger, Paddlefish)
Channel or Blue Catfish (14) - 20 Fish Daily Creel Limit
Flathead Catfish - 10 Fish Daily Creel Limit
Largemouth, Smallmouth, Spotted Bass - 12" Minimum Length Limit or Northern Pike - 1 Fish Daily Creel Limit
Paddlefish - 24" Eye to Fork Minimum Length Limit
Paddlefish - Snagging for paddlefish is permitted from September 15 though 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 Dam 27 area at the Chain of Rocks; daily catch limit is 2 fish; sorting is permitted; every
DEPARTMENT OF NATURAL RESOURCES

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paddlefish greater than or equal to 24 inches in eye to fork length must be taken into immediate possession and included in the daily catch limit; paddlefish less than 24” eye to fork length must be returned immediately to the water; once the daily limit of paddle fish has been reached, snagging must cease.

<table>
<thead>
<tr>
<th>Fish</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Striped, White, Yellow or Hybrid Striped Bass</td>
<td>- 30 Fish Daily Creel Limit singly or in aggregate – statewide regulation limiting daily creel to 3 fish 17” or longer is not in effect on the Mississippi River between Illinois and Missouri</td>
</tr>
<tr>
<td>Walleye and Sauger (14)</td>
<td>- 8 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>White, Black or Hybrid Crappie (15)</td>
<td>- 30 Fish Daily Creel Limit</td>
</tr>
</tbody>
</table>

Monee Reservoir, Will County Forest Preserve District
Will County

<table>
<thead>
<tr>
<th>Fish</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Fish</td>
<td>- 2 Pole and Line Fishing Only (1)</td>
</tr>
<tr>
<td>Channel Catfish</td>
<td>- 6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass (14)</td>
<td>- 1 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>- 15&quot; Minimum Length Limit</td>
</tr>
</tbody>
</table>

Montrose Lake, City of Montrose
Cumberland County

<table>
<thead>
<tr>
<th>Fish</th>
<th>Limit</th>
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</thead>
<tbody>
<tr>
<td>All Fish</td>
<td>- 2 Pole and Line Fishing Only (1)</td>
</tr>
<tr>
<td>Channel Catfish</td>
<td>- 6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>- 14&quot; Minimum Length Limit</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Fish</th>
<th>Limit</th>
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</thead>
<tbody>
<tr>
<td>All Fish</td>
<td>- 2 Pole and Line Fishing Only (1)</td>
</tr>
<tr>
<td>Channel Catfish</td>
<td>- 6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>- 15&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass (14)</td>
<td>- 3 Fish Daily Creel Limit</td>
</tr>
</tbody>
</table>

Mt. Pulaski Park District Lake, Mt. Pulaski Park District
Logan County

<table>
<thead>
<tr>
<th>Fish</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Fish</td>
<td>- 2 Pole and Line Fishing Only (1)</td>
</tr>
</tbody>
</table>
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NOTICE OF ADOPTED AMENDMENTS

Channel Catfish - 6 Fish Daily Creel Limit

Mt. Sterling Lake, City of Mt. Sterling
Brown County
  All Fish - 2 Pole and Line Fishing Only (1)
  Channel Catfish - 6 Fish Daily Creel Limit
  Large or Smallmouth Bass - 12-15" Slot Length Limit (3)

Mt. Vernon City Park Lake, City of Mt. Vernon
Jefferson County
  All Fish - 2 Pole and Line Fishing Only (1)
  Channel Catfish - 6 Fish Daily Creel Limit
  Large or Smallmouth Bass - 15" Minimum Length Limit
  Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Mt. Vernon Game Farm Pond, Mt. Vernon Game Farm
Jefferson County
  All Fish - 2 Pole and Line Fishing Only (1)
  Trout - Fall Closed Season (10)
  Trout - Spring Closed Season (11)

Mundelein Park District Ponds, City of Mundelein
Lake County
  All Fish - 2 Pole and Line Fishing Only (1)
  Channel Catfish - 6 Fish Daily Creel Limit
  Large or Smallmouth Bass - 15" Minimum Length Limit
  Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Nashville City Lake, City of Nashville
Washington County
  All Fish - 2 Pole and Line Fishing Only (1)
  Channel Catfish - 6 Fish Daily Creel Limit
  Large or Smallmouth Bass - 18" Minimum Length 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
DEPARTMENT OF NATURAL RESOURCES

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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

<table>
<thead>
<tr>
<th>All Fish</th>
<th>- 2 Pole and Line Fishing Only (1) (5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large or Smallmouth Bass</td>
<td>- 18&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass (14)</td>
<td>- 3 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie (15)</td>
<td>- 10 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie</td>
<td>- 10&quot; Minimum Length Limit</td>
</tr>
</tbody>
</table>

Norris City Reservoir, City of Norris City
White County

<table>
<thead>
<tr>
<th>All Fish</th>
<th>- 2 Pole and Line Fishing Only (1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Channel Catfish</td>
<td>- 6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>- 15&quot; Minimum Length Limit</td>
</tr>
</tbody>
</table>

North Marcum Campground Pond, U.S. Army Corps of Engineers
Franklin County

| Recreational Use Restrictions   | - Fishing permitted only by persons under 16 years of age |
| All Fish                       | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish                | - 6 Fish Daily Creel Limit        |
| Large or Smallmouth Bass       | - 14" Minimum Length Limit        |
| Large or Smallmouth Bass (14)  | - 3 Fish Daily Creel Limit        |

Oakford Conservation Area (Menard County) (19)
Menard County

| Oakland City Lake, City of Oakland | Coles County                                  |
| All Fish                           | - 2 Pole and Line Fishing Only (1)            |
| Channel Catfish                    | - 6 Fish Daily Creel Limit                    |
| Large or Smallmouth Bass           | - 14" Minimum Length Limit                    |

Oblong Lake, City of Oblong
Crawford County

| All Fish                           | - 2 Pole and Line Fishing Only (1)            |
| Channel Catfish                    | - 6 Fish Daily Creel Limit                    |
### DEPARTMENT OF NATURAL RESOURCES

**NOTICE OF ADOPTED AMENDMENTS**

<table>
<thead>
<tr>
<th>Area</th>
<th>Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ohio River (between Illinois &amp; Kentucky), State of Illinois</strong></td>
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</tr>
<tr>
<td><strong>Multiple Counties</strong></td>
<td></td>
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<tr>
<td>Large or Smallmouth Bass</td>
<td>15&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass (14)</td>
<td>3 Fish Daily Creel Limit</td>
</tr>
<tr>
<td><strong>Ohio River – Smithland Pool Tributary Streams</strong></td>
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<tr>
<td><strong>Multiple Counties</strong></td>
<td></td>
</tr>
<tr>
<td>Large and Smallmouth Bass</td>
<td>12&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Northern Pike</td>
<td>No Length or Creel Limit</td>
</tr>
<tr>
<td>Muskie or Tiger Muskie</td>
<td>2 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Muskie or Tiger Muskie</td>
<td>30&quot; Minimum Length Limit</td>
</tr>
<tr>
<td>Walleye, Sauger, or Hybrid Walleye (14)</td>
<td>10 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie (15)</td>
<td>30 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Striped, White, Yellow or Hybrid</td>
<td>30 Creel/4 Fish 15&quot; or Longer Daily (32)</td>
</tr>
<tr>
<td>Striped Bass</td>
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<tr>
<td><strong>Old Kinmundy Reservoir, City of Kinmundy</strong></td>
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<tr>
<td>Marion County</td>
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<tr>
<td>All Fish</td>
<td>2 Pole and Line Fishing Only (1)(5)</td>
</tr>
<tr>
<td>Channel Catfish</td>
<td>6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>15&quot; Minimum Length Limit</td>
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<tr>
<td><strong>Olsen Lake, Rock Cut State Park</strong></td>
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<tr>
<td>Winnebago County</td>
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<tr>
<td>All Fish</td>
<td>2 Pole and Line Fishing Only (1)</td>
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<tr>
<td>Channel Catfish</td>
<td>6 Fish Daily Creel Limit</td>
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<tr>
<td>Large or Smallmouth Bass</td>
<td>14&quot; Minimum Length Limit</td>
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<tr>
<td>Large or Smallmouth Bass (14)</td>
<td>1 Fish Daily Creel Limit</td>
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<tr>
<td><strong>Omaha City Reservoir, City of Omaha</strong></td>
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<tr>
<td>Gallatin County</td>
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<tr>
<td>All Fish</td>
<td>2 Pole and Line Fishing Only (1)</td>
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<tr>
<td>Channel Catfish</td>
<td>6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>14&quot; Minimum Length Limit</td>
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<tr>
<td><strong>Omaha Township Reservoir, City of Omaha</strong></td>
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</tbody>
</table>
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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

Otter Lake, Otter Lake Water Commission
Macoupin County
Recreational Use Restrictions - All live bait in excess of 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 Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass (16) - 10 Creel/3 Fish 17" or Longer Daily (17)
Pure Muskellunge - 48" Minimum Length Limit (40)

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

Pana Lake, City of Pana
Shelby and Christian Counties
Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length 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 Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit

Peabody River King, Pit #3 Lakes and Ponds, River King State Conservation Area (see also
### DEPARTMENT OF NATURAL RESOURCES

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Willow Lake for additional regulations)
**St Clair County**
- **All Fish** - 2 Pole and Line Fishing Only (1) (34)
- **Channel Catfish** - 6 Fish Daily Creel Limit
- **Large or Smallmouth Bass** - 15" Minimum Length Limit
- **Large or Smallmouth Bass (14)** - 3 Fish Daily Creel Limit
- **White, Black, or Hybrid Crappie (15)** - 25 Fish Daily Creel Limit
- **White, Black, or Hybrid Crappie** - 9" Minimum Length Limit

Pecatonica River and Tributaries, State of Illinois
**Winnebago/Stephenson Counties**
- **Smallmouth Bass** - 14" Minimum Length Limit

**Pekin Lake (19)**
**Tazewell County**

Perry Farm Pond, Bourbonnais Park District
**Kankakee County**
- **All Fish** - 2 Pole and Line Fishing Only (1)
- **Channel Catfish** - 6 Fish Daily Creel Limit

**Piasa (19) (33)**
**Madison/Jersey Counties**

Pierce Lake, Rock Cut State Park
**Winnebago County**
- **Recreational Use Restrictions** - All live bait in excess of 8" must be rigged with a quick set rig (43)
- **All Fish** - 2 Pole and Line Fishing Only (1) (7)
- **Bluegill or Redear Sunfish (14)** - 10 Fish Daily Creel Limit
- **Channel Catfish** - 6 Fish Daily Creel Limit
- **Large or Smallmouth Bass (14)** - 1 Fish Daily Creel Limit
- **Large or Smallmouth Bass** - 14" Minimum Length Limit
- **Pure Muskellunge** - 48" Minimum Length Limit (40)
- **White, Black, or Hybrid Crappie (15)** - 25 Fish Daily Creel Limit

**Pike County Conservation Area (19)**
**Pike County**
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Pinckneyville Lake, City of Pinckneyville
Perry County
  Large or Smallmouth Bass - 18" Minimum Length Limit
  Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Pine Creek
Ogle County
  Trout - Spring Closed Season (11)

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)

Pine Lake, Village of University Park
Will County
  All Fish - 2 Pole and Line Fishing Only (1)
  Channel Catfish - 6 Fish Daily Creel Limit

Piscasaw Creek
McHenry County
  Trout - 9" Minimum Length Limit
  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 - 17" Minimum Length
  Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit

Pocahontas Park Ponds, City of Pocahontas
Bond County
  All Fish - 2 Pole and Line Fishing Only (1)
  Channel Catfish - 6 Fish Daily Creel Limit

Ponderosa Lake, Mazonia State Fish and Wildlife Area (33)
Grundy County
DEPARTMENT OF NATURAL RESOURCES

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All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
White, Black or Hybrid Crappie (15) - 10 Fish Daily Creel 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 Creel Limit
Large or Smallmouth Bass - 18" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass (16) - 10 Creel/3 Fish 17" or Longer Daily (17)
Walleye, Sauger, or Hybrid Walleye (14) - 3 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye - 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
Recreational Use Restrictions - Waterfowl Hunting Area (from October 28 through February 28 fishing is permitted in designated areas only, and fishing hours are from ½ hour before sunrise to 2 p.m.)

All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 18" Minimum Length Limit
DEPARTMENT OF NATURAL RESOURCES

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Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel 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
Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting prohibited from October 28 through February 28)

All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 18" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit

Pyramid State Park Lakes & Ponds (excluding Captain, Denmark, Galum and East Conant Areas), Pyramid State Park
Perry County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel 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 Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie - 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 Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit

Randolph County Lake, Randolph County Conservation Area
Randolph County
### NOTICE OF ADOPTED AMENDMENTS

#### Red Hills Lake, Red Hills State Park
**Lawrence County**

<table>
<thead>
<tr>
<th>All Fish</th>
<th>- 2 Pole and Line Fishing Only (1)</th>
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</thead>
<tbody>
<tr>
<td>Channel Catfish</td>
<td>- 6 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Large or Smallmouth Bass</td>
<td>- 14” Minimum Length Limit</td>
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<tr>
<td>Large or Smallmouth Bass (14)</td>
<td>- 3 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>Trout</td>
<td>- Fall Closed Season (10)</td>
</tr>
</tbody>
</table>

#### Red's Landing Wildlife Management Area (19)-(33)
**Calhoun County**

(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 Creel/3 Fish 17” or Longer Daily |
| White, Black or Hybrid Crappie (15) | - 25 Creel/10 Fish 10” or Longer Daily |

#### 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**

| Recreational Use Restrictions | - See kids only fishing regulations for North Marcum Campground Pond |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | - 10 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 14” Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |
Rice Lake Fish and Wildlife Area (33)
Fulton County

Ridge Lake, Fox Ridge State Park
Coles County

Recreational Use Restrictions
- Waterfowl Refuge or Hunting Area (19)
  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 Creel Limit

Riprap Landing (19) (33)
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 - 8” Minimum Length Limit
  Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
  Channel Catfish - 6 Fish Daily Creel Limit
  Large or Smallmouth Bass - 15” Minimum Length Limit
  Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
  White, Black, or Hybrid Crappie - 9” Minimum Length Limit
  White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit

Riverside Park Lagoon, Moline Park District
Rock Island County
  All Fish - 2 Pole and Line Fishing Only (1)
  Channel Catfish - 6 Fish Daily Creel 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 Creel Limit
NOTICE OF ADOPTED AMENDMENTS

**Channel Catfish** - 3 Fish Daily Creel Limit
**Large or Smallmouth Bass** - 15" Minimum Length Limit
**Large or Smallmouth Bass (14)** - 3 Fish Daily Creel Limit

Rock Creek, State of Illinois
Kankakee County
Trout - Spring Closed Season (11)

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)
**Walleye and Sauger (14)** - 6 Fish Daily Creel Limit with no more than 1 walleye greater than 27" in total length

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)
**Channel Catfish** - 6 Fish Daily Creel Limit
**Large or Smallmouth Bass** - 15" Minimum Length Limit
**Large or Smallmouth Bass (14)** - 1 Fish Daily Creel Limit

Rock Springs Pond, Macon County Conservation District
Macon County
**All Fish** - 2 Pole and Line Fishing Only (1)
**Channel Catfish** - 6 Fish Daily Creel Limit
**Large or Smallmouth Bass** - 15" Minimum Length Limit
**Large or Smallmouth Bass (14)** - 1 Fish Daily Creel Limit
**Trout** - Fall Closed Season (10)

Roodhouse Park Lake, City of Roodhouse
Green County
**All Fish** - 2 Pole and Line Fishing Only (1)
Notice of Adopted Amendments

Channel Catfish - 6 Fish Daily Creel 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 Creel Limit
  Large or Smallmouth Bass - 15" Minimum Length Limit
  Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Sag Quarry East, Cook County Forest Preserve District
Cook County
  Bluegill, Redear, or Pumpkinseed Sunfish (14) - 15 Fish Daily Creel Limit
  Rainbow Trout - Spring Closed Season (11)
  White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel 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 Creel Limit
  Channel Catfish - 6 Fish Daily Creel Limit
  Large or Smallmouth Bass - 18" Minimum Length Limit
  Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
  White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

St. Elmo South Lake, City of St. Elmo
Fayette County
  All Fish - 2 Pole and Line Fishing Only (1)
  Channel Catfish - 6 Fish Daily Creel 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 Creel Limit
  Large or Smallmouth Bass - 14" Minimum Length Limit

Sam Dale Lake, Sam Dale Conservation Area
Wayne County
NOTICE OF ADOPTED AMENDMENTS

All Fish - 2 Pole and Line Fishing Only (1)(5)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" 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 Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Trout - Fall Closed Season (10)
Trout - 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 Creel 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)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
Trout - Fall Closed Season (10)
Trout - Spring Closed Season (11)

Sanganois Conservation Area (33) (42)
Mason/Cass/Schuyler/Menard Counties

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

<table>
<thead>
<tr>
<th>Fish Type</th>
<th>Limits</th>
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</thead>
<tbody>
<tr>
<td>All Fish</td>
<td>- 2 Pole and Line Fishing Only (1) (45)</td>
</tr>
<tr>
<td>Large or Smallmouth Bass (14)</td>
<td>- 1 Fish &gt; or equal to 15&quot; and 2 Fish &lt; 15&quot; daily (25)</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie (15)</td>
<td>- 10 Fish Daily Creel Limit</td>
</tr>
<tr>
<td>White, Black, or Hybrid Crappie</td>
<td>- 10&quot; Minimum Length Limit</td>
</tr>
</tbody>
</table>

Sangchris Lake Park Ponds, Sangchris Lake State Park
Sangamon County
All Fish | - 2 Pole and Line Fishing Only (1) |

Schiller Pond, 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 Creel Limit |
Channel Catfish | - 6 Fish Daily Creel Limit |
Large or Smallmouth Bass | - 14" Minimum Length Limit |
White, Black, or Hybrid Crappie (15) | - 15 Fish Daily Creel Limit |

Schuy-Rush Lake, City of Rushville
Schuyler County
All Fish | - 2 Pole and Line Fishing Only (1) |
Channel Catfish | - 6 Fish Daily Creel Limit |
White, Black or Hybrid Crappie | - 9" Minimum Length Limit |

Senior Citizen's Pond, Kankakee River State Park
Kankakee County
All Fish | - 2 Pole and Line Fishing Only (1) |
Channel Catfish | - 6 Fish Daily Creel Limit |

Sesser City Lake, City of Sesser
Franklin County
All Fish | - 2 Pole and Line Fishing Only (1) |
NOTICE OF ADOPTED AMENDMENTS

Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 18" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Shabbona Lake, Shabbona Lake State Park
DeKalb County
Recreational Use Restrictions - All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish - 2 Pole and Line Fishing Only (1) (7)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Pure Muskellunge - 48" Minimum Length Limit (40)
Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit
Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel 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)
Channel Catfish - 6 Fish Daily Creel Limit
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 Creel 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 Creel Limit
Largemouth, Smallmouth or Spotted Bass - 15" Minimum Length Limit

Shawnee National Forest – Lake Glendale, U.S. Forest Service
Pope County
NOTICE OF ADOPTED AMENDMENTS

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 Creel Limit
- Largemouth, Smallmouth or Spotted 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"-18" Protected Slot Length Limit (no possession)
- Large or Smallmouth Bass (14): 5 Fish Under 14" and 1 Fish over 18" Daily Creel Limit (38)
- Striped, White, or Hybrid Striped Bass: 17" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass (16)
- Channel Catfish: 6 Fish Daily Creel Limit
- Largemouth, Smallmouth or Spotted Bass: 15" Minimum Length 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 Creel 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 Creel 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 Creel Limit
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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 Creel 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 Creel Limit
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 Creel 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 Creel Limit
Large or Smallmouth Bass - 12-15" Slot Length Limit (3)
Trout - Fall Closed Season (10)
Trout - Spring Closed Season (11)

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 Creel Limit
Bluegill or Redear Sunfish - 8" Minimum Length Limit
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Large or Smallmouth Bass - 18" Minimum Length Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Silver Lake, City of Highland
Madison County
Large or Smallmouth Bass - 15" Minimum Length Limit
**DEPARTMENT OF NATURAL RESOURCES**

**NOTICE OF ADOPTED AMENDMENTS**

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<th>Rules and Limits</th>
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<td><strong>Silver Lake, DuPage County Forest Preserve District</strong></td>
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<tr>
<td>Dupage County</td>
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<tr>
<td>All Fish</td>
<td>- 2 Pole and Line Fishing Only (1)</td>
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<td>Channel Catfish</td>
<td>- 3 Fish Daily Creel Limit</td>
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<tr>
<td>Walleye, Sauger, or Hybrid Walleye</td>
<td>- 16&quot; Minimum Length Limit</td>
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<td>Walleye, Sauger, or Hybrid Walleye (14)</td>
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<tr>
<td>White, Black or Hybrid Crappie</td>
<td>- 9&quot; Minimum Length Limit</td>
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<td>White, Black or Hybrid Crappie (15)</td>
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<td><strong>Silver Springs S.P. (Big Lake) &amp; Ponds, Silver Springs State Fish and Wildlife Area</strong></td>
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<tr>
<td>Kendall County</td>
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<td>Cook County</td>
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<td><strong>Small Pit Pond, Boone County Conservation District</strong></td>
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</tbody>
</table>
Snakeden Hollow State Fish and Wildlife Area – McMaster Lake & Other Site Waters, State of Illinois
Knox County
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 October 1 through the end of the Canada goose season)
- All live bait in excess of 8" must be rigged with a quick set rig (43)

All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit with only one fish 15" or longer
Pure Muskellunge - 42" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14) - 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15) - 5 Fish Daily Creel Limit

Sparta City Lakes, City of Sparta
Randolph County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit

Sparta City Reservoir (South), City of Sparta
Randolph County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel 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 - 8" Minimum Length Limit
Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

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<tr>
<td>Large or Smallmouth Bass</td>
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Sparta World Shooting and Recreational Complex – Derby Lake, State of Illinois

Randolph County

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<tr>
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<tr>
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<td>Large and Smallmouth Bass (14)</td>
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<tr>
<td>White, Black, or Hybrid Crappie</td>
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<td>White, Black, or Hybrid Crappie (15)</td>
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Sparta World Shooting and Recreational Complex Lakes, State of Illinois

Randolph County

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Spencer Lake, Boone County Conservation District

Boone County

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Sportsmans' Club Pond, Macon County Conservation District

Macon County

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<td>Trout</td>
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</tbody>
</table>
NOTICE OF ADOPTED AMENDMENTS

Spring Lake, City of Macomb
McDonough County
Recreational Use Restrictions  - All live bait in excess of 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 Creel Limit
Large or Smallmouth Bass  - 15" Minimum Length Limit
Large or Smallmouth Bass (14)  - 3 Fish Daily Creel Limit
Striped, White, or Hybrid Striped Bass  - 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16)

Spring Lakes (North & South), Spring Lake Conservation Area (33)
Tazewell County
Recreational Use Restrictions  - All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish  - 2 Pole and Line Fishing Only (1) (34)
Channel Catfish  - 6 Fish Daily Creel Limit
Large or Smallmouth Bass  - 15" Minimum Length Limit
Large or Smallmouth Bass (14)  - 3 Fish Daily Creel Limit
Pure Muskellunge  - 48" Minimum Length Limit (40)
White, Black, or Hybrid Crappie (15)  - 25 Fish Daily Creel Limit
White, Black, or Hybrid Crappie  - 9" Minimum Length Limit

Spring Pond, Flagg-Rochelle Park District
Ogle County
Recreational Use Restrictions  - 2 Pole and Line Fishing Only (1)
All Fish  - 14" Minimum Length Limit
Large or Smallmouth Bass  - 1 Fish Daily Creel Limit

Starved Rock State Park (49) (33)
LaSalle County
Staunton City Lake, City of Staunton
Macoupin County
Recreational Use Restrictions  - All live bait in excess of 8" must be rigged with a quick set rig (43)
All Fish  - 2 Pole and Line Fishing Only (1)
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
Pure Muskellunge - 36" Minimum Length Limit

Stephen A. Forbes State Park (49) (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 in excess of 8" must be rigged with a quick set rig (43)
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 3 Fish Daily Creel Limit
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Pure Muskellunge - 48" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye - 16" Minimum Length Limit

Storm Lake, DeKalb Park District
DeKalb County

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

Stump Lake Wildlife Management Area (19)(33)
Jersey County

Tampier Lake, Cook County Forest Preserve District
Cook County

All Fish - 2 Pole and Line Fishing Only (36)
Bluegill or Redear Sunfish - 8" Minimum Length Limit
Bluegill, or Redear, or Pumpkinseed Sunfish (14) - 15 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel 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 Creel Limit
DEPARTMENT OF NATURAL RESOURCES

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Taylorville Park District Pond, Taylorville Park District
Christian County
- All Fish - 2 Pole and Line Fishing Only (1)
- Trout - Spring Closed Season (11)
- Trout - Fall Closed Season (10)

Ten Mile Creek Lakes, Ten Mile Creek State Fish and Wildlife Area (19)(33)
Hamilton/Jefferson Counties
- (Areas designated as waterfowl rest areas refuge 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 Creel Limit
  - Large or Smallmouth Bass - 14" Minimum Length Limit

Tilton City Lake, City of Tilton
Vermilion County
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 3 Fish Daily Creel Limit
- Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Toledo Reservoir, City of Toledo
Cumberland County
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit

Turkey Bluff Ponds, State of Illinois
Randolph County
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large and Smallmouth Bass - 15" Minimum Length Limit
- Large and Smallmouth Bass (14) - 1 Fish Daily Creel Limit

Turner Lake, Chain O'Lakes State Park
Lake County
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily Creel Limit
NOTICE OF ADOPTED AMENDMENTS

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

Tuscola City Lake, City of Tuscola
Douglas County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit

Union County Conservation Area – All waters except Lyerla Lake
Union County
(All fishing and boat traffic prohibited from October 16 through the last day of February 15-March 1)

Valley Lake, Wildwood Park District
Lake County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Valmeyer Lake, City of Valmeyer
Monroe County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Vanhorn Woods Pond, Plainfield Park District
Will County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
NOTICE OF ADOPTED AMENDMENTS

Large or Smallmouth Bass (14)  - 1 Fish Daily Creel Limit

Vernor Lake, City of Olney
Richland County
All Fish  - 2 Pole and Line Fishing Only (1)
Channel Catfish  - 6 Fish Daily Creel Limit
Large or Smallmouth Bass  - 14" Minimum Length Limit

Villa Grove East Lake, City of Villa Grove
Douglas County
All Fish  - 2 Pole and Line Fishing Only (1)
Channel Catfish  - 6 Fish Daily Creel Limit
Large or Smallmouth Bass  - 14" Minimum Length Limit

Villa Grove West Lake, City of Villa Grove
Douglas County
All Fish  - 2 Pole and Line Fishing Only (1)
Channel Catfish  - 6 Fish Daily Creel Limit
Large or Smallmouth Bass  - 14" Minimum Length Limit
Trout  - Fall Closed Season (10)

Virginia City Reservoir, City of Virginia
Cass County
All Fish  - 2 Pole and Line Fishing Only (1)
Channel Catfish  - 6 Fish Daily Creel Limit
Large or Smallmouth Bass  - 15" Minimum Length Limit

Waddams Creek
Stephenson County
Trout  - Spring Closed Season (11)

Walnut Point Lake, Walnut Point State Fish and Wildlife Area
Douglas County
All Fish  - 2 Pole and Line Fishing Only (1)

Bluegill or Redear Sunfish (14)  - 15 Fish (either singly or in aggregate) Daily Creel Limit, of which only 5 fish can be 8" or longer
Channel Catfish  - 6 Fish Daily Creel Limit
DEPARTMENT OF NATURAL RESOURCES

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Large or Smallmouth Bass - 12-15" Slot Length Limit (3)

Walton Park Lake, City of Litchfield
Montgomery County
All Fish - 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish - 8" Minimum Length Limit
Bluegill or Redear Sunfish (14) - 10 Fish Daily Creel Limit
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 15" Minimum Length Limit
Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit

Wampum Lake, Cook County Forest Preserve District
Cook County
All Fish - 2 Pole and Line Fishing Only (1) (36)
Bluegill, or Redear, or Pumpkinseed Sunfish (14) - 15 Fish Daily Creel Limit Catch and Release Only (9)
Large or Smallmouth Bass - 14" Minimum Length Limit
White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

Washington County Lake, Washington County Conservation Area
Washington County
All Fish - 2 Pole and Line Fishing Only (1) (5)
Channel Catfish - 6 Fish Daily Creel Limit
Large or Smallmouth Bass - 14" Minimum Length Limit
Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
Striped, White, or Hybrid Striped Bass (16) - 3 Fish Daily Creel Limit

Washington Park Lagoon, Chicago Park District
Cook County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 4 Fish Daily Creel Limit

Washington Park Pond, Springfield Park District
Sangamon County
All Fish - 2 Pole and Line Fishing Only (1)
Channel Catfish - 3 Fish Daily Creel Limit
Trout - Fall Closed Season (10)
Trout - Spring Closed Season (11)
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Waverly Lake, City of Waverly
Morgan County
   All Fish - 2 Pole and Line Fishing Only (1)
   Channel Catfish - 6 Fish Daily Creel Limit
   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 Creel Limit

Weldon Springs Lake, Weldon Springs State Park
DeWitt County
   All Fish - 2 Pole and Line Fishing Only (1)
   Channel Catfish - 6 Fish Daily Creel Limit
   Large or Smallmouth Bass - 15" Minimum Length Limit
   Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

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

West Salem Reservoir, City of West Salem
Edwards County
   All Fish - 2 Pole and Line Fishing Only (1)
   Channel Catfish - 6 Fish Daily Creel Limit
   Large or Smallmouth Bass - 14" Minimum Length Limit

White Hall City Lake, City of White Hall
Greene County
DEPARTMENT OF NATURAL RESOURCES

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| All Fish | - 2 Pole and Line Fishing Only (1) (5) |
| Channel Catfish | - 6 Fish Daily Creel Limit |

White Oaks Park Lake, City of Bloomington
McLean County

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

Wilderness Pond, Fox Ridge State Park
Coles County

| Recreational Use Restrictions | - Waterfowl Refuge or Hunting Area (19) |
| All Fish | - 2 Pole and Line Fishing Only (1) |
| Bluegill or Redear Sunfish (14) | - 5 Fish Daily Creel Limit |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 18" Minimum Length Limit |
| Large or Smallmouth Bass (14) | - 1 Fish Daily Creel Limit |

Wildlife Prairie State Park, State of Illinois
Peoria County

| All Fish | - 2 Pole and Line Fishing Only (1) |
| Channel Catfish | - 6 Fish Daily Creel Limit |
| Large or Smallmouth Bass | - 12-18" Protected Slot Length Limit (no possession allowed within the protected slot length limit) |

| Large or Smallmouth Bass (14) | - 3 Fish Daily Creel Limit |
| Bluegill or Redear Sunfish (14) | - 25 Fish Daily Creel Limit |
| White, Black or Hybrid Crappie | - 9" Minimum Length Limit |
| White, Black or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit |
| Pure or Hybrid Muskellunge | - 42" Minimum Length Limit |

William W. Powers Conservation Area (33)
Cook County

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 Creel Limit |
DEPARTMENT OF NATURAL RESOURCES

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<table>
<thead>
<tr>
<th>Fish Species</th>
<th>Limits</th>
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<tr>
<td>Large or Smallmouth Bass</td>
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<td>Large or Smallmouth Bass (14)</td>
<td>3 Fish Daily Creel Limit</td>
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<tr>
<td>White, Black, or Hybrid Crappie (15)</td>
<td>25 Fish Daily Creel Limit</td>
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<tr>
<td>White, Black, or Hybrid Crappie</td>
<td>9&quot; Minimum Length Limit</td>
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<tr>
<td>Trout</td>
<td>Fall Closed Season (10)</td>
</tr>
</tbody>
</table>

Wolf Lake, William W. Powers Conservation Area (33)
Cook County
All Fish                          - 2 Pole and Line Fishing Only (1)
Channel Catfish                   - 6 Fish Daily Creel Limit
Large or Smallmouth Bass          - 14" Minimum Length Limit

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

Wyman Lake, City of Sullivan
Moultrie County
All Fish                          - 2 Pole and Line Fishing Only (1)
Channel Catfish                   - 6 Fish Daily Creel Limit
Large or Smallmouth Bass          - 15" Minimum Length Limit
Large or Smallmouth Bass (14)     - 1 Fish Daily Creel Limit
Trout                             - Spring Closed Season (11)

Yellow Creek
Stephenson County
Trout                             - Spring Closed Season (11)

(Source: Amended at 33 Ill. Reg. 5275, effective March 25, 2009)

Section 810.70  Free Fishing Days
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

During the period of June 5, 6, 7 and 8, 2009, 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 33 Ill. Reg. 5275, effective March 25, 2009)
AUDITOR GENERAL

NOTICE OF ADOPTED AMENDMENTS

1) **Heading of the Part:** Americans With Disabilities Act Grievance Procedure

2) **Code Citation:** 4 Ill.Adm.Code 1125

3) **Section Numbers:**
   - 1125.10 Amend
   - 1125.20 Amend
   - 1125.30 Amend
   - 1125.40 Amend
   - 1125.50 Amend

4) **Statutory Authority:** Implementing the Americans With Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and authorized by Section 2-12(a) of the Illinois State Auditing Act [30 ILCS 5/2-12 (a)]

5) **Effective Date of Rulemaking:** April 6, 2009

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 amendments, including any material incorporated by reference, is on file in the agency's central office and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** December 5, 2008; 32 Ill. Reg. 18458

10) **Has JCAR issued a State of Objection to this rulemaking?** No

11) **Differences between proposal and final version:** Minor editing change was made at the recommendation of the Joint Committee on Administrative Rules.

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR?** Yes

13) **Will this rulemaking replace any emergency rulemakings currently in effect?** No

14) **Are there any amendments pending on this Part?** No
NOTICE OF ADOPTED AMENDMENTS

15) **Summary and Purpose of Rulemaking:** An amendment to the Americans With Disabilities Act Grievance Procedure is necessary to update current contact information and other minor changes as necessary or desirable for the efficient operation of the Office.

16) Information and questions regarding these adopted amendments may be directed to:

Belinda Alvarez  
Office of the Auditor General  
740 E. Ash St.  
Springfield, IL  62703

Telephone: 217/557-5435  
Telefax: 217/785-8222

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

NOTICE OF ADOPTED AMENDMENTS

TITLE 4: DISCRIMINATION PROCEDURES
CHAPTER XLII: AUDITOR GENERAL

PART 1125
AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

Section 1125.10 Purpose
1125.20 Definitions
1125.30 Procedure
1125.40 Review at the ADA Designated Coordinator Level
1125.50 Review at the Final Level
1125.60 Accessibility Policy
1125.70 Case-by-Case Resolution

AUTHORITY: Implementing Title II, Subtitle A, of the Americans With Disabilities Act of 1990 (42 U.S.C. 12131 - 12134), and the regulations promulgated thereunder (28 CFR 35.107), and authorized by Section 2-12(a) of the Illinois State Auditing Act (Ill. Rev. Stat. 1991, ch. 15, par. 302-12(a)) [30 ILCS 5/2-12(a)].


Section 1125.10 Purpose

a) The Americans With Disabilities Act Grievance Procedure (Procedure) is established pursuant to the Americans With Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.) ("ADA"), and specifically Section 35.107 of the Title II regulations (28 CFR Part 35), requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the ADA Designated Coordinator.

b) In general, the ADA requires that each program, service and activity offered by The Office of the Auditor General ("Office"), when viewed in its entirety, be readily accessible to and usable by qualified individuals with disabilities.

c) It is the intent of the Office to foster open communication with all individuals
AUDITOR GENERAL

NOTICE OF ADOPTED AMENDMENTS

requesting ready access to programs, services and activities. The Office encourages directors of programs, services and activities to respond to requests for modifications before they become grievances.

(Source: Amended at 33 Ill. Reg. 5371, effective April 6, 2009)

Section 1125.20 Definitions

"Complainant" is an individual with a disability who files a grievance form provided by the Office in accordance with this Part.

"ADADesignated Coordinator" is the person appointed by the Auditor General to coordinate the Office's efforts to comply with and carry out its responsibilities under Title II of the ADA, including the investigation of grievances filed by complainants. The Designated Coordinator for the Office is the ADA Coordinator. The ADA Coordinator may be contacted at the Office of the Auditor General, 740 E. Ash Street 509 South Sixth Street, Springfield, Illinois 62703 or by telephone at 217/782-6046 (voice), 888/261-2887 (TTY)217/524-4646 (TDD).

"Disability" means, with respect to an individual, a physical or mental impairment that substantially limits one or more of the major life activities of an individual; a record of such impairment; or being regarded as having such an impairment.

"Grievance" is any complaint under the ADA that is reduced to writing by an individual with a disability who meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the Office, and who believes she or he has been excluded from participation in or denied the benefits of any program, service or activity of the Office or has been subject to discrimination by the Office on the basis of her or his disability.

"Office" means the Office of the Auditor General.

"Qualified individual with a disability" means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or
activities provided by the Office.

(Source: Amended at 33 Ill. Reg. 5371, effective April 6, 2009)

Section 1125.30 Procedure

a) Grievances must be submitted through the channels defined below, in the form and manner described, and within the specified time limits. It is mutually desirable and beneficial that grievances be satisfactorily resolved in a prompt manner. Time limits established in this procedure are in calendar days, unless otherwise stated, and may be extended by mutual agreement in writing by the complainant and the reviewer at the ADA Designated Coordinator and Final Levels.

b) A complainant's failure to submit a grievance, or to submit or appeal it to the next level of procedure within the specified time limits, shall mean that the complainant has withdrawn the grievance or has accepted the last response given by the Office.

c) Upon being informed by an individual that the individual desires to file a formal grievance, the Office shall provide the individual with a copy of this procedure and the grievance form.

d) A complainant may use the assistance of an advocate in any stage of the grievance procedure.

(Source: Amended at 33 Ill. Reg. 5371, effective April 6, 2009)

Section 1125.40 Review at the ADA Designated Coordinator Level

a) If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to the ADA Designated Coordinator in writing on the prescribed grievance form. The grievance form must be completed in full in order to receive proper consideration by the ADA Designated Coordinator.

b) Upon request, assistance shall be provided by the Office to complete the grievance form.
c) The ADA Designated Coordinator, or her or his representative, shall investigate the grievance and shall make reasonable efforts to resolve it. The ADA Designated Coordinator shall provide a written response to the Complainant and the Auditor General within ten (10) business days after receipt of the grievance form.

(Source: Amended at 33 Ill. Reg. 5371, effective April 6, 2009)

Section 1125.50 Review at the Final Level

a) If the grievance has not been resolved at the ADA Designated Coordinator Level to the satisfaction of the complainant, the complainant may submit a copy of the grievance form and the ADA Designated Coordinator's response to the Auditor General for final review within ten (10) days after receipt of the ADA Designated Coordinator's written response. The ADA Coordinator's written response is deemed received by complainant 5 business days after mailing. The complainant shall submit these documents to the Auditor General, together with a short written statement explaining the reason(s) for dissatisfaction with the ADA Designated Coordinator's written response. The Auditor General will extend the period for submitting the review request and supporting documents for up to ten (10) additional days upon complainant's request.

b) The Auditor General shall appoint a three (3) member panel to review the grievance at the Final Level (the "Review Panel"). One member so appointed shall be designated chairperson. The ADA Designated Coordinator, or any representative of the ADA Designated Coordinator, who conducted the investigation at the ADA Designated Coordinator Level, may not be a member of the Review Panel.

c) The complainant shall be afforded an opportunity to appear before the Review Panel. The Review Panel shall review the ADA Designated Coordinator's written response and may conduct interviews and seek advice as it deems appropriate.

d) The Review Panel shall approve, disapprove or modify the recommendation of the ADA Designated Coordinator, shall render a decision on the recommendation in writing within thirty (30) days, shall state the basis of the decision, and shall cause a copy of the decision to be served on the parties. The Review Panel's decision shall be final. If the Review Panel disapproves or modifies the ADA Designated Coordinator's recommendations, the
NOTICE OF ADOPTED AMENDMENTS

| Review Panel shall include written reasons for such disapproval or modification. |
| e) The grievance form, the ADA Designated Coordinator's response, the statement of reasons for dissatisfaction, and the decision of the Review Panel shall be maintained in accordance with the State Records Act (Ill. Rev. Stat. 1991, ch. 116, par. 43.4 et seq.) [5 ILCS 160], or as otherwise required by law. |

(Source: Amended at 33 Ill. Reg. 5371, effective April 6, 2009)
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

1) **Heading of the Part:** Health Care Worker Background Check Code

2) **Code Citation:** 77 Ill. Adm. Code 955

3) **Section Numbers:**

<table>
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<th>Adopted Action</th>
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<tr>
<td>955.100</td>
<td>Amendment</td>
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<tr>
<td>955.110</td>
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<td>955.115</td>
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4) **Statutory Authority:** Health Care Worker Background Check Act [225 ILCS 46]

5) **Effective Date of Rulemaking:** March 26, 2009

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this rulemaking contain incorporations by reference?** Yes
DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the Department's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: April 4, 2008; 32 Ill. Reg. 4529

10) Has JCAR issued a Statement of Objection to this rulemaking? No

11) Differences between proposal and final version:

The following changes were made in response to comments received during the first notice or public comment period:

1. The following changes were made in the table of contents:
   for Section 955.120, "Incorporated and" was inserted before "Referenced".
   for Section 955.180, "October 1, 2007" was deleted and "Implementation" was inserted.
   for Section 955.285, "Contract" was deleted.
   the following was inserted:
   955.Appendix A  Disqualifying Offenses That Will Not be Granted a Waiver
   955.Appendix B  Disqualifying Offenses That May be Considered for a Rehabilitation Waiver.
   955.Appendix C  Disqualifying Offenses That May be Considered for a Waiver by the Submission of a Waiver Application"

2. In Section 955.110, new definitions were added and others were amended, as follows:
   "Demographic data" – information collected by a livescan vendor concerning an applicant, including, but not limited to, name, address, date of birth, race, height, and eye color.

   "Designee" – a person or committee designated in writing by the Director.

   "Livescan technician" – an individual who is trained to collect fingerprints on livescan equipment and who meets any licensing requirements mandated by the State or federal government.

   "Parole; Mandatory Supervised Release" – Except when a term of natural life is imposed, every sentence includes a term in addition to the term of imprisonment. For those sentenced under the law in effect before February 1, 1978, that term is a
DEPARTMENT OF PUBLIC HEALTH

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parole term. For those sentenced on or after February 1, 1978, that term is a mandatory supervised release term."

In the definition for "Initiate", "contracted under the Act" was deleted.

In the definition for "Staffing agency", "healthcare" was changed to "health care".

3. In Section 955.115(a)(2), "HCW Background Check" was changed to "Health Care Worker".

4. Section 955.120 was re-labeled and was amended as follows:
"Section 955.120 Incorporated and Referenced Materials"

        "b) The following federal guidelines are incorporated by reference:


        c) All incorporations of federal guidelines refer to the guidelines on the date specified and do not include any later editions or amendments."

5. In Section 955.135(a), "unlicensed" was inserted between "Any" and "contracted".

6. In Section 955.160, the following changes were made:

First paragraph, the following was inserted: "Offenses are not considered disqualifying until the effective date of the legislation adding the offenses to the Act, regardless of the date an individual is convicted of the offense. (see Section 955.Appendix A through Section 955.Appendix C).";

subsection (a)(2), "Murder, homicide, manslaughter or concealment of a homicidal death" was stricken and "First degree murder, intentional homicide of an unborn child, second degree murder, voluntary manslaughter of an unborn child, involuntary manslaughter and reckless homicide, concealment of homicidal
DEPARTMENT OF PUBLIC HEALTH

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death, involuntary manslaughter and reckless homicide of an unborn child, and drug-induced homicide" was inserted.

subsection (a)(3), "or child abduction" was stricken and ", aggravated kidnapping, child abduction, and aiding and abetting child abduction" was inserted.

subsection (a)(4), "or" was stricken and ", aggravated unlawful restraint, and" was inserted.

subsection (a)(6), the first "*" was stricken and "a silencer*" was stricken and "any device or attachment designed or used for silencing the report of a firearm" was inserted.

subsection (a)(11), "gross" was stricken and "criminal" was inserted.

subsection (a)(12), "or disabled person" was stricken and "person or person with a disability" was inserted.

subsection (a)(15), all of the "*" and both "financial" were stricken.

7. In Section 955.160(a)(23), all of the "*" were stricken, "silencer" was stricken and "device designed or used for silencing the report of a firearm" was inserted.

8. In Section 955.160(c)(2), "with intent to use, sell, or transfer" was inserted between "card" and ":[720 ILCS 250/5]" and both "*" were stricken and "State." was stricken and "Stat." was inserted.

9. In Section 955.160(c)(3), "Sale or purchase of a card without user's consent*" was stricken and "Selling a credit card or debit card, without the consent of the issuer" was inserted.

10. In Section 955.160(c)(4), "Prohibited use of a credit card*" was stricken and "Using a credit or debit card with the intent to defraud" was inserted; the second "*" was stricken.

11. In Section 955.160(e), "possession with intent to deliver or manufacture cannabis; cannabis" was inserted before "trafficking", "of cannabis;" at the beginning of the line was stricken; "or delivery to" was stricken and "; delivering cannabis to a" was inserted, "violation by person under 18;" was stricken.
12. In Section 955.160(f), ", delivery or" was stricken, "trafficking of controlled substances, calculated criminal drug conspiracy" was stricken and "or delivery, or possession with intent to manufacture or deliver, a controlled substance other than methamphetamine, a counterfeit substance, or a controlled substance analog; controlled substance trafficking; manufacture, distribution, advertisement, or possession with intent to manufacture or distribute a look-alike substance; calculated criminal drug conspiracy; criminal drug conspiracy; delivering a controlled, counterfeit or look-alike substance to a person under 18; and engaging or employing a person under 18 to deliver a controlled, counterfeit or look-alike substance." was inserted.

13. In Section 955.160(g), ", [225 ILCS 65/10-5*]" was stricken and "[225 ILCS 65/50-50 (was 225 ILCS 65/10-5)]" was inserted.

14. In Section 955.160, a new subsection (h) was inserted:
"h) Violations under the Methamphetamine Control and Community Protection Act [720 ILCS 646]."

15. In Section 955.165, new subsections (a) through (c) were inserted:
"a) Educational entities, other than secondary schools, and health care employers are required to check the Health Care Worker Registry before allowing a student to enter a training program or hiring an employee to determine:

1) Whether a fingerprint-based criminal history records check has previously been conducted, which is indicated by the identifier of "FEE_APP" or "CAAPP".

A) As long as the student, applicant or employee has had such a background check and stays active on the Health Care Worker Registry, no further fingerprint-based criminal history record checks shall be deemed necessary. (Section 33(g) of the Act)

B) If the individual has disqualifying convictions and a waiver has not been granted pursuant to this Part, the individual is not allowed to work as a direct care giver for a health care employer or as an individual with access to residents, the resident's living quarters, or the resident's financial, medical or personal records in a long-term care setting."
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2) Whether the individual is active on the Health Care Worker Registry.

   A) If an individual is inactive on the Health Care Worker Registry, that individual is prohibited from being hired to work as a certified nurse aide if, since the individual’s most recent completion of a competency test or the date the individual was deemed competent by the Department of Public Health, there has been a period of 24 consecutive months during which the individual has not provided nursing or nursing-related services for pay. (Section 33(g) of the Act)

   B) If the individual can provide proof of having retained his or her certification by not having a 24 consecutive month break in service for pay, he or she may be hired as a certified nurse aide and that employment information shall be entered into the Health Care Worker Registry. (Section 33(g) of the Act)

   C) Not retaining his or her certification does not prevent that individual from being hired in a position that does not require the individual to be a certified nurse aide.

b) If the individual has not had such a background check or is not active on the Health Care Worker Registry, then the health care employer must initiate a fingerprint-based criminal history records check.

c) Educational entities and health care employers shall conduct Internet searches on certain web sites, including without limitation the Illinois Sex Offender Registry, the Department of Corrections' Sex Offender Search Engine, the Department of Corrections' Inmate Search Engine, the Department of Corrections Wanted Fugitives Search Engine, the National Sex Offender Public Registry, and the website of the Health and Human Services Office of Inspector General to determine if the applicant has been adjudicated a sex offender, has been a prison inmate, or has committed Medicare or Medicaid fraud, or conduct similar searches as provided by the web-based application. (Section 15 of the Act)"
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16. In Section 955.165(d), subsection (2) was deleted and "3)" was renumbered to "2)".

17. In Section 955.165(f), the text: "The health care employer . . . (g) of the Act)" was deleted.

18. In Section 955.165(h), "contracted under the provisions of the Act" was deleted.

19. In Section 955.165(h)(2), "contracted under the provisions of the Act" was deleted.

20. In Section 955.165(h)(4), "contracted under the provisions of the Act" and "contracted" before "vendor" were deleted.

21. In Section 955.165(h)(5), "contracted" was deleted.

22. In the heading for Section 955.180, "October 1, 2007" was deleted and "Implementation" was inserted.

23. In Section 955.180(a), "since October 1, 2007" was deleted and "prior to the implementation of the fingerprint-based criminal history records check as a fee applicant inquiry pursuant to Section 955.115 of this Part" was inserted and "October 1, 2007" was deleted and "the implementation" was inserted.

24. In Section 955.190, "required" was deleted and "requested" was inserted.

25. In Section 955.190, the following subsection (b) was inserted:
   "b) That a direct care employer may initiate a fingerprint-based background check requested by the Department of Public Health for any of its employees. The results of any fingerprint-based background check that is initiated with the Department as the requestor shall be entered in the Health Care Worker Registry. (Section 33(f) of the Act)"

26. In Section 955.260(a), "Any student," and "listed on the Health Care Worker Registry" were deleted and "applicant, employee, or employer may request a waiver of prohibition against employment by" were stricken. New language was inserted: "Any student, applicant, or employee listed on the Health Care Worker Registry may request a waiver of the prohibition against employment by". 
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27. In Section 955.260(a)(1)(A), "Providing" was deleted and "If the applicant has previously been employed, the applicant shall provide" was inserted; "attaching" was deleted and "attach" was inserted.

28. In Section 955.260(a)(1)(B), "Providing information concerning convictions in other states or attaching" was changed to "If the applicant has been convicted in another state, the applicant shall provide information concerning those convictions or attach".

29. In Section 955.260(a)(1)(C), "Providing information concerning convictions by the federal government or attaching" was deleted and "If the applicant has a federal conviction, the applicant shall provide information concerning those convictions or attach" was inserted.

30. In Section 955.260(a)(1)(D), "Providing information concerning certification as a nurse aide in other states, attaching" was deleted and "If the applicant has been certified as a nurse aide in other states, the applicant shall attach" was inserted.

31. In Section 955.260(a)(4), "(or mandatory supervised release)" was added after "probation".

32. In Section 955.270(a), "from individuals who have been convicted of committing or attempting to commit one or more of the offenses listed in Section 955.APPENDIX C of this Part" was inserted in between "waiver" and "upon", "UCIA" is stricken and "955.260" was deleted and "955.115 and Section 955.165" was inserted.

33. In Section 955.270(b)(1), "or mandatory supervised release" was added after "probation".

34. In Section 955.270(c)(7), "or mandatory supervised release" was added after "probation" and "or mandatory supervised release" was added after "probation".

35. In Section 955.270(e), "following" was stricken and "listed in Section 955.APPENDIX A of this Part." was inserted after "offenses" and the colon was stricken.

36. In Section 955.270(e), the existing subsections (1) – (13) were stricken.

37. In Section 955.270, the following subsections were inserted:
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"g) Appeal Process for Convictions listed in Section 955.APPENDIX A:

1) An appeal process is available for individuals who have been
denied a waiver because of a conviction for committing or
attempting to commit one or more offenses listed in Section
955.APPENDIX A. All of the following must be provided for an
appeal to be considered:

A) A letter appealing the denial of the waiver, in which the
applicant states his or her reasons for requesting the appeal;

B) The original waiver application that was completed
pursuant to Section 955.260 and any additional information
provided when the waiver was denied;

C) A copy of the police report generated at the time of arrest
for all disqualifying convictions listed in Section 955.160;

D) A transcript of the trial or court proceedings for all
disqualifying convictions listed in Section 955.160.

2) An appeal will be denied unless the applicant meets the following
requirements and submits documentation thereof with the appeal:

A) Except in the instance of payment of court-imposed fines or
restitutions in which the applicant is adhering to a payment
schedule the applicant shall have met all obligations to the
court and under terms of parole (i.e., probation or
mandatory supervised release has been successfully
completed) ten or more year prior to the submission of the
appeal;

B) The applicant shall have satisfactorily completed a drug
and/or alcohol recovery program 10 or more years prior to
the submission of the appeal, if drugs and/or alcohol were
involved in the disqualifying offense and the individual was
ordered to participate in a rehabilitation program as part of
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the judgment. The applicant shall not have been so ordered to participate in another drug and/or alcohol program during the 10 years prior to the submission of the appeal for any offense.

3) The Director or designee will consider the information submitted with the appeal application and the results of a fingerprint-based criminal history records check to determine whether to grant a waiver as a result of an appeal. If the Director or designee determines that the applicant does not pose a threat to the health or safety of residents, patients, or clients, the Director will issue a waiver.

h) Waiver revocation:

1) The Department will automatically revoke a waiver if the waiver recipient is convicted of any additional disqualifying offense.

2) The Department will automatically revoke a waiver granted for a conviction of an offense listed in Section 955.APPENDIX A if the waiver recipient is convicted of any additional crimes, other than a minor traffic violation, regardless of whether the offense is disqualifying."

38. In Section 955.275(e), "or mandatory supervised release" was added after "probation".

39. In Section 955.280 "An individual shall not be employed in a direct care position from the time that the employer receives information indicating that a criminal history records check contains disqualifying convictions until such time as the results of a non-fingerprint check containing disqualifying conditions until the time that the individual receives a waiver from the Department." was changed to read: "An individual shall not be employed in direct care or employed in a long-term care facility in a position that involves or may involve contact with the residents or access to the resident's living quarters or the financial, medical or personal records of the residents from the time that the employer receives a notification from the Department of Public Health based upon the results of a fingerprint-based criminal history records check containing disqualifying conditions until the time that the individual receives a waiver from the
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An individual shall not be employed in a direct care position from the time that the employer receives the results of a non-fingerprint check containing disqualifying conditions until the time that the individual receives a waiver from the Department."

40. Section 955.285 was changed to read:

Section 955.285  Livescan Vendors

a) The livescan vendor shall determine a fee for collecting fingerprints and shall determine an area of the State in which to provide service.

b) Any livescan vendor meeting the requirements of this Section may individually enter into a standardized contract with the Department. A livescan vendor contracted to provide livescan non-criminal fingerprinting services, in a format consistent with a fee applicant inquiry, shall meet the following requirements:

1) The livescan vendor shall use only equipment that has been certified by the Department of State Police to collect inkless fingerprints and software that is up to date and meets the requirements of the Department of State Police for fee applicant submissions, (Section 15 of the Act)

   A) The vendor shall maintain backup equipment to provide scheduled fingerprinting in case of livescan equipment failure.

   B) For any applicant to whom the vendor agrees to provide service, no applicant shall be forced to exceed the 10-day limit of having his or her fingerprints collected due to equipment failure or the vendor's lack of availability.

2) For any applicant to whom the vendor agrees to provide service, the vendor shall provide fingerprinting within seven calendar days after a request. Fingerprinting shall be performed at a location within the county of the applicant's residence for counties with a population more than 100,000 and for small counties either within the county of the
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applicant's residence or within 35 miles of the facility providing the Livescan Request Form. For any facility to which the vendor agrees to provide service, the vendor will make available special on-site fingerprinting sessions for groups of 20 or more. The vendor shall provide a reasonable amount of weekend and after 5:00 p.m. hours.

3) The vendor shall electronically transmit the fingerprints and required data to the Department of State Police through a secure network within one business day after the fingerprints are collected. (Section 15 of the Act) The fingerprint image and demographic data shall comply with all Electronic Fingerprint Submission Specifications (EFSS) of the Department of State Police (http://www.isp.state.il.us/docs/9-054.pdf) and all Electronic Fingerprint Transmission Specifications standards of the Federal Bureau of Investigation http://www.fbi.gov/hq/cjisd/iafis/efts70/cover.htm.

4) The vendor shall collect demographic data from the applicant and electronically transmit a daily file of required data successfully to the Department of Public Health in a manner prescribed by the Department within one business day after the fingerprints are collected. All data records from one business day shall be transmitted in one data file to the Department of Public Health in the prescribed format. (Section 15 of the Act)

A) The daily file shall contain demographic data, including, but not limited to, name, address, social security number, transaction control number (TCN), state, city, and county.

B) The vendor shall provide the Department with access to the electronic file transmitted to the Department of State Police.

C) The vendor shall be responsible for all costs of fingerprint collection equipment, processing, transmission, and data storage. The Department is
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under no obligation to change any of its processes to coordinate with the vendor's equipment. The vendor shall conform to the Department's requirements for receiving data.

5) The vendor shall archive (store, back up, retrieve, etc.) the fingerprints transmitted to the Department of State Police and the daily files transmitted to the Department in a secure manner for the contract period so that the Department, an individual, educational entity or health care employer can verify at a later date that a specific print or daily file was submitted or can resubmit the print or daily file. Upon expiration or termination of the contract, the vendor shall provide the stored data to the Department in the format requested by the Department.

6) The vendor shall respond to any follow-up inquiries and provide any reports required by the Department.

7) The vendor shall *effectively demonstrate*, through a verification provided by the Department of State Police, *that the vendor's business entity has 2 or more years of successful experience transmitting fingerprints electronically to the Department of State Police.* (Section 15 of the Act)

8) Only livescan technicians who have had a fingerprint-based criminal history records check and no disqualifying convictions as listed in Section 25 of the Act and Section 955.160 of this Part may collect fingerprints and transmit the data files electronically to a vendor.

9) The vendor shall provide a means for users (i.e., individuals, educational entities or health care employers) to pay the vendor the amount due to the Department of State Police for livescan fingerprints submitted for criminal history records checks.

A) The vendor shall act as designee for the user in paying fees into the State Police Services Fund.
The vendor shall maintain or provide a means of prepayment. Charges for the vendor's livescan services and the amount due to the Department of State Police shall be charged against this prepaid account. The vendor shall provide either an on-line or a paper record of account transactions to a user at least monthly. The vendor shall determine the amount of prepaid balance to be kept in the account by the user, based upon the frequency of the user's charges against the account.

B) The vendor may charge an additional amount to compensate for maintaining the accounts. The vendor may refrain from transmitting any prints to the Department of State Police if the user's account does not have funds to pay for the prints being submitted. The vendor shall notify the Department of State Police, the Department and the educational entity, staffing agency, or health care employer when a fingerprint transmission is retained because of lack of funds in the user's account.

C) The vendor may deny a prepaid account to any user that is unable to maintain the account with fewer than 60 days past due until the user pays the balance due in the account. If the user becomes more than 60 days past due on a second occasion, the vendor is not required to offer the service of providing a prepaid account to the user.

D) The vendor shall promptly transmit funds due to the Department of State Police.

E) All costs associated with the fee applicant fingerprint-based criminal history records check through the Department of State Police shall be paid either by the applicants or the facilities.

10) The vendor shall require the student, applicant or employee to present current, valid government-issued photo
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identification or other valid identification. The vendor shall screen all applicants at the time of fingerprinting to ensure that the applicant is being fingerprinted for the purpose intended. Only individuals presenting a Livescan Request Form generated from the Health Care Worker Registry's web application shall be allowed to be fingerprinted under the Department's process of initiating fingerprint-based criminal history records checks as a fee applicant inquiry. The vendor shall complete the bottom portion of the Livescan Request Form and return it to the applicant to confirm that the applicant was successfully fingerprinted. The vendor may charge an amount in addition to the rate of the livescan services to compensate for credit card fees.

11) Fingerprints shall be collected directly from the student, applicant or employee's hand, consisting of ten rolled impressions and ten slap impressions in a format consistent to fee applicant submission. The vendor shall collect only livescan fingerprints, not card scan fingerprints.

12) If an individual's fingerprints are rejected by the Department of State Police, the vendor shall collect a second set of fingerprints. The vendor shall not charge for collecting the second set of fingerprints.

13) A vendor that has a rejection rate from the Department of State Police of 2% or greater shall not continue to collect fingerprints for the Department's process of fee applicant criminal history records check inquiries.

14) A vendor that has a rejection rate from the Department of Public Health of 5% or greater shall not continue to collect fingerprints for the Department's process of fee applicant criminal history records check.

15) The vendor shall provide a single point of contact for applicants or facilities to schedule fingerprinting (such as a toll free number, website, etc.).
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41. After Section 955.285, new Appendices A (Disqualifying Offenses That Will Not be Granted a Waiver), B (Disqualifying Offenses That May be Considered for a Rehabilitation Waiver), and C (Disqualifying Offenses That May be Considered for a Waiver by the Submission of a Waiver Application) were added.

The following changes were made in response to comments and suggestions of the JCAR:

1. In the table of contents, change the name of Appendix A to "Offenses that Are Always Disqualifying Except Through the Appeal Process".

2. After Section 955.165(i), add:

"1) Application fees shall include, but are not limited to, the amounts established by the Department of State Police to process a fingerprint-based criminal history records check and the amount charged by the live scan vendor for collecting and transmitting the fingerprints.

2) Health care employers that are certified to participate in the Medicaid program are required to pay for certified nursing assistants' (CNA) application fees. These fees shall be direct pass-through on the cost report submitted by the employer to the Medicaid agency.

3) Any student, applicant, or employee who is not a certified nursing assistant may be required to pay all related application fees. (Section 45 of the Act)."

3. In Section 955.285(b)(4)(A), last line, change "state, city, and county" to "state and city".

4. At APPENDIX A, change the name to "Offenses that Are Always Disqualifying Except Through the Appeal Process".

In addition, various 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 any emergency rulemaking currently in effect? No
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14) Are there any amendments pending on this Part? No

15) Summary and Purpose of the Rulemaking: This rulemaking is being undertaken to implement Public Act 95-0120 enacted by the Illinois General Assembly and signed by the Governor on August 13, 2007. PA 95-0120 removed references to UCIA criminal history records checks from the Health Care Worker Background Check Act [225 ILCS 46] (the Act) and provided for electronic fingerprint-based criminal history records checks as a condition of employment with health care employers and active status on the Health Care Worker Registry. PA 95-0120 also made changes in provisions concerning definitions, exceptions, ineligibility for employment, waivers, application fees, health care employer files, and immunity from liability. Sections concerning duplicate background checks and non-fingerprint based and fingerprint based UCIA background checks are being repealed.

Section 955.100 (Applicability) is being amended to add new statutory language and to clarify that Part 955 applies to unlicensed employees of health care providers.

Section 955.110 (Definitions) is being amended to add new definitions, amend others, and delete the definition for "Nurse Aide Registry" consistent with the provisions of PA 95-0120.

Section 955.115 (Implementation of Fingerprint-Based Criminal History Records Checks as a Fee Applicant Inquiry) is being added to establish minimum requirements for the implementation of fingerprint-based criminal history records checks by educational entities and health care employers.

Section 955.120 (Referenced Materials) is being amended to change the name to "Incorporated and Referenced Materials," to add federal guidelines on electronic fingerprint transmissions and to update the names of Illinois statutes that have changed.

Section 955.130 (Exceptions) is being amended to add new statutory language and to clarify existing language pertaining to persons to whom the Act applies.

Section 955.135 (Contracted or Subcontracted Workers) is being added to establish minimum standards for conducting background checks on workers who contract or subcontract with health care employers.
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Section 955.140 (Policy Defining Direct Care) is being amended to change the Section name to "Policies Defining Employee Work Positions" and to clarify the difference between direct care employees and employees in long-term care.

Section 955.145 (Employment Verification) is being added to incorporate new statutory language from PA 95-0120, including penalties for failure to comply with the regulations.

Section 955.150 (Employment Prohibition) is being amended to add statutory language from PA 95-0120 that clarifies requirements for long-term care facilities and the obligation for applicants to get a waiver for certain offenses.

Section 955.160 (Disqualifying Offenses) is being amended to add to the list of disqualifying offenses to be consistent with offenses that were added to the Act on July 24, 2006.

Section 955.165 (Fingerprint-Based Criminal History Record Check) is being added to establish the statutory requirements for initiating electronic fingerprint-based criminal history records checks for health care workers.

Section 955.170 (Non-Fingerprint-Based UCIA Criminal History Records Check) is being amended to clarify that the Section applies to health care employers and educational entities that have not yet been brought into the Department's fingerprint process.

The title of Section 955.180 (Criminal History Records Checks after January 1, 2004) is being changed to "Criminal History Records Checks after Implementation." Also, the list of disqualifying offenses requiring a waiver is being struck, and a cross-reference to Section 955.160 is being added.

The title of Section 955.190 (Notification to Applicant or Employee) is being changed to "Notification to Student, Applicant, or Employee" to reflect changes to the Act from PA 95-0120, and to the Section. Also, references to "non-fingerprint-based" background checks are being struck and the requirement for a waiver added.

Section 955.200 (Submission of Criminal History Records Check Results to Nurse Aide Registry) is being repealed.

Section 955.220 (Health Care Employer Files) is being amended to update record-keeping requirements of health care employers regarding background checks of employees.
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Section 955.230 (Invalid Non-fingerprint-Based Records Check) is being repealed.

Section 955.240 (Fingerprint-Based UCIA Criminal History Records Check) is being repealed.

Section 955.250 (Additional Conviction) is being repealed.

Section 955.260 (Application for Waiver) is being amended to add statutory requirements regarding the minimum requirements for obtaining a waiver from prohibition from employment.

Section 955.270 (Department Review of Waiver Application) is being amended to add new statutory language and to update the list of disqualifying convictions for which a waiver may not be granted. Also, new language is being added to cross-reference new appendices that organize offenses into those that will not be granted a waiver, those that may be considered for a rehabilitation waiver, and those that may be considered for a waiver. Finally, minimum standards for an override by the Director or designee were added.

Section 955.275 (Rehabilitation Waiver) is being added to establish minimum requirements for the Department to grant an automatic waiver to qualified applicants.

Section 955.280 (Employment Pending Waiver) is being amended to incorporate statutory language from PA 95-0120.

Section 955.285 (Livescan Vendors) is being added to establish minimum requirements for contracted and authorized vendors of electronic fingerprint background checks.

Section 955.APPENDIX A (Offenses that Are Always Disqualifying Except Through the Appeal Process) is being added to list offenses for which no waiver will be granted.

Section 955.APPENDIX B (Disqualifying Offenses That May Be Considered for a Rehabilitation Waiver) is being added to list offenses for which a rehabilitation waiver may be granted.

Section 955.APPENDIX C (Disqualifying Offenses That May Be Considered for a Waiver by the Submission of a Waiver Application) is being added to list offenses for which a waiver may be granted.
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16) Information and questions regarding these adopted amendments shall be directed to:

Susan Meister
Division of Legal Services
Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761

217/782-2043
e-mail: dph.rules@illinois.gov

The full text of the Adopted Amendments begins on the next page:
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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER u: MISCELLANEOUS PROGRAMS AND SERVICES

PART 955
HEALTH CARE WORKER BACKGROUND CHECK CODE

Section
955.100  Applicability
955.110  Definitions
         955.115  Implementation of Fingerprint-Based Criminal History Records Checks as a Fee Applicant Inquiry
955.120  Incorporated and Referenced Materials
955.130  Exceptions
         955.135  Contracted or Subcontracted Workers
955.140  Policies Policy Defining Employee Work Positions Direct Care
         955.145  Employment Verification
955.150  Employment Prohibition
955.160  Disqualifying Offenses
         955.165  Fingerprint-Based Criminal History Records Check
955.170  Non-Fingerprint-Based UCIA Criminal History Records Check
955.180  Criminal History Records Checks after Implementation January 1, 2004
955.190  Notification to Student, Applicant, or Employee
955.200  Submission of Criminal History Records Check Results to Nurse Aide Registry (Repealed)
955.210  Offer of Permanent Employment
955.220  Health Care Employer Files
955.230  Invalid Non-Fingerprint-Based Records Check (Repealed)
955.240  Fingerprint-Based UCIA Criminal History Records Check (Repealed)
955.250  Additional Conviction (Repealed)
955.260  Application for Waiver
955.270  Department Review of Waiver Application
         955.275  Rehabilitation Waiver
955.280  Employment Pending Waiver
         955.285  Livescan Vendors
955.290  Recovery of Back Pay

955.APPENDIX A  Offenses that Are Always Disqualifying Except Through the Appeal Process
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955.APPENDIX B  Disqualifying Offenses that May Be Considered for a Rehabilitation Waiver
955.APPENDIX C  Disqualifying Offenses that May Be Considered for a Waiver by the Submission of a Waiver Application

AUTHORITY: Implementing and authorized by the Health Care Worker Background Check Act [225 ILCS 46].


Section 955.100  Applicability

This Part applies to all unlicensed individuals employed or retained by a health care employer as home health care aides, nurse aides, personal care assistants, private duty nurse aides, or day training personnel, or an individual working in any similar health-related occupation where he or she provides direct care (e.g., resident attendants, child care/habilitation aides/developmental disabilities aides, and psychiatric rehabilitation services aides) or has access to long-term care residents or the living quarters or financial, medical, or personal records of long-term care residents. This Part also applies to all unlicensed employees of licensed or certified long-term care facilities who have or may have contact with residents or access to the living quarters or the financial, medical, or personal records of residents. (Section 10 of the Act)

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.110  Definitions

The following terms have the meaning ascribed to them whenever the term is used in this Part:

"Act" – the Health Care Worker Background Check Act [225 ILCS 46].

"Applicant" – an individual seeking employment with a health care employer who has received a bona fide conditional offer of employment. (Section 15 of the Act)

"Conditional offer of employment" – a bona fide offer of employment by a health care employer to an applicant, which is contingent upon the receipt of a report from the Department of Public Health State Police indicating that the applicant does not have a record of conviction of any of the criminal offenses enumerated in Section 25 of the Act and Section 955.160 of this Part. (Section 15 of the Act)
"Contracted or Subcontracted Worker" – an individual who provides direct care for clients, patients, or residents or who works for a long-term care facility in a position that involves or may involve contact with residents or access to the living quarters or financial, medical, or personal records of long-term care residents under an arrangement other than as an employee.

"Demographic data" – information collected by a livescan vendor concerning an applicant, including, but not limited to, name, address, date of birth, race, height, and eye color.

"Department" – the Illinois Department of Public Health.

"Designee" – a person or committee designated in writing by the Director.

"Direct care" – the provision of nursing care or assistance with feeding, dressing, movement, bathing, toileting, or other personal needs, including home services as defined in the Home Health, Home Services, and Home Nursing Agency Licensing Act. (Section 15 of the Act)

"Director" – the Director of the Department of Public Health.

"Disqualifying offense" – an offense listed in Section 25 of the Act and Section 955.160 of this Part.

"Educational entity" – a community college, community agency, or private business that conducts educational programs in which individuals learn the skills to provide health care services to clients, residents, or patients.

"Employee" – any individual hired, employed, or retained to whom the Act applies as set forth in Section 10 of the Act and Section 955.100 of this Part. (Section 15 of the Act)

"Fee applicant inquiry" – a fingerprint-based criminal history records check requested by an agency of the State of Illinois (in this Part, the Department of Public Health) through the Department of State Police. The Department of State Police stores the fingerprints and provides notification back to the requesting State agency if there is a new conviction associated with the fingerprints.

"Fingerprint-based criminal history records check" – a livescan fingerprint-based criminal history records check of the Illinois criminal history records information
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file with the Department as the requestor and submitted as a fee applicant inquiry in the form and manner prescribed by the Department of State Police. (Section 15 of the Act)

"Health care employer":

the owner or licensee of any of the following:

a community living facility, as defined in the Community Living Facilities Licensing Act;

a life care facility, as defined in the Life Care Facilities Act;

a long-term care facility, as defined in the Nursing Home Care Act;

a home health agency, home services agency, or home nursing agency, as defined in the Home Health, Home Services, and Home Nursing Agency Licensing Act;

a full hospice care program or volunteer hospice program, as defined in the Hospice Program Licensing Act;

a hospital, as defined in the Hospital Licensing Act;

an establishment licensed under the Assisted Living and Shared Housing Act;

the University of Illinois Hospital, Chicago;

programs listed by the Emergency Medical Services (EMS) Systems Act as Freestanding Emergency Centers; or

locations licensed under the Alternative Health Care Delivery Act. (Section 15 of the Act)

"Health Care Worker Registry" – a registry maintained by the Department of Public Health or its designee that includes a registry for nurse aides pursuant to Section 3-206.01 of the Nursing Home Care Act, and that includes background check and training information for health care employees pursuant to the Act.
"Initiate" – the obtaining of the authorization for a record check from a student, applicant, or employee his or her social security number, demographics, a disclosure statement, and an authorization for the Department of Public Health or its designee to request a fingerprint-based criminal history records check; transmitting this information electronically to the Department of Public Health or its designee; conducting Internet searches on certain web sites from links provided through the Health Care Worker Registry, and having the student's, applicant's, or employee's fingerprints collected directly by a livescan vendor and transmitted electronically to the Department of State Police. (Section 15 of the Act)

"Livescan technician" – an individual who is trained to collect fingerprints on livescan equipment and who meets any licensing requirements of the State or federal government.

"Livescan vendor" – an entity whose equipment has been certified by the Department of State Police to collect an individual's demographics and inkless fingerprints and, in a manner prescribed by the Department of State Police and the Department of Public Health, electronically transmit the fingerprints and required data to the Department of State Police and a daily file of required data to the Department of Public Health. The Department of Public Health shall negotiate a contract with one or more vendors that effectively demonstrate that the vendor has 2 or more years of experience transmitting fingerprints electronically to the Department of State Police and that the vendor can successfully transmit the required data in a manner prescribed by the Department of Public Health. (Section 15 of the Act)

"Long-term care facility" – a facility licensed by the State or certified under federal law as a long-term care facility, including without limitation facilities licensed under the Nursing Home Care Act, a supportive living facility, an assisted living establishment, or a shared housing establishment or registered as a board and care home. (Section 15 of the Act)

"Parole; Mandatory Supervised Release" – Except when a term of natural life is imposed, every sentence includes a term in addition to the term of imprisonment. For those sentenced under the law in effect before February 1, 1978, that term is a parole term. For those sentenced on or after February 1, 1978, that term is a mandatory supervised release term.
"Rehabilitation waiver"—A waiver that the Department grants based solely upon the results of a fingerprint-based criminal history records check without a waiver application being submitted to the Department.

"Staffing agency"—Any individual or business entity: whose profession is job counseling (Section 60 of the Act); or that contracts or subcontracts its workers or services to a health care employer.

"Nurse Aide Registry"—the Nurse Aide Registry maintained by the Department of Public Health pursuant to Section 3-206.01 of the Nursing Home Care Act.

"UCIA criminal history records check"—a check of criminal history information conducted by the Department of State Police in accordance with the Uniform Conviction Information Act (UCIA) [20 ILCS 2635].

"Web application"—a computer program on the Department's intranet that is titled "HCW Background Check Registry" and is accessed by signing in through the Department's secure web portal. This program is used to initiate fingerprint-based criminal history records checks as a fee applicant inquiry.

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.115 Implementation of Fingerprint-Based Criminal History Records Checks as a Fee Applicant Inquiry

a) Fingerprint-based criminal history records checks shall be initiated through the Department's web application used for the Health Care Worker Registry. The direct care employer or its designee must log into the Health Care Worker Registry through a secure login. (Section 33(i) of the Act)

1) Educational entities and health care employers shall gain access to the secure login by having an employee register for access to the Department's secure web portal. After the Department has authorized initial access, that employee may authorize other employees or a designee access to the secure web portal. A health care employer may not be implemented into the process of initiating fingerprint-based criminal history records checks as a fee applicant inquiry through the Department's web application until the Department has authorized the initial access.
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2) When educational entities and health care employers are required in this Part to transmit information electronically to the Department, the data shall be entered into the Health Care Worker Background Check Registry web application. The information shall be electronically transmitted to the Department when the data record is saved.

3) To better provide support and instruction, the Department will bring a limited number of educational entities and health care employers into the fingerprint process at one time. The Department will proceed across the State using such indicators as zip codes and county boundaries.

b) Educational entities and health care employers shall continue to conduct background checks using the non-fingerprint-based UCIA criminal history records check until the educational entity or health care provider is brought into the Department's fingerprint process (see Section 955.170).

(Source: Added at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.120 Incorporated and Referenced Materials

a) The following State of Illinois statutes are referenced in this Part:

1)\(\text{a) Community Living Facilities Licensing Act [210 ILCS 35]}\)

2)\(\text{b) Life Care Facilities Act [210 ILCS 40]}\)

3)\(\text{c) Nursing Home Care Act [210 ILCS 45]}\)

4)\(\text{d) Home Health, Home Services, and Home Nursing Agency Licensing Act [210 ILCS 55]}\)

5)\(\text{e) Hospice Program Licensing Act [210 ILCS 60]}\)

6)\(\text{f) Hospital Licensing Act [210 ILCS 85]}\)

7)\(\text{g) Assisted Living and Shared Housing Act [210 ILCS 9]}\)

8)\(\text{h) Emergency Medical Services (EMS) Systems (EMS) Act [210 ILCS 50]}\)

9)\(\text{i) Alternative Health Care Delivery Act [210 ILCS 3]}\)
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11) Illinois Uniform Conviction Information Act [20 ILCS 2635]
12) Illinois Credit Card and Debit Card Act [720 ILCS 250]
13) Cannabis Control Act [720 ILCS 550]
14) Wrongs to Children Act [720 ILCS 150]
15) Illinois Controlled Substances Act [720 ILCS 570]
16) Nurse Nursing and Advanced Practice Nursing Act [225 ILCS 65]

b) The following federal guidelines are incorporated by reference:


c) All incorporations of federal guidelines refer to the guidelines on the date specified and do not include any later editions or amendments.

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.130 Exceptions

a) The Act and this Part shall not apply to:

1) An individual who is licensed by the Department of Financial and Professional Regulation or the Department of Public Health under another law of this State (e.g., registered nurses, licensed practical nurses, respiratory therapists, and emergency medical technicians);

2) An individual employed or retained by a health care employer for whom a criminal background check is required by another law of this State; or
3)(e) A student in a health care field licensed by the Department of Financial and Professional Regulation, including, but not limited to, a student nurse, a physical therapy student, or a respiratory care student, unless he or she is employed by a health care employer in a position with duties involving direct care for residents, clients, or patients, or residents or employed by a long-term care facility in a position that involves or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents. (Section 20 of the Act); or

4) A person who is employed or under contract with a health care provider to provide infrequent or occasional services, such as delivering items to the provider, equipment maintenance, grounds keeping, construction, or other similar services that are not directly related to the care of a resident, client or patient.

b) As long as the individual is notified that the results of the fingerprint-based criminal history records check will be entered on the Health Care Worker Registry and the individual signs an authorization and disclosure form, nothing in this Section prohibits an educational entity, staffing agency, or health care employer from initiating a fingerprint-based criminal history records check for an individual who is:

1) Licensed by the Department of Financial and Professional Regulation;

2) Studying in a health care field licensed by the Department of Financial and Professional Regulation;

3) Licensed by the Department of Public Health under another law of this State; or

4) A volunteer.

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.135 Contracted or Subcontracted Workers

a) Any unlicensed contracted or subcontracted worker shall undergo a fingerprint-based criminal history records check through the processes established in the Act and this Part.
b) A staffing agency may request access to the secure web portal and initiate fingerprint-based criminal history records checks for staff that will be contracted or subcontracted to a health care employer in the same manner and following the same requirements as a health care employer.

c) If a staffing agency is unable to have access to the fingerprint process established through the Act, the health care employer may initiate the fingerprint-based criminal history records check for the staffing agency. The health care employer may require the staffing agency to reimburse the health care employer for any fingerprint-based criminal history records check expenses incurred.

(Source: Added at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.140 Policies Defining Employee Work Positions Direct Care

For purposes of the Act and this Part, the health care employer shall establish a policy defining which employees provide direct care. If a long-term care employer has unlicensed employees who do not have access to long-term care residents or the living quarters or the financial, medical, or personal records of long-term care residents, the long-term care employer shall establish a policy defining those employee positions. In making these determinations, the health care employer shall consider the following:

a) For direct care employees:

1) The employee's assigned job responsibilities as set forth in the employee's job description;

2) Whether the employee is required to or has the opportunity to be alone with residents, patients, or clients to provide nursing care or to assist with feeding, dressing, movement, bathing, toileting or other personal needs (Section 15 of the Act), with the exception of infrequent or unusual occasions; and

3) Whether the employee's responsibilities include physical contact with residents, patients, or clients, for example to provide therapy or to draw blood.

b) For employees in long-term care facilities:
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1) The employee's assigned job responsibilities as set forth in the employee's job description; and

2) The employee's ingress and egress of the building to get to his or her normal work station.

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.145 Employment Verification

a) Each direct care employer or its designee must provide an employment verification and update the demographic information for each employee no less than annually. (Section 33(i) of the Act)

1) The health care employer or its designee must log into the Health Care Worker Registry through a secure login in a method prescribed by the Department. (Section 33(i) of the Act)

2) The health care employer or its designee must indicate employment and termination dates (separation dates) within 30 days after hiring or terminating an employee. (Section 33(i) of the Act)

3) The health care employer shall provide the employment category and type. (Section 33(i) of the Act)

b) Failure to comply with this Section constitutes a licensing violation. For health care employers that are not licensed or certified, a fine of up to $500 may be imposed for failure to maintain these records. (Section 33(i) of the Act)

c) The information required in this Section shall be used by the Department of Public Health to notify any current employer of any disqualifying offenses that are reported by the Department of State Police. (Section 33(i) of the Act)

(Source: Added at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.150 Employment Prohibition

a) A health care employer shall not knowingly hire, employ, or retain any individual in a position with duties involving direct care for clients, patients, or residents, and no long-term care facility shall knowingly hire, employ, or retain any
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individual in a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents who if that person has been convicted of committing or attempting to commit one or more of the offenses listed in Section 25 of the Act and Section 955.160 of this Part, unless the applicant or employee, or employer obtains a waiver pursuant to this Part. (Section 25(a) of the Act)

b) A health care employer shall not hire, employ, or retain any individual in a position with duties involving direct care of clients, patients, or residents, and no long-term care facility shall knowingly hire, employ, or retain any individual in a position with duties that involve or may involve contact with residents or access to the living quarters or financial, medical, or personal records of residents, if the health care employer becomes aware that the individual has been convicted in another state of committing or attempting to commit an offense that has the same or similar elements as an offense listed in Section 955.160 of this Part as verified by court records, records from a State agency (e.g., Department of Corrections records), or an FBI criminal history record check, unless the applicant or employee obtains a waiver pursuant to this Part. This shall not be construed to mean that a health care employer has an obligation to conduct a criminal history records check in other states in which an employee has resided. (Section 25(b) of the Act)

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.160 Disqualifying Offenses

The following offenses are disqualifying under the Act and this Part. Offenses are not considered disqualifying until the effective date of the legislation adding the offenses to the Act, regardless of the date an individual is convicted of the offense (see Appendix A through Appendix C of this Part). Offenses marked with an asterisk (*) were added to the Act effective January 1, 2004.

a) Violations under the Criminal Code of 1961:

1) Solicitation of murder, solicitation of murder for hire [720 ILCS 5/8-1.1 and 8-1.2] (formerly Ill. Rev. Stat. 1991, ch. 38, pars. 8-1.1 and 8-1.2);

2) First degree murder, intentional homicide of an unborn child, second degree murder, voluntary manslaughter of an unborn child, involuntary manslaughter and reckless homicide, concealment of homicidal death,
involuntary manslaughter and reckless homicide of an unborn child, and
drug-induced homicide, murder, homicide, manslaughter or concealment of
a homicidal death [720 ILCS 5/9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.1, 9-3.2, and
370, 373, 373a, 417, and 474);

3) Kidnapping, aggravated kidnapping, child abduction, and aiding and
abetting child abduction [720 ILCS 5/10-1, 10-2, 10-5, and 10-7] (formerly Ill. Rev. Stat. 1991, ch. 38, pars. 10-1, 10-
1961, ch. 38, pars. 384 to 386);

4) Unlawful restraint, aggravated unlawful restraint, and/or forcible detention
and 252.4);

5) Indecent solicitation of a child, sexual exploitation of a child, sexual
misconduct with a person with a disability, exploitation of a child, and
child pornography [720 ILCS 5/11-6, 11-9.1, 11-9.5, 11-19.2, and 11-
pars. 103 and 104);

6) Assault; aggravated assault; battery; battery of an unborn child; domestic
battery; aggravated domestic battery; aggravated battery; heinous battery;
aggravated battery with a firearm; aggravated battery with a machine gun
or a firearm equipped with any device or attachment designed or used for
silencing the report of a firearm-silencer; aggravated battery of a child;
aggravated battery of an unborn child; aggravated battery of a senior
citizen; or drug-induced infliction of great bodily harm [720 ILCS 5/12-1,
12-2, 12-3, 12-3.1, 12-3.2, 12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.2-5, 12-
12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-4, 12-4.1, 12-4.2, 12-4.3, 12-4.4, 12-
ch. 38, pars. 55, 56, and 56a to 60b);
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12) Criminal abuse or neglect of an elderly person or person with a disability [720 ILCS 5/12-21] (formerly Ill. Rev. Stat. 1991, ch. 38, par. 12-21);


15) Theft; theft of lost or mislaid property[^]; retail theft; financial identity theft[^]; aggravated financial identity theft[^] [720 ILCS 5/16-1, 16-2[^], 16A-3, 16G-15[^], and 16G-20[^]] (formerly Ill. Rev. Stat. 1991, ch. 38, pars. 16-1, 16-2, and 16A-3; Ill. Rev. Stat. 1961, ch. 38, pars. 62, 207 to 218, 240 to 244, 246, 253, 254.1, 258, 262, 262a, 273, 290, 291, 301a, 354, 387 to 388b, 389, 393 to 400, 404a to 404c, 438, 492 to 496);

16) Financial exploitation of an elderly person or a person with a disability [720 ILCS 5/16-1.3] (formerly Ill. Rev. Stat. 1991, ch. 38, par. 16-1.3);
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19) Vehicular hijacking, aggravated vehicular hijacking [720 ILCS 5/18-3 and 18-4];


23) Unlawful use of weapons, unlawful use or possession of weapons by felons or persons in the custody of Department of Corrections facilities*; aggravated discharge of a firearm; aggravated discharge of a machine gun or a firearm equipped with a device designed or used for silencing the report of a firearm silencer; reckless discharge of a firearm; aggravated unlawful use of a weapon*; unlawful discharge of firearm projectiles*; unlawful sale or delivery of firearms on the premises of any school* [720 ILCS 5/24-1, 24-1.1*, 24-1.2, 24-1.2-5*, 24-1.5, 24-1.6*, 24-3.2*, and 24-3.3*] (formerly Ill. Rev. Stat. 1991, ch. 38, pars. 24-1, 24-1.1, 24-1.2, 24-1.2-5, 24-1.5, 24-1.6, 24-3.2, and 24-3.3; Ill. Rev. Stat. 1961, ch. 38, pars. 152, 152a, 155, 155a to 158b, 414a to 414c, 414e, and 414g);


b) Violations under the Wrongs to Children Act:

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c) Violations under the Illinois Credit Card and Debit Card Act:

1) Receiving a stolen credit or debit card [720 ILCS 250/4] (formerly Ill. Rev. Stat. 1991, ch. 17, par. 5917);

2) Receiving a lost or mislaid card with intent to use, sell, or transfer [720 ILCS 250/5] (formerly Ill. Rev. Stat. 1991, ch. 17, par. 5918);

3) Selling a credit card or debit card, without the consent of the issuer [720 ILCS 250/6] (formerly Ill. Rev. Stat. 1991, ch. 17, par. 5919);

4) Using a credit or debit card with the intent to defraud [720 ILCS 250/8] (formerly Ill. Rev. Stat. 1991, ch. 17, par. 5921);


e) Violations under the Cannabis Control Act: Manufacture, delivery, or possession with intent to deliver or manufacture cannabis; cannabis trafficking; delivery of cannabis on school grounds; delivering cannabis to a person under 18; violation by person under 18; calculated criminal cannabis conspiracy [720 ILCS 550/5, 705, 705.1, 705.2, 707, and 709] (formerly Ill. Rev. Stat. 1991, ch. 56½, pars. 705, 705.1, 705.2, 707, and 709).

f) Violations under the Illinois Controlled Substances Act: Manufacture or delivery, or possession with intent to manufacture or deliver, a controlled substance other than methamphetamine, a counterfeit substance, or a controlled substance analog; controlled substance trafficking; manufacture, distribution, advertisement, or possession with intent to manufacture or distribute a look-alike substance; calculated criminal drug conspiracy; criminal drug conspiracy; delivering a controlled, counterfeit or look-alike substance to a person under 18; and engaging or employing a person under 18 to deliver a controlled, counterfeit or look-alike
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g) Violation under the Nurse Nursing and Advanced Practice Nursing Act: practice of nursing without a license [225 ILCS 65/50-50 (was 225 ILCS 65/10-5)*][225 ILCS 65/10-5*] (formerly Ill. Rev. Stat. 1991, ch. 111, par. 3506).

h) Violations under the Methamphetamine Control and Community Protection Act [720 ILCS 646].

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.165 Fingerprint-Based Criminal History Records Check

a) Educational entities, other than secondary schools, and health care employers are required to check the Health Care Worker Registry before allowing a student to enter a training program or hiring an employee to determine:

1) Whether a fingerprint-based criminal history records check has previously been conducted, which is indicated by the identifier of "FEE_APP" or "CAAPP":

A) As long as the student, applicant or employee has had such a background check and stays active on the Health Care Worker Registry, no further fingerprint-based criminal history record checks shall be deemed necessary. (Section 33(g) of the Act)

B) If the individual has disqualifying convictions and a waiver has not been granted pursuant to this Part, the individual is not allowed to work as a direct care giver for a health care employer or as an individual with access to residents, the resident's living quarters, or the resident's financial, medical or personal records in a long-term care setting.

2) Whether the individual is active on the Health Care Worker Registry.

A) If an individual is inactive on the Health Care Worker Registry, that individual is prohibited from being hired to work as a certified
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nurse aide if, since the individual's most recent completion of a competency test or the date the individual was deemed competent by the Department of Public Health, there has been a period of 24 consecutive months during which the individual has not provided nursing or nursing-related services for pay. (Section 33(g) of the Act)

B) If the individual can provide proof of having retained his or her certification by not having a 24 consecutive month break in service for pay, he or she may be hired as a certified nurse aide and that employment information shall be entered into the Health Care Worker Registry. (Section 33(g) of the Act)

C) Not retaining his or her certification does not prevent that individual from being hired in a position that does not require the individual to be a certified nurse aide.

b) If the individual has not had such a background check or is not active on the Health Care Worker Registry, then the health care employer must initiate a fingerprint-based criminal history records check.

c) Educational entities and health care employers shall conduct Internet searches on certain web sites, including without limitation the Illinois Sex Offender Registry, the Department of Corrections' Sex Offender Search Engine, the Department of Corrections' Inmate Search Engine, the Department of Corrections Wanted Fugitives Search Engine, the National Sex Offender Public Registry, and the website of the Health and Human Services Office of Inspector General to determine if the applicant has been adjudicated a sex offender, has been a prison inmate, or has committed Medicare or Medicaid fraud, or conduct similar searches as provided by the web-based application. (Section 15 of the Act)

d) Any student, applicant, or employee who desires to be included on the Department of Public Health’s Health Care Worker Registry must authorize the Department of Public Health or its designee to request a fingerprint-based criminal history records check to determine if the individual has a conviction for a disqualifying offense by completing and signing an authorization and disclosure form. This authorization shall allow the Department of Public Health to request and receive information and assistance from any State or local governmental agency. (Section 33(b) of the Act)
1) A direct care employer may initiate a fingerprint-based criminal history records check for any of its employees or volunteers, but may not use this process to initiate background checks for residents. The results of any fingerprint-based criminal history records check that is initiated with the Department as the requestor shall be entered in the Health Care Worker Registry. (Section 33(f) of the Act)

2) No educational entity or health care employer shall conduct a fingerprint-based criminal history records check for any purpose not authorized by the Act.

e) An educational entity, other than a secondary school, conducting a nurse aide training program must initiate a fingerprint-based criminal history records check requested by the Department of Public Health prior to entry of an individual into the training program. (Section 33(c) of the Act)

f) A health care employer who makes a conditional offer of employment to an applicant who is not exempt under Section 955.130 of this Part, for a position as an employee, must initiate a fingerprint-based criminal history records check requested by the Department of Public Health, on the applicant, if such a background check has not been previously conducted.

g) An educational entity or health care employer shall electronically submit to the Department of Public Health the student's, applicant's, or employee's social security number, demographics, disclosure and authorization information in a format prescribed by the Department of Public Health within 2 working days after the authorization is secured. (Section 33(e) of the Act)

h) The student, applicant, or employee shall go to a livescan vendor and have his or her fingerprints collected electronically and transmitted to the Department of State Police within 10 working days after signing the authorization and disclosure form. Each individual shall submit his or her fingerprints in an electronic manner prescribed by the Department of State Police. (Section 33(e) of the Act)

1) The student, applicant, or employee shall bring the portion of the livescan request form that is completed by the livescan vendor back to the educational entity or health care employer as proof that his or her fingerprints have been collected. The educational entity or health care employer shall provide the transaction control number, obtained from this
portion of the livescan request form, whenever any follow-up inquiries are made about the progress of the background check being processed.

2) If the fingerprints are rejected by the Department of State Police, the student, applicant, or employee shall go to a livescan vendor and have his or her fingerprints collected electronically a second time.

3) If the fingerprints are rejected by the Department of State Police a second time, the educational entity or health care employer shall conduct a complete name-based UCIA criminal history records check through the Department of State Police and mail a copy of the results of the background check to the Department within 10 working days after receipt. The UCIA criminal history records check shall be requested as prescribed by the Department of State Police. The results of the UCIA criminal history records check shall have been issued by the Department of State Police no earlier than 31 days prior to hire. A UCIA name-based criminal history records check may be used only when there is proof that the individual's fingerprints have been rejected twice by the Department of State Police within the previous 12 months.

4) If the student, applicant, or employee does not go to a livescan vendor and have his or her fingerprints collected electronically within 10 working days, the individual shall be suspended from participating in a training program if a student, or suspended from working if an employee, until such time as proof is provided that the individual has had his or her fingerprints collected electronically from a livescan vendor.

5) If the student, applicant, or employee has not had his or her fingerprints collected electronically by a vendor within 30 days after being hired or beginning a training program, the employee shall be terminated or the student shall be dropped from the training program. The educational entity or health care employer shall withdraw the background check application from the Health Care Worker Registry.

i) The educational entity or health care employer must transmit all necessary information and fees to the livescan vendor and Department of State Police within 10 working days after receipt of the authorization for a criminal history records check. (Section 33(e) of the Act)
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1) Application fees shall include, but are not limited to, the amounts established by the Department of State Police to process a fingerprint-based criminal history records check and the amount charged by the livescan vendor for collecting and transmitting the fingerprints.

2) Health care employers that are certified to participate in the Medicaid program are required to pay for certified nursing assistants' (CNA) application fees. These fees shall be a direct pass-through on the cost report submitted by the employer to the Medicaid agency.

3) Any student, applicant, or employee who is not a certified nursing assistant may be required to pay all related application fees. (Section 45 of the Act)

i) The results of the criminal history records checks shall be maintained by the Department of Public Health's Health Care Worker Registry as long as the employee stays active on the registry. (Section 33(e) of the Act)

k) A health care employer or long-term care facility may conditionally employ an applicant for up to three months pending the results of a fingerprint-based criminal history records check requested by the Department of Public Health. During this time, the employee shall have adequate supervision, which is the type and frequency of supervision required to prevent abuse, neglect, or theft regarding patients, clients, or residents. (Section 33(l) of the Act)

l) The livescan vendors may act as the designee for individuals, educational entities or health care employers in the collection of Department of State Police fees and deposit those fees into the State Police Services Fund. (Section 33(b) of the Act)

m) If the individual is not active on the Health Care Worker Registry, then the health care employer must initiate a fingerprint-based criminal history records check requested by the Department of Public Health. (Section 33(g) of the Act)

n) If the Department of State Police notifies the Department of Public Health that an employee has a new conviction of a disqualifying offense, based upon fingerprints that were previously submitted, then:

1) the Health Care Worker Registry shall notify the employee's last known employer of the offense by sending an automatic e-mail to the health care employer;
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2) a record of the employee's disqualifying offense shall be entered on the Health Care Worker Registry; and

3) the individual shall no longer be eligible to work as an employee unless he or she obtains a waiver pursuant to this Part. (Section 33(h) of the Act)

o) The Health Care Worker Registry will indicate only those criminal convictions that are disqualifying under the Act. Nothing in this Part shall prohibit the health care employer from developing policies concerning employment of individuals whose criminal history records checks indicate convictions for offenses that are not disqualifying.

(Source: Added at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.170  Non-Fingerprint-Based UCIA Criminal History Records Check

This Section applies to health care employers and educational entities that have not yet been brought into the Department's fingerprint process.

a) A health care employer who makes a conditional offer of employment to an applicant who is not exempt under Section 955.130 of this Part shall check the Health Care Worker Registry for the date of the applicant's last UCIA criminal history records check. If more than 12 months have passed since the records check, the health care employer shall initiate or have initiated on its behalf a UCIA criminal history records check for that applicant. A health care employer who makes a conditional offer of employment to an applicant who is not exempt under Section 955.130 of this Part, for a position with duties that involve direct care for clients, patients, or residents, shall check the Nurse Aide Registry for the date of the applicant’s last UCIA criminal history record check. If it has been more than 12 months since the records check, the employer shall initiate or have initiated on its behalf a UCIA criminal history record check for that applicant. (Section 30(b) and (c) of the Act)

b) An educational entity, other than a secondary school, conducting a nurse aide training program must initiate a UCIA criminal history records check prior to entry of an individual into the training program.

c) The health care employer or educational entity shall transmit all necessary information and fees to the Department State Police within 10 working days after
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receipt of the authorization for a UCIA criminal history records check. The health care employer shall transmit all necessary information and fees to the Illinois State Police within 10 working days after receipt of the authorization for a record check. (Section 15 of the Act)

d) The health care employer may accept the results of an authentic UCIA criminal history record check that has been conducted within the last 12 months rather than initiating a check as required in subsection (a) of this Section.

e) The request for a UCIA criminal history records check shall be made as prescribed by the Department of State Police. (Section 30(e) of the Act)

f) A health care employer may conditionally employ an employee for up to three months pending the results of a UCIA criminal history records check. The request for a UCIA criminal history record check shall be made as prescribed by the Department of State Police. (Section 30(g) of the Act)

g) The health care employer shall inform the applicant or employee of his or her right to obtain a copy of the criminal records report from the health care employer, challenge the accuracy of the report, and request a waiver from the health care employer, challenge the accuracy of the report, and request a waiver in accordance with this Part. (Section 30(f) of the Act)

h) The health care employer shall send a copy of the results of the UCIA criminal history records check for any employee to the Health Care Worker Registry. The health care employer shall send a copy of the results of the record check to the Nurse Aide Registry for an individual employed as a nurse aide. (Section 30(b) of the Act)

i) The health care employer shall develop policies concerning employment of individuals whose criminal history records checks indicate convictions for offenses that are not disqualifying.

j) If a student, applicant, or employee challenges the results of the non-fingerprint-based UCIA criminal history records check or if a non-fingerprint-based UCIA criminal history records check does not identify the individual's criminal history...
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records due to multiple common names, a fingerprint-based UCIA criminal history records check shall be conducted.

k) The fingerprint-based UCIA criminal history records check will not be accepted for a waiver application after implementation of the process of initiating a fingerprint-based criminal history records check through the web application.

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.180 Criminal History Records Checks after Implementation January 1, 2004

a) A fingerprint-based criminal history records check is not required for a UCIA criminal history record check need not be redone for health care employees who have been continuously employed by a health care employer prior to the implementation of the fingerprint-based criminal history records check as a fee applicant inquiry pursuant to Section 955.115 of this Part, have met the requirements for criminal history background checks prior to the implementation, and have no convictions that were disqualifying at the time that the background check was initiated, or have requested and received a waiver of those disqualifying convictions pursuant to this Part. These employees shall be retained on the Health Care Worker Registry as long as they remain active. Nothing in the Act or this Part shall be construed to prohibit a health care employer from initiating a new criminal history records check for these employees. Should these employees seek a new position with a different health care employer, then a fingerprint-based criminal history records check shall be required and all of the convictions listed in Section 25 of the Act and Section 955.160 of this Part shall be considered disqualifying. (Section 33(a) of the Act) prior to and since January 1, 2004; however, nothing in this Section prohibits a health care employer from initiating a criminal history record check for these employees. (Section 25(a-1) of the Act)

b) A criminal history record check shall be initiated for any direct care employee employed after October 1, 2007, January 1, 2004, a criminal history records check shall be initiated in accordance with Section 33, Section 30 of the Act and Sections 955.115 and 955.165 of this Part.

c) If a background check is initiated in accordance with subsection (a), a health care employer is not required to retain and, unless a waiver is obtained pursuant to this Part, shall not retain an individual in a position with duties involving direct care for clients, patients, or residents, and no long-term care facility is required to
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retain and, unless a waiver is obtained pursuant to this Part, shall not retain an individual in a position with duties that involve or may involve contact with residents or access to the living quarters or the financial, medical, or personal records of residents, who has been convicted of committing or attempting to commit one or more of the offenses listed in Section 955.160 of this Part following offenses: (Section 25(a-1) of the Act):

1) Aggravated domestic battery [720 ILCS 5/12-3.3];
2) Aggravated battery with a machine gun or a firearm equipped with a silencer [720 ILCS 5/12-4.2-5];
3) Theft of lost or mislaid property [720 ILCS 5/16-2];
4) Financial identity theft [720 ILCS 5/16G-15];
5) Aggravated financial identity theft [720 ILCS 5/16G-20];
6) Residential arson [720 ILCS 5/20-1.2];
7) Unlawful use or possession of weapons by felons or persons in custody of Department of Corrections facilities [720 ILCS 5/24-1.1];
8) Aggravated discharge of a machine gun or a firearm equipped with a silencer [720 ILCS 5/24-1.2-5];
9) Aggravated unlawful use of a weapon [720 ILCS 5/24-1.6];
10) Unlawful discharge of firearm projectiles [720 ILCS 5/24-3.2];
11) Unlawful sale or delivery of firearms on the premises of any school [720 ILCS 5/24-3.3];
12) Receiving a stolen credit card or debit card [720 ILCS 250/4];
13) Receiving a lost or mislaid credit or debit card [720 ILCS 250/5];
14) Sale or purchase of a credit or debit card without user’s consent [720 ILCS 250/6]
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15) Prohibited use of a credit card [720 ILCS 250/8];

16) Fraudulent use of electronic transmission [720 ILCS 250/17.02];

17) Permitting the sexual abuse of a child [720 ILCS 150/5.1];

18) Practice of nursing without a license [225 ILCS 65/10-5].

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.190 Notification to Student, Applicant, or Employee

The student, applicant, or employee must be notified of each of the following whenever a fingerprint-based criminal history records check is requested pursuant to the Act whenever a non-fingerprint-based UCIA criminal history record check is made (Section 30(f) of the Act):

a) That the educational entity, health care employer or long-term care facility shall initiate a fingerprint-based criminal history records check requested by the Department of Public Health of the student, applicant, or employee pursuant to this Part. (Section 33(k) of the Act)

b) That a direct care employer may initiate a fingerprint-based background check requested by the Department of Public Health for any of its employees. The results of any fingerprint-based background check that is initiated with the Department as the requestor shall be entered in the Health Care Worker Registry. (Section 33(f) of the Act)

c) That the student, applicant or employee has a right to obtain a copy of the criminal records report that indicates a conviction for a disqualifying offense and challenge the accuracy and completeness of the report through an established Department of State Police procedure for Access and Review from the health care employer, challenge the accuracy and completeness of the report, and request a waiver in accordance with this Part. (Section 33(k) of the Act)(Section 30(f) of the Act)

d) That the applicant, if hired conditionally, may be terminated if the non-fingerprint-based criminal records report indicates that the applicant has a record of conviction of any of the criminal offenses enumerated in Section
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955.160 of this Part, unless a waiver is obtained pursuant to this Part. (Section 33 (k) of the Act) unless the applicant’s identity is validated and it is determined that the applicant or employee does not have a disqualifying criminal history record based on a fingerprint-based records check pursuant to Section 955.220 of this Part. (Section 30(f) of the Act)

e) (d) That the applicant, if not hired conditionally, shall not be hired if the non-fingerprint-based criminal records report indicates that the applicant has a record of conviction of any of the criminal offenses enumerated in Section 955.160 of this Part, unless a waiver is obtained pursuant to this Part. (Section 33 (k) of the Act) unless the applicant’s record is cleared based on a fingerprint-based records check pursuant to Section 955.240 of this Part. (Section 30(f) of the Act)

f) (e) That the employee shall be terminated if the criminal records report indicates that the employee has a record of conviction of any of the criminal offenses enumerated in Section 955.160 of this Part, unless a waiver is obtained pursuant to this Part. (Section 33 (k) of the Act) unless the employee’s record is cleared based on a fingerprint-based records check pursuant to Section 955.240 of this Part. (Section 30(f) of the Act)

g) That if, after the employee has originally been determined not to have disqualifying offenses, the employer is notified that the employee has a new convictions of any of the criminal offenses in Section 25 of the Act and Section 955.160 of this Part, then the employee shall be terminated. The employee may seek to obtain a waiver pursuant to this Part. (Section 33(h) of the Act)

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.200 Submission of Criminal History Records Check Results to Nurse Aide Registry (Repealed)

The health care employer must send a copy of the results of the UCIA criminal history record check to the State Nurse Aide Registry for those individuals who are on the Registry. (Section 30(b) of the Act) The facility shall include the individual's Social Security number on the criminal history record check results.

a) For a criminal history records check that does not indicate a conviction, the Department will accept the original criminal history records check result or copy of the original criminal history records check result that is received from the
Illinois State Police. The health care employer, or designee, may submit a rewritten summary of the criminal history records check result if:

1) All of the elements (name, race, sex, and date of birth) used for the non-fingerprint search are listed in the identical form as they were submitted to the Illinois State police.

2) There is a statement that the criminal history records check is the result of a criminal history records check performed in accordance with the Uniform Conviction Information Act; and

3) The health care employer's name and, if applicable, the designee conducting the inquiry, including the designee's address and phone number, are listed.

b) For criminal history records checks that indicate a conviction, a copy of the original or the original criminal history records check result shall be provided to the Department.

e) For purposes of authentication, printed documents shall not contain additional hand-written information. Documents that are entirely hand-written shall be written by one person.

(Source: Repealed at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.220 Health Care Employer Files

a) The health care employer shall retain on file for a period of 5 years records of criminal records requests for all employees. The health care employer shall retain a copy of the disclosure and authorization forms, a copy of the livescan request form, all notifications resulting from the fingerprint-based results of the UCLA criminal history records check and waiver, if appropriate, for the duration of the individual's employment. The files shall be subject to inspection by the Department. A fine of $500 shall be imposed for failure to maintain these records. (Section 50 of the Act)

b) If the Health Care Worker Registry indicates that the employee had no disqualifying criminal offenses or administrative findings at the time of hire, then the health care employer shall retain a screen print of this information in the employee's file. If the individual was not on the Health Care Worker Registry
prior to being hired, then a screen print indicating that the worker was not found shall be retained in the employee's file.

The health care employer shall retain a screen print of the background check initiation page, which documents that the employer did conduct an internet search of the web sites from the links provided through the Health Care Worker Registry and found no results from those web sites that would prevent the employee from being hired. No additional screen prints from those web sites shall be required in the employee's file.

The health care employer shall maintain a copy of the documents required in this Section employee's criminal history records check results and waiver, if applicable, in the employee's personnel file or other secure location accessible to the Department.

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.230  Invalid Non-Fingerprint-Based Records Check (Repealed)

If the individual challenges the results of the non-fingerprint check, the employer may continue to employ the individual in a direct care position, pending positive verification in accordance with subsection (b), if the individual presents convincing evidence to the employer that the non-fingerprint check is invalid and if there is a good faith belief on the part of the employer that the individual did not commit a disqualifying offense. (Section 40(d) of the Act) Such evidence may include, but not be limited to:

1) certified court records;

2) written verification from the State's Attorney's office that prosecuted the conviction at issue;

3) written verification of employment during the time period during which the crime was committed or during the incarceration period stated in the report; or

4) documentation from a local law enforcement agency that the individual was not convicted of a disqualifying crime.
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b) If the individual challenges the results of the non-fingerprint check, his or her identity shall be validated by a fingerprint-based records check in accordance with Section 955.240 of this Part. (Section 40(d) of the Act)

(Source: Repealed at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.240 Fingerprint-Based UCIA Criminal History Records Check (Repealed)

An applicant or employee whose non-fingerprint-based UCIA criminal history record check indicates a conviction for committing or attempting to commit one or more of the offenses listed in Section 955.160 of this Part may request that the health care employer or its designee commence a fingerprint-based UCIA criminal records check by submitting any necessary fees and information in a form and manner prescribed by the Department of State Police. (Section 35 of the Act)

(Source: Repealed at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.250 Additional Conviction (Repealed)

A health care employer having actual knowledge from a source other than a non-fingerprint check that an employee has been convicted of committing or attempting to commit one of the offenses enumerated in Section 25 of the Act and Section 955.160 of this Part must initiate a fingerprint-based background check within 10 working days after acquiring that knowledge. The health care employer may continue to employ that individual in a direct care position, may reassign that individual to a non-direct care position, or may suspend the individual until the results of the fingerprint-based background check are received. (Section 30(d) of the Act)

(Source: Repealed at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.260 Application for Waiver

a) Any student, applicant, or employee listed on the Health Care Worker Registry may request a waiver of the prohibition against employment by submitting an application on forms provided by the Department. The application shall include the following:

la) Completing a waiver application on a form prescribed by the Department of Public Health; A completed Waiver Application for Health Care Worker;
A) If the applicant has previously been employed, the applicant shall provide an entire work history or attach a complete resumé;

B) If the applicant has been convicted in another state, the applicant shall provide information concerning those convictions or attach the complete results of a criminal history records check from the other states;

C) If the applicant has a federal conviction, the applicant shall provide information concerning that conviction or attach the complete results of a criminal history records check from the Federal Bureau of Investigation; and

D) If the applicant has been certified as a nurse aide in another state, the applicant shall attach certificates or verifications;

2)\textit{b)} Providing a written explanation of each conviction, to include: An explanation of the circumstances of each conviction;

A) \textit{what happened};

B) \textit{how many years have passed since the offense};

C) \textit{the individuals involved};

D) \textit{the age of the applicant at the time of the offense}; and

E) \textit{any other circumstances surrounding the offense (Section 40(a) of the Act)};

3)\textit{e)} Providing proof of completion of a rehabilitation program, if the use of alcohol or other drugs was involved in the offense, and the individual was ordered to participate in a rehabilitation program as part of the judgment; proof of completion of a rehabilitation program;

4)\textit{d)} Providing official documentation showing that all fines have been paid, if applicable, except in the instance of payment of court-imposed fines or restitutions in which the applicant is adhering to a payment schedule, and the date probation (or mandatory supervised release) or parole was
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satisfactorily completed, if applicable (Section 40(a) of the Act); and

A recent employment reference and at least one character reference;

5)  Submitting the results of a fingerprint-based criminal history records check. One of the following:

1)  A completed fingerprint-based UCIA records check card and the fee for a fingerprint-based UCIA criminal records check, which the Department will forward to the Department of State Police; or

2)  Information concerning completion of electronic fingerprinting; or

3)  The results of a fingerprint-based UCIA criminal records check completed within the previous three months. (Section 40 of the Act)

b)  The applicant may, but is not required to, submit employment and character references and any other evidence demonstrating the ability of the applicant or employee to perform the employment responsibilities competently and evidence that the applicant or employee does not pose a threat to the health or safety of residents, patients, or clients. (Section 40(b) of the Act) Copies of any significant accomplishments since the conviction;

c)  A request for a waiver will automatically be denied unless the applicant has met the time periods in Section 955.270(d).

d)  Each request for waiver consideration shall be accompanied by a fully completed waiver application. The waiver application will not be deemed complete until the Department has received all of the information required by this Section.

f)  A work history;

g)  Information concerning convictions in other states;

h)  Information concerning convictions by the federal government;

i)  Information concerning certification as a nurse aide in other states;

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)
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a) The Department will consider an application for a waiver from individuals who have been convicted of committing or attempting to commit one or more of the offenses listed in Appendix C of this Part upon receipt of a complete application in accordance with Section 955.260 of this Part and upon receipt of the results of a UCIA-fingerprint-based criminal history records check in accordance with Sections 955.115 and 955.165 of this Part.

b) An application for a waiver shall be denied unless the applicant meets the following requirements and submits documentation thereof with the waiver application:

1) Except in the instance of payment of court-imposed fines or restitutions in which the applicant is adhering to a payment schedule, the applicant shall have met all obligations to the court and under terms of parole (i.e., probation or mandatory supervised release has been successfully completed); and

2) The applicant shall have satisfactorily completed a drug and/or alcohol recovery program, if drugs and/or alcohol were involved in the offense and the individual was ordered to participate in a rehabilitation program as part of the judgment.

c) The Department may grant a waiver based on the following information provided by the applicant or employee and the results of the fingerprint-based criminal history records check. May grant a waiver based on mitigating circumstances, which may include:

1) The age of the applicant or employee at the time of the offense (Section 40(a) of the Act); the individual when the crime was committed;

2) A written explanation of each conviction to include what happened, how many years have passed since the offense, the individuals involved, and any other circumstances surrounding the offense (Section 40(a) of the Act); The circumstances surrounding the crime;

3) The applicant's work history The length of time since the conviction;

4) The applicant or employee's criminal history since the disqualifying conviction, to include the results of the Illinois criminal history records
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The applicant's or employee's criminal history since the conviction;

5) The applicant's record on another state's registry for nurse aides if the applicant was certified as a nurse aide in another state;

6) The applicant's completion of rehabilitation if ordered as part of the judgment to participate in a rehabilitation program;

7) Official documentation showing that all fines have been paid, if applicable; if on a court-imposed payment schedule for fines or restitution, whether the applicant is adhering to a payment schedule; the date probation or mandatory supervised release or parole was satisfactorily completed, if applicable; and whether all terms of parole (i.e., probation or mandatory supervised release) have been successfully completed (Section 40(a) of the Act);

8) Employment and character references, if the applicant submits references (Section 40(b) of the Act);

9) Any other evidence demonstrating the ability of the applicant or employee to perform the employment responsibilities competently and evidence that the applicant or employee does not pose a threat to the health or safety of residents, patients, or clients (Section 40(b) of the Act), if submitted by the applicant, which may include, but is not limited to, the applicant's or employee's participation in anger management or domestic violence prevention programs; the applicant's or employee's status on nurse aide registries in other states; the applicant's or employee's criminal history in other states; or the applicant's or employee's successful completion of all outstanding obligations or responsibilities imposed by or to the court... (Section 40(b) of the Act)

d) Waivers will not be granted to individuals who have not met the following time frames. "Disqualifying" refers to offenses listed in Section 955.220 of this Part.

1) Single disqualifying misdemeanor conviction – no earlier than one year after the conviction date;
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2) Two to three disqualifying misdemeanor convictions – no earlier than three years after the most recent conviction date;

3) More than three disqualifying misdemeanor convictions – no earlier than five years after the most recent conviction date;

4) Single disqualifying felony convictions – no earlier than three years after the conviction date;

5) Two to three disqualifying felony convictions – no earlier than five years after the most recent conviction date;

6) More than three disqualifying felony convictions – no earlier than ten years after the most recent conviction date.

e) Waivers will not be granted to individuals who have been convicted of committing or attempting to commit one or more of the following offenses listed in Appendix A of this Part:

1) Solicitation of murder, solicitation of murder for hire [720 ILCS 5/8-1.1 and 8-1.2];

2) Murder, drug-induced homicide, involuntary manslaughter and reckless homicide, intentional homicide of an unborn child, voluntary manslaughter of an unborn child, involuntary manslaughter and reckless homicide of an unborn child, or concealment of a homicidal death [720 ILCS 5/9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.1, 9-3.2, and 9-3.3];

3) Kidnaping or aggravated kidnaping [720 ILCS 5/10-1 and 10-2];

4) Indecent solicitation of a child, sexual exploitation of a child, exploitation of a child, child pornography [720 ILCS 5/11-6, 11-9.1, 11-19.2, and 11-20.1];

5) Aggravated domestic battery, aggravated battery, heinous battery, aggravated battery with a firearm, aggravated battery with a machine gun, aggravated battery of a child, aggravated battery of an unborn child, aggravated battery of a senior citizen, or drug-induced infliction of great
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bodily harm [720 ILCS 5/12-3.3, 12-4, 12-4.1, 12-4.2, 12-4.2.5, 12-4.3, 12-4.4, 12-4.6, and 12-4.7];

6) Criminal sexual assault or aggravated criminal sexual assault [720 ILCS 5/12-13, 12-14, and 12-14.1];

7) Criminal sexual abuse, aggravated criminal sexual abuse or predatory criminal sexual assault of a child [720 ILCS 5/12-15 and 12-16];

8) Abuse and gross neglect of a long-term care facility resident [720 ILCS 5/12-19];

9) Criminal abuse or neglect of an elderly or disabled person [720 ILCS 5/12-21];

10) Financial exploitation of an elderly person or a person with a disability [720 ILCS 5/16-1.3];

11) Armed robbery [720 ILCS 5/18-2];

12) Aggravated vehicular hijacking [720 ILCS 5/18-4]; and

13) Aggravated robbery [720 ILCS 5/18-5].

f) The Department will inform health care employers if a waiver is being sought by entering a record notation on the Health Care Worker Registry that a waiver is pending and must act upon the waiver request within 30 days after receipt of all necessary information pursuant to Section 955.260 of this Part. If a waiver is granted, denied, or revoked, that information will be entered on the Health Care Worker Registry. (Section 40 of the Act)

The Director of Public Health may grant a waiver to an individual who does not meet the requirements of subsection (b), (d), or (e) of this Section, based on mitigating circumstances (see subsection (c) of this Section). (Section 40b of the Act)

g) Appeal Process for Convictions Listed in Appendix A of this Part:

1) An appeal process is available for individuals who have been denied a waiver because of a conviction for committing or attempting to commit one or more offenses listed in Appendix A of this Part. All of the following must be provided for an appeal to be considered:
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A) A letter appealing the denial of the waiver, in which the applicant states his or her reasons for requesting the appeal;

B) The original waiver application that was completed pursuant to Section 955.260 and any additional information provided when the waiver was denied;

C) A copy of the police report generated at the time of arrest for all disqualifying convictions listed in Section 955.160; and

D) A transcript of the trial or court proceedings for all disqualifying convictions listed in Section 955.160.

2) An appeal will be denied unless the applicant meets the following requirements and submits documentation with the appeal:

A) Except in the instance of payment of court-imposed fines or restitutions in which the applicant is adhering to a payment schedule, the applicant shall have met all obligations to the court and under terms of parole (i.e., probation or mandatory supervised release has been successfully completed) 10 or more years prior to the submission of the appeal;

B) The applicant shall have satisfactorily completed a drug and/or alcohol recovery program 10 or more years prior to the submission of the appeal, if drugs and/or alcohol were involved in the disqualifying offense and the individual was ordered to participate in a rehabilitation program as part of the judgment. The applicant shall not have been ordered to participate in another drug and/or alcohol program during the 10 years prior to the submission of the appeal for any offense.

3) The Director or designee will consider the information submitted with the appeal application and the results of a fingerprint-based criminal history records check to determine whether to grant a waiver as a result of an appeal. If the Director or designee determines that the applicant does not pose a threat to the health or safety of residents, patients, or clients, the Director will issue a waiver.
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h) Waiver Revocation

1) The Department will automatically revoke a waiver if the waiver recipient is convicted of any additional disqualifying offense.

2) The Department will automatically revoke a waiver granted for a conviction of an offense listed in Appendix A of this Part if the waiver recipient is convicted of any additional crimes, other than a minor traffic violation, regardless of whether the offense is disqualifying.

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.275 Rehabilitation Waiver

a) The Department may consider the results of a fingerprint-based criminal history records check for a rehabilitation waiver, if sufficient time has passed since the last disqualifying conviction. A rehabilitation waiver may be granted without a waiver application being submitted by the student, applicant, or employee.

b) For an applicant to be considered for a rehabilitation waiver, the Department must have received from him or her a criminal history records check that meets the requirements of Sections 955.115 and 955.165 of this Part.

c) A waiver without a waiver application shall not be granted unless the student, applicant, or employee has met the following time frames:

1) Single disqualifying misdemeanor conviction – 5 years after conviction date;

2) Two disqualifying misdemeanor convictions – 7 years after conviction date;

3) Three or more disqualifying misdemeanor convictions – 9 years after conviction date;

4) Single disqualifying felony conviction – 7 years after conviction date;

5) Two disqualifying felony convictions – 9 years after conviction date; and
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6) Three or more felony convictions shall not be considered for a rehabilitation waiver.

d) A waiver without a waiver application may be granted to an individual who has been convicted of committing or attempting to commit one or more of the offenses listed in Appendix B of this Part, if the time frames listed in subsection (c) have been met.

e) Upon receipt of the results of a criminal history records check that meets the requirements set forth in Sections 955.115 and 955.165 of this Part, the Department will review the convictions reported to determine whether the convictions are disqualifying in accordance with Section 25 of the Act and Section 955.160 of this Part and whether the circumstances of the convictions meet the criteria set forth in this Section. The Department will grant a rehabilitation waiver to the applicant if: the criteria of this Section are met and no additional information is needed to verify completion of parole (i.e., probation or mandatory supervised release) or payment of fines or restitution; the Health Care Worker Registry does not show any administrative findings of abuse, neglect or misappropriation of property; and the applicant or employee has no other disqualifying convictions.

f) In cases where a rehabilitation waiver is granted, a letter shall be sent to the applicant notifying the applicant that he or she has received a rehabilitation waiver. (Section 40(c) of the Act) The waiver will be recorded in the Health Care Worker Registry. If a rehabilitation waiver is not granted, the individual may apply for a waiver by submitting a completed waiver application pursuant to Section 955.260 of this Part.

(Source: Added at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.280 Employment Pending Waiver

An individual shall not be employed in direct care or employed in a long-term care facility in a position that involves or may involve contact with the residents or access to the resident's living quarters or the financial, medical or personal records of the residents from the time that the employer receives a notification from the Department of Public Health based upon the results of a fingerprint-based criminal history records check containing disqualifying conditions until the time that the individual receives a waiver from the Department. An individual shall not be employed in a direct care position from the time that the employer receives the results of a non-
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fingerprint check containing disqualifying conditions until the time that the individual receives a waiver from the Department. (Section 40(d) of the Act)

(Source: Amended at 33 Ill. Reg. 5378, effective March 26, 2009)

Section 955.285 Livescan Vendors

a) The livescan vendor shall determine a fee for collecting fingerprints and shall determine an area of the State in which to provide service.

b) Any livescan vendor meeting the requirements of this Section may individually enter into a standardized contract with the Department. A livescan vendor contracted to provide livescan non-criminal fingerprinting services, in a format consistent with a fee applicant inquiry, shall meet the following requirements:

1) The livescan vendor shall use only equipment that has been certified by the Department of State Police to collect inkless fingerprints and software that is up to date and meets the requirements of the Department of State Police for fee applicant submissions. (Section 15 of the Act)

A) The vendor shall maintain backup equipment to provide scheduled fingerprinting in case of livescan equipment failure.

B) For any applicant to whom the vendor agrees to provide service, no applicant shall be forced to exceed the 10-day limit of having his or her fingerprints collected due to equipment failure or the vendor's lack of availability.

2) For any applicant to whom the vendor agrees to provide service, the vendor shall provide fingerprinting within seven calendar days after a request. Fingerprinting shall be performed at a location within the county of the applicant's residence for counties with a population more than 100,000 and for small counties either within the county of the applicant's residence or within 35 miles of the facility providing the Livescan Request Form. For any facility to which the vendor agrees to provide service, the vendor will make available special on-site fingerprinting sessions for groups of 20 or more. The vendor shall provide a reasonable amount of weekend and after 5:00 p.m. hours.
DEPARTMENT OF PUBLIC HEALTH

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3) The vendor shall **electronically transmit the fingerprints and required data to the Department of State Police** through a secure network within one business day after the fingerprints are collected. (Section 15 of the Act) The fingerprint image and demographic data shall comply with all Electronic Fingerprint Submission Specifications (EFSS) of the Department of State Police (http://www.isp.state.il.us/docs/9-054.pdf) and all Electronic Fingerprint Transmission Specifications standards of the Federal Bureau of Investigation http://www.fbi.gov/hq/cjisd/iafis/efts70/cover.htm

4) The vendor shall collect demographic data from the applicant and **electronically transmit a daily file of required data successfully** to the Department of Public Health in a manner prescribed by the Department within one business day after the fingerprints are collected. (Section 15 of the Act) All data records from one business day shall be transmitted in one data file to the Department of Public Health in the prescribed format.

A) The daily file shall contain demographic data, including, but not limited to, name, address, social security number, transaction control number (TCN), state and city.

B) The vendor shall provide the Department with access to the electronic file transmitted to the Department of State Police.

C) The vendor shall be responsible for all costs of fingerprint collection equipment, processing, transmission, and data storage. The Department is under no obligation to change any of its processes to coordinate with the vendor's equipment. The vendor shall conform to the Department's requirements for receiving data.

5) The vendor shall archive (store, back up, retrieve, etc.) the fingerprints transmitted to the Department of State Police and the daily files transmitted to the Department in a secure manner for the contract period so that the Department, an individual, educational entity or health care employer can verify at a later date that a specific print or daily file was submitted or can resubmit the print or daily file. Upon expiration or termination of the contract, the vendor shall provide the stored data to the Department in the format requested by the Department.
DEPARTMENT OF PUBLIC HEALTH

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6) The vendor shall respond to any follow-up inquiries and provide any reports required by the Department.

7) The vendor shall effectively demonstrate, through a verification provided by the Department of State Police, that the vendor's business entity has 2 or more years of successful experience transmitting fingerprints electronically to the Department of State Police. (Section 15 of the Act)

8) Only livescan technicians who have had a fingerprint-based criminal history records check and no disqualifying convictions as listed in Section 25 of the Act and Section 955.160 of this Part may collect fingerprints and transmit the data files electronically to a vendor.

9) The vendor shall provide a means for users (i.e., individuals, educational entities or health care employers) to pay the vendor the amount due to the Department of State Police for livescan fingerprints submitted for criminal history records checks.

A) The vendor shall act as designee for the user in paying fees into the State Police Services Fund. The vendor shall maintain or provide a means of prepayment. Charges for the vendor's livescan services and the amount due to the Department of State Police shall be charged against this prepaid account. The vendor shall provide either an on-line or a paper record of account transactions to a user at least monthly. The vendor shall determine the amount of prepaid balance to be kept in the account by the user, based upon the frequency of the user's charges against the account.

B) The vendor may charge an additional amount to compensate for maintaining the accounts. The vendor may refrain from transmitting any prints to the Department of State Police if the user's account does not have funds to pay for the prints being submitted. The vendor shall notify the Department of State Police, the Department and the educational entity, staffing agency, or health care employer when a fingerprint transmission is retained because of lack of funds in the user's account.

C) The vendor may deny a prepaid account to any user that is unable to maintain the account with fewer than 60 days past due until the user pays the balance due in the account. If the user becomes more
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than 60 days past due on a second occasion, the vendor is not
required to offer the service of providing a prepaid account to the
user.

D) The vendor shall promptly transmit funds due to the Department of
State Police.

E) All costs associated with the fee applicant fingerprint-based
criminal history records check through the Department of State
Police shall be paid either by the applicants or the facilities.

10) The vendor shall require the student, applicant or employee to present
current, valid government-issued photo identification or other valid
identification. The vendor shall screen all applicants at the time of
fingerprinting to ensure that the applicant is being fingerprinted for the
purpose intended. Only individuals presenting a Livescan Request Form
generated from the Health Care Worker Registry's web application shall
be allowed to be fingerprinted under the Department's process of initiating
fingerprint-based criminal history records checks as a fee applicant
inquiry. The vendor shall complete the bottom portion of the Livescan
Request Form and return it to the applicant to confirm that the applicant
was successfully fingerprinted. The vendor may charge an amount in
addition to the rate of the livescan services to compensate for credit card
fees.

11) Fingerprints shall be collected directly from the student's, applicant's or
employee's hand, consisting of 10 rolled impressions and 10 slap
impressions in a format consistent to fee applicant submission. The vendor
shall collect only livescan fingerprints, not card scan fingerprints.

12) If an individual's fingerprints are rejected by the Department of State
Police, the vendor shall collect a second set of fingerprints. The vendor
shall not charge for collecting the second set of fingerprints.

13) A vendor that has a rejection rate from the Department of State Police of
2% or greater shall not continue to collect fingerprints for the
Department's process of fee applicant criminal history records check
inquiries.
DEPARTMENT OF PUBLIC HEALTH

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14) A vendor that has a rejection rate from the Department of Public Health of 5% or greater shall not continue to collect fingerprints for the Department's process of fee applicant criminal history records check.

15) The vendor shall provide a single point of contact for applicants or facilities to schedule fingerprinting (such as a toll free number, website, etc.).

(Source: Added at 33 Ill. Reg. 5378, effective March 26, 2009)
## Section 955. APPENDIX A  Offenses that Are Always Disqualifying Except Through the Appeal Process

<table>
<thead>
<tr>
<th>Illinois Compiled Statutes Citation</th>
<th>Offense</th>
<th>Additional Offense Added</th>
<th>Effective</th>
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</thead>
<tbody>
<tr>
<td>[720 ILCS 5/8-1.1]</td>
<td>Solicitation of Murder</td>
<td></td>
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</tr>
<tr>
<td>[720 ILCS 5/8-1.2]</td>
<td>Solicitation of Murder for Hire</td>
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<tr>
<td>[720 ILCS 5/9-1]</td>
<td>First Degree Murder</td>
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<tr>
<td>[720 ILCS 5/9-1.2]</td>
<td>Intentional Homicide of an Unborn Child</td>
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<tr>
<td>[720 ILCS 5/9-2]</td>
<td>Second Degree Murder</td>
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<tr>
<td>[720 ILCS 5/9-2.1]</td>
<td>Voluntary Manslaughter of an Unborn Child</td>
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<td>[720 ILCS 5/9-3]</td>
<td>Involuntary Manslaughter and Reckless Homicide</td>
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<td>[720 ILCS 5/9-3.1]</td>
<td>Concealment of Homicidal Death</td>
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<td>[720 ILCS 5/9-3.2]</td>
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<tr>
<td>[720 ILCS 5/9-3.3]</td>
<td>Drug Induced Homicide</td>
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<td>[720 ILCS 5/10-1]</td>
<td>Kidnapping</td>
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<td>[720 ILCS 5/10-2]</td>
<td>Aggravated Kidnapping</td>
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<td>[720 ILCS 5/11-6]</td>
<td>Indecent Solicitation of a Child</td>
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<td>[720 ILCS 5/11-9.5]</td>
<td>Sexual Misconduct with a Person with a Disability</td>
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<tr>
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<td>Aggravated Domestic Battery</td>
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<td>[720 ILCS 5/12-4]</td>
<td>Aggravated Battery</td>
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<tr>
<td>[720 ILCS 5/12-4.2]</td>
<td>Aggravated Battery with a Firearm</td>
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<td>[720 ILCS 5/12-4.2-5]</td>
<td>Aggravated Battery with a Machine Gun or a Firearm Equipped with Any Device or Attachment Designed or Used for Silencing the Report of a Firearm</td>
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<tr>
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<td>[720 ILCS 5/12-4.4]</td>
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<tr>
<td>[720 ILCS 5/12-4.6]</td>
<td>Aggravated Battery of a Senior Citizen</td>
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<td>[720 ILCS 5/12-4.7]</td>
<td>Drug Induced Infliction of Great Bodily Harm</td>
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<tr>
<td>[720 ILCS 5/12-13]</td>
<td>Criminal Sexual Assault</td>
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DEPARTMENT OF PUBLIC HEALTH

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[720 ILCS 5/12-14] Aggravated Criminal Sexual Assault
[720 ILCS 5/12-14.1] Predatory Criminal Sexual Assault of a Child
[720 ILCS 5/12-15] Criminal Sexual Abuse
[720 ILCS 5/12-16] Aggravated Criminal Sexual Abuse
[720 ILCS 5/12-19] Abuse and Criminal Neglect of a LTC Facility Resident
[720 ILCS 5/12-21] Criminal Abuse or Neglect of an Elderly Person or Person with a Disability
[720 ILCS 5/16-1.3] Financial Exploitation of an Elderly Person or a Person with a Disability
[720 ILCS 5/18-2] Armed Robbery

(Source: Added at 33 Ill. Reg. 5378, effective March 26, 2009)
### Section 955. APPENDIX B  Disqualifying Offenses that May Be Considered for a Rehabilitation Waiver

<table>
<thead>
<tr>
<th>Illinois Compiled Statutes Citation</th>
<th>Offense</th>
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<th>Effective</th>
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<td>[720 ILCS 5/16-1]</td>
<td>Theft (as a misdemeanor)</td>
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<tr>
<td>[720 ILCS 5/16-2]</td>
<td>Theft of Lost or Mislaid Property</td>
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<tr>
<td>[720 ILCS 5/16A-3]</td>
<td>Retail Theft (as a misdemeanor)</td>
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<tr>
<td>[720 ILCS 5/19-4]</td>
<td>Criminal Trespass to Residence</td>
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<tr>
<td>[720 ILCS 5/24-1.5]</td>
<td>Reckless Discharge of a Firearm</td>
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<tr>
<td>[225 ILCS 65/10-5]</td>
<td>Practice of Nursing without a License</td>
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<td>1/1/04</td>
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<tr>
<td>[720 ILCS 115/53]</td>
<td>Cruelty to Children</td>
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<td>[720 ILCS 250/4]</td>
<td>Receiving Stolen Credit Card or Debit Card</td>
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<tr>
<td>[720 ILCS 250/5]</td>
<td>Receiving a Credit or Debit Card with Intent to Use, Sell, or Transfer</td>
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<td>[720 ILCS 250/6]</td>
<td>Selling a Credit Card or Debit Card, without the Consent of the Issuer</td>
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<tr>
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<tr>
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(Source: Added at 33 Ill. Reg. 5378, effective March 26, 2009)
### Illinois Compiled Statutes Citation

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<td>[720 ILCS 5/10-3]</td>
<td>Unlawful Restraint</td>
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<td>[720 ILCS 5/10-7]</td>
<td>Aiding and Abetting Child Abduction</td>
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<td>[720 ILCS 5/12-1]</td>
<td>Assault</td>
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<td>Aggravated Assault</td>
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<td>[720 ILCS 5/12-3]</td>
<td>Battery</td>
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<td>[720 ILCS 5/12-3.1]</td>
<td>Battery of an Unborn Child</td>
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<td>[720 ILCS 5/12-3.2]</td>
<td>Domestic Battery</td>
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<td>[720 ILCS 5/12-4.5]</td>
<td>Tampering with Food, Drugs or Cosmetics</td>
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<td>[720 ILCS 5/12-7.4]</td>
<td>Aggravated Stalking</td>
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<td>[720 ILCS 5/12-11]</td>
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<td>[720 ILCS 5/12-21.6]</td>
<td>Endangering the Life or Health of a Child</td>
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<td>[720 ILCS 5/12-32]</td>
<td>Ritual Mutilation</td>
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<td>[720 ILCS 5/12-33]</td>
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<td>[720 ILCS 5/16-2]</td>
<td>Theft of Lost or Mislaid Property</td>
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<tr>
<td>[720 ILCS 5/16A-3]</td>
<td>Retail Theft</td>
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<td>[720 ILCS 5/16G-15]</td>
<td>Identity Theft</td>
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<td>[720 ILCS 5/16G-20]</td>
<td>Aggravated Identity Theft</td>
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<tr>
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<td>Robbery</td>
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<td>[720 ILCS 5/18-3]</td>
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<td>[720 ILCS 5/24-1]</td>
<td>Unlawful Use of a Weapon</td>
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<tr>
<th>Statute</th>
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<th>Date</th>
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<tbody>
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<td>[720 ILCS 5/24-1.1]</td>
<td>Unlawful Use or Possession of Weapons by Felons or Persons in the Custody of the Department of Corrections Facilities</td>
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<tr>
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<td>[720 ILCS 5/24-1.2-5]</td>
<td>Aggravated Discharge of a Machine Gun or a Firearm Equipped with a Device Designed or Used for Silencing the Report of a Firearm</td>
<td>1/1/04</td>
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<tr>
<td>[720 ILCS 5/24-1.5]</td>
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<td>[720 ILCS 5/24-1.6]</td>
<td>Aggravated Unlawful Use of a Weapon</td>
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<tr>
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<td>[720 ILCS 5/24-3.3]</td>
<td>Unlawful Sale or Delivery of Firearms on the Premises of Any School</td>
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<td>[720 ILCS 550/5]</td>
<td>Manufacture, Delivery, or Possession with Intent to Deliver, or Manufacture, Cannabis</td>
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<tr>
<td>[720 ILCS 550/5.1]</td>
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<td>[720 ILCS 550/5.2]</td>
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<tr>
<td>[720 ILCS 550/9]</td>
<td>Calculated Criminal Cannabis Conspiracy</td>
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<tr>
<td>[720 ILCS 570/401]</td>
<td>Manufacture or Delivery, or Possession with Intent to Manufacture or Deliver, a Controlled Substance Other than Methamphetamine, a Counterfeit Substance, or a Controlled Substance Analog</td>
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<tr>
<td>[720 ILCS 570/401.1]</td>
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DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

[720 ILCS 570/404] Distribution, Advertisement, or Possession with Intent to Manufacture or Distribute a Look-alike Substance

[720 ILCS 570/405] Calculated Criminal Drug Conspiracy

[720 ILCS 570/405.1] Criminal Drug Conspiracy

[720 ILCS 570/407] Delivering a Controlled, Counterfeit or Look-alike Substance to a Person under 18

[720 ILCS 570/407.1] Engaging or Employing Person under 18 to Deliver a Controlled, Counterfeit or Look-alike Substance

[720 ILCS 646] Violations under the Methamphetamine Control and Community Protection Act 9/11/05

(Source: Added at 33 Ill. Reg. 5378, effective March 26, 2009)
STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

1) **Heading of the Part:** Public Schools Evaluation, Recognition and Supervision

2) **Code Citation:** 23 Ill. Adm. Code 1

3) **Section Numbers:**
   - 1.75 Amendment
   - 1.705 Amendment
   - 1.720 Amendment

4) **Statutory Authority:** 105 ILCS 5/2-3.6

5) **Effective Date of Amendments:** March 24, 2009

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 amendments, 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 Illinois Register:** December 5, 2008; 32 Ill. Reg. 18827

10) **Has JCAR issued a Statement of Objection to these amendments?** No

11) **Differences between proposal and final version:** The date stated in Section 1.720(c)(1) was corrected to match the statement in subsection (c), and a provision was added to subsection (c)(2) requiring notification to the regional superintendent of schools.

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR?** Yes

13) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

14) **Are there any other amendments pending on this Part?** No

15) **Summary and Purpose of Amendments:** The impetus behind this rulemaking was to create flexibility that school districts may need as they convert self-contained classes in Grades 5-8 to a middle-grades format. Under Section 1.720, additional requirements apply to teachers in those grades if they are teaching in departmentalized settings, but
elementary teachers currently serving in some districts may not have had sufficient notice to complete the coursework required. Similarly, holders of secondary certificates are generally eligible to teach Grades 6, 7, and 8 but may not have completed the six semester hours of coursework that is specific to the needs and learning of middle-grades students. This rule will allow districts to assign these teachers to provide instruction in departmentalized subjects for a period of no more than three years while they complete the requirements for middle-grades endorsements. These provisions were developed in response to particular needs of the Chicago Public Schools but have been drafted to be available to all Illinois districts.

Two other unrelated changes are also being made at the same time. First, a clarification is needed in Section 1.705 so that the rule will not be unintentionally broad. Subsection (f) of this rule has required either an administrative certificate or a supervisory endorsement for each individual who serves as a dean of students and "disciplines or suspends students". It was brought to our attention that the term "discipline" can mean even a routine action such as assigning a detention and that such forms of discipline should not be seen as administrative actions requiring a supervisory credential. Consequently the rule has been revised to refer only to the suspension of students under Section 10-22.6 of the School Code. (That portion of the law allows a superintendent, principal, assistant principal, or dean of students to suspend students if authorized to do so by the local board of education, which means that this function is an administrative one that does require at least a supervisory endorsement.)

Second, Section 1.75 (Student Information System) has been revised to state somewhat more specifically the types of information being collected. In addition, there is no longer a need to provide alternative reporting mechanisms to districts, because the system has been structured to be compatible with all districts' local data packages.

16) Information and questions regarding these adopted amendments shall be directed to:

Patrick Murphy
Division of Educator and School Development
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001

217/782-2948

The full text of the Adopted Amendments begins on the next page:
STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER a: PUBLIC SCHOOL RECOGNITION

PART 1
PUBLIC SCHOOLS EVALUATION, RECOGNITION AND SUPERVISION

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Section 1.75  Student Information System

Each school district shall participate in the Student Information System established by the State Board of Education by entering/transmitting data on the students served, their characteristics, their particular needs, and the programs in which they participate, and their academic achievement to the Board in a format specified by the State Superintendent and according to the timelines applicable to the system. A district that lacks the technological capacity to participate in this electronic system shall be given an opportunity to demonstrate to the State Superintendent that this is the case, and the State Superintendent shall make available an alternative means that the district shall use in transmitting the required information.

(Source: Amended at 33 Ill. Reg. 5448, effective March 24, 2009)

SUBPART G: STAFF QUALIFICATIONS

Section 1.705  Requirements for Supervisory and Administrative Staff

a) Each district superintendent shall hold an administrative certificate with a Superintendent's endorsement.

b) Each assistant superintendent, principal, or assistant principal shall hold an administrative certificate with a General Administrative or Superintendent's endorsement, except that a head teacher serving in place of a principal as permitted by Section 10-21.4a of the School Code [105 ILCS 5/10-21.4a] shall hold a teaching certificate endorsed for supervision.

c) Each general administrator (e.g., director, assistant director, coordinator, administrative assistant, or general supervisor) in general education shall hold an administrative certificate with a General Supervisory, General Administrative, or Superintendent's endorsement.

d) Each head of a general education department or supervisor for a specific subject shall hold either:

1) an administrative certificate with a General Supervisory, General Administrative, or Superintendent's endorsement; or

2) a teaching certificate endorsed for supervision in the area supervised.
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e) Each supervisory dean shall hold an administrative certificate with a General Supervisory, General Administrative, Director of Special Education's, or Superintendent's endorsement.

f) Each dean of students shall hold:

1) an administrative certificate with a General Supervisory, General Administrative, Director of Special Education's, or Superintendent's endorsement; or

2) a teaching certificate (endorsed for supervision if the holder disciplines or suspends students pursuant to Section 10-22.6 of the School Code); or

3) a school service personnel certificate endorsed for any field other than school nursing (and for supervision if the holder disciplines or suspends students).

g) Each special education director or assistant director shall meet the requirements of 23 Ill. Adm. Code 226.800(h)(2) and hold an administrative certificate endorsed for "Director of Special Education".

h) Each special education supervisor shall meet the requirements of 23 Ill. Adm. Code 226.800(h)(2) and hold either:

1) an administrative certificate with a General Supervisory, General Administrative, Director of Special Education's, or Superintendent's endorsement and teaching qualifications in each area supervised; or

2) a teaching certificate endorsed for each area supervised and for supervision.

i) Each supervisor of more than one school service personnel area shall hold either:

1) an administrative certificate and a General Administrative or Superintendent's endorsement; or

2) a school service personnel certificate endorsed for supervision in each field supervised.
j) Each supervisor of one school service personnel area shall hold:

1) an administrative certificate with a General Supervisory, General Administrative, Director of Special Education's, or Superintendent's endorsement; or

2) a school service personnel certificate endorsed for the field supervised and for supervision; or

3) a teaching certificate endorsed for speech-language pathology and for supervision (if applicable).

k) Each director of an area vocational center and each director or supervisor of more than one field in career and technical education (including regional system directors) shall hold an administrative certificate with a General Administrative or Superintendent's endorsement and have teaching qualifications in one of the five occupational areas and 2,000 hours of work experience outside the field of education.

l) Each supervisor of one field in career and technical education shall hold either:

1) an administrative certificate with a General Supervisory, General Administrative, or Superintendent's endorsement and teaching qualifications in one field of career and technical education, including 2,000 hours of work experience in the specific field outside of education; or

2) teaching qualifications in the specific field supervised, including 2,000 hours of work experience in the specific field outside of education, and a supervisory endorsement.

m) Each administrator in a bilingual education program shall meet the applicable requirements of 23 Ill. Adm. Code 228.30(c).

n) Each chief school business official shall hold an administrative certificate and a Chief School Business Official's endorsement.

(Source: Amended at 33 Ill. Reg. 5448, effective March 24, 2009)
Section 1.720  Requirements for Teachers of Middle Grades

The provisions of subsections (a) and (b) of this Section shall be subject to the exception stated in subsection (c) of this Section with respect to any school in which the instructional format for any of Grades 5 through 8 is being changed from a self-contained to a departmentalized configuration.

a) The requirements of this Section apply to teachers first employed after September 1, 1973, in departmentalized grades 5 through 8 ("middle-grade teachers"). Teachers first employed in grades 5 through 8 prior to September 1, 1973, or employed in non-departmentalized grades 5 through 8, are subject to the requirements of Section 1.710 of this Part. To qualify as a middle-grade teacher, the teacher must have either completed the coursework identified in subsection (a)(1) of this Section prior to July 1, 1997, or completed the coursework identified in subsection (a)(2) of this Section. The "major teaching assignment" is the subject taught for more time than any other subject. In mathematics and reading, and for library information specialists, there is specific coursework that must be included among the 18 semester hours to be earned; see subsections (a)(3), (4), and (5) of this Section. Further, new requirements for reading and library information specialists will apply to persons who apply for these endorsements on or after July 1, 2006, as well as to other persons who have not completed the 18-hour requirements prior to that date. See subsections (a)(4) and (5) of this Section.

1) 18 semester hours in the subject matter area of major teaching assignment (e.g., language arts, mathematics, general science, social science, music), unless the subject taught is a foreign language and Section 25.86 of the State Board's rules for Certification (23 Ill. Adm. Code 25) applies. Where a teacher is assigned to deliver instruction in two or more areas (e.g., English and social science or mathematics and science), the teacher shall meet the requirements of this subsection (a)(1) for the major teaching assignment and have no fewer than 5 semester hours in each other subject taught.

2) 18 semester hours in the subject matter area of major teaching assignment (e.g., language arts, mathematics, general science, social science, music), unless the subject taught is a foreign language and Section 25.86 of the State Board's rules for Certification applies. Where a middle-grade teacher is assigned to deliver instruction in two or more areas (e.g.,
English and social science or mathematics and science), the teacher shall meet the requirements of this subsection (a)(2) for the major teaching assignment and have no fewer than 9 semester hours in each other subject taught. In addition:

A) 3 semester hours of coursework, approved by the college of education or other institutional unit governing teacher education, that includes middle-grade philosophy, middle-grade curriculum and instruction, and instructional methods for designing and teaching developmentally appropriate programs (i.e., addressing the cognitive, emotional and physical development of each child) in the middle grades, including content area (e.g., science, social sciences) reading instruction.

B) 3 semester hours of coursework, approved by the college of education or other institutional unit governing teacher education, that includes educational psychology focusing on the developmental characteristics of early adolescents, the nature and needs of early adolescents, and the role of the middle-grade teacher in assessment, coordination and referral of students to health and social services.

3) For teachers of mathematics in grades 6 through 8 first employed on or after September 1, 1985, the required 18 semester hours in the field shall include three semester hours in the methods of teaching mathematics in those grades and 15 semester hours to be selected from four of the following areas:

A) Math content courses for elementary teachers;

B) Calculus;

C) Modern algebra or number theory;

D) Geometry;

E) Computer science;

F) Probability and statistics;
G) History of mathematics.

4) For major assignments in reading in any of departmentalized grades 5 through 8:
   
   A) persons first employed on or after September 1, 1978, but before July 1, 2004, are required to have completed the 18 semester hours described in Section 1.740 of this Part;

   B) persons first employed on or after July 1, 2004, shall be required to have completed either the 18 semester hours described in Section 1.740 of this Part or 18 semester hours in the field that include a practicum and address at least five of the six topics listed at 23 Ill. Adm. Code 25.100(i), provided that:

      i) the individual completes all the required coursework on or before June 30, 2006; or

      ii) the individual applies for the reading endorsement on or before June 30, 2006, and completes any coursework identified on a related deficiency statement no later than one year after the date of that statement; and

   C) new requirements for an endorsement in this field apply to persons who have not met the requirements of either subsection (a)(4)(A) or (B) of this Section; see also 23 Ill. Adm. Code 25.100(i) and Section 1.745 of this Part.

5) Persons first employed on or after September 1, 1978, as media professionals or library information specialists serving any of grades 5 through 8 are required to have completed 18 semester hours in the field that address administration, organization (cataloging and classification), reference, and selection of materials, provided that the individual completes all the required coursework on or before June 30, 2006, or has applied for the endorsement on or before June 30, 2006, and completes any coursework identified on a related deficiency statement no later than one year after the date of that statement. New requirements for an endorsement in this field apply to persons who have not qualified on the
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basis of 18 semester hours; see also 23 Ill. Adm. Code 25.100 and Section 1.755 of this Part. The provisions of subsection (a)(2) of this Section notwithstanding, no individual who has completed only nine semester hours in the field may serve in this capacity unless assigned pursuant to 23 Ill. Adm. Code 25.464.

b) Beginning July 1, 2004, no individual may be assigned to teach in departmentalized grades 5 through 8 unless he or she holds a certificate that is valid for the grade level or levels to be taught and:

1) holds a middle-grades endorsement applicable to the subject area; or

2) meets the relevant requirements of this Section; or

3) met the requirements of this Section or their predecessor requirements at a time when they were applicable, as confirmed by the employing district's verification of the individual's qualifications; or

4) is assigned pursuant to Section 1.745(b)(3) or 1.755(c) of this Part; or

5) is assigned pursuant to authorization received under 23 Ill. Adm. Code 25.464 (Short-Term Authorization for Positions Otherwise Unfilled).

c) A school district may also assign certain other teachers to departmentalized positions in any of Grades 5 through 8 for the 2009-10 school year and thereafter as described in this subsection (c).

1) A teacher who was employed in the district during the school year immediately preceding the year when the instructional format in that teacher's school is changed to a departmentalized configuration and who was appropriately certified for his or her position but does not meet the requirements of subsection (b) of this Section may be assigned to a departmentalized position in any of Grades 5 through 8 (or any of Grades 6 through 8 for the holder of a secondary certificate) for a period not to exceed three school years, provided that he or she has already completed at least nine semester hours of coursework in the subject of the major teaching assignment. If specific coursework is required for the major teaching assignment under subsection (a) of this Section, the teacher shall
have completed nine semester hours that will count toward an endorsement in that subject.

2) The school district shall notify the responsible regional superintendent of schools of all assignments made pursuant to this subsection (c) no more than 30 days after they occur. Further, the school district shall maintain on file for each teacher assigned in accordance with this subsection (c) a plan that:

A) includes a statement of intent signed by the individual, stipulating that he or she will complete all requirements for the middle-grades endorsement in the subject of his or her major teaching assignment;

B) provides a list of the coursework and experiences that the individual will complete in order to qualify; and

C) identifies the institution of higher education where the individual will complete the requirements.

3) No individual may be assigned for more than three school years without attaining the relevant endorsement, and no individual may be assigned for a third school year unless he or she has completed the six semester hours required under subsection (a)(2) of this Section.

4) If an individual is assigned to deliver instruction in two or more subjects, he or she shall have completed no fewer than nine semester hours in each subject. If subsection (a) of this Section requires specific coursework for any of the subjects taught, the teacher shall have completed nine semester hours that will count toward an endorsement in that subject.

(Source: Amended at 33 Ill. Reg. 5448, effective March 24, 2009)
STATE BOARD OF EDUCATION
NOTICE OF ADOPTED AMENDMENT

1) Heading of the Part: Certification

2) Code Citation: 23 Ill. Adm. Code 25

3) Section Number: Adopted Action:
25.115 Amendment

4) Statutory Authority: 105 ILCS 5/Art. 21, 14C-8, and 2-3.6

5) Effective Date of Amendment: March 24, 2009

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? The rules do contain an incorporation by reference pursuant to Section 5-75 of the Illinois Administrative Procedure Act. This is found within the existing text of Section 25.115(b).

8) A copy of the adopted amendment, 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 Illinois Register: December 5, 2008; 32 Ill. Reg. 18842

10) Has JCAR issued a Statement of Objection to this amendment? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were requested by JCAR, and no agreements letter was issued.

13) Will this rulemaking replace any emergency rulemaking currently in effect? Yes

14) Are there any other proposed rulemakings pending on this Part? No

15) Summary and Purpose of Amendment: A number of years ago, ISBE's rules for the institutional review process were written to reflect the procedures used by the National Council for the Accreditation of Teacher Education (NCATE) to the greatest possible extent. This was done in order to help the many NCATE-accredited institutions in Illinois avoid the unnecessary and costly duplication of effort that are inherent in two
separate review processes. It also had the advantage of establishing a uniform set of procedures for all institutions, whether or not they chose to seek accreditation from NCATE.

In acknowledgment of the high cost to institutions and the current fiscal environment, NCATE determined last fall that it would suspend institutional reviews for all of 2009. However, ISBE's rule specified a seven-year review cycle to match that ordinarily implemented by NCATE. Abiding by that rule would entail falling out of step with NCATE and creating a number of difficulties with the process, both for the agency and for the institutions involved. In addition, certain costs to ISBE could be saved by waiting until 2010 as NCATE will be doing. We therefore concluded that it would be best to change ISBE's schedule to match NCATE's again. This will mean a one-year change in the schedule for all institutions, rather than a doubling of effort in 2010.

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

Patrick Murphy
Division of Educator Preparation and Recertification
Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777-0001

217/782-2948

The full text of the Adopted Amendment begins on the next page:
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TITLE 23:  EDUCATION AND CULTURAL RESOURCES
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SUBCHAPTER b:  PERSONNEL

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25.550 Approval of Educational Interpreters

SUBPART H: CLINICAL EXPERIENCES

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SUBPART I: ILLINOIS CERTIFICATION TESTING SYSTEM

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<td>25.715</td>
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<tr>
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<td>25.730</td>
<td>Registration</td>
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<td>25.732</td>
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<td>Emergency Registration</td>
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<td>25.740</td>
<td>Accommodation of Persons with Special Needs</td>
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<td>Conditions of Testing</td>
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<td>Voiding of Scores</td>
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<td>Institution Test Score Reports</td>
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SUBPART J: RENEWAL OF STANDARD AND MASTER CERTIFICATES

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25.815 Submission and Review of the Plan (Repealed)
25.820 Review of Approved Plan (Repealed)
25.825 Progress Toward Completion (Repealed)
25.830 Application for Renewal of Certificate(s)
25.832 Validity and Renewal of Master Certificates
25.835 Review of and Recommendation Regarding Application for Renewal
25.840 Action by State Teacher Certification Board; Appeals
25.845 Responsibilities of School Districts
25.848 General Responsibilities of LPDCs
25.850 General Responsibilities of Regional Superintendents
25.855 Approval of Illinois Providers
25.860 Out-of-State Providers
25.865 Awarding of Credit for Activities with Providers
25.870 Continuing Education Units (CEUs)
25.872 Special Provisions for Interactive, Electronically Delivered Continuing Professional Development
25.875 Continuing Professional Development Units (CPDUs)
25.880 "Valid and Exempt" Certificates; Proportionate Reduction; Part-Time Teaching
25.885 Funding; Expenses (Repealed)

SUBPART K: REQUIREMENTS FOR RECEIPT OF THE STANDARD TEACHING CERTIFICATE

Section
25.900 Applicability of Requirements in this Subpart
25.905 Choices Available to Holders of Initial Certificates
25.910 Requirements for Induction and Mentoring
25.915 Requirements for Coursework on the Assessment of One's Own Performance
25.920 Requirements for Coursework Related to the National Board for Professional Teaching Standards (NBPTS)
25.925 Requirements Related to Advanced Degrees and Related Coursework
25.930 Requirements for Continuing Professional Development Units (CPDUs)
25.935 Additional Activities for Which CPDUs May Be Earned
25.940 Examination
25.942 Requirements for Additional Options
25.945 Procedural Requirements

25.APPENDIX A Statistical Test Equating – Certification Testing System
25.APPENDIX B Certificates Available Effective February 15, 2000
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25.APPENDIX C  Exchange of Certificates
25.APPENDIX D  Criteria for Identification of Teachers as "Highly Qualified" in Various Circumstances
25.APPENDIX E  Endorsement Structure Beginning July 1, 2004

AUTHORITY:  Implementing Article 21 and Section 14C-8 and authorized by Section 2-3.6 of the School Code [105 ILCS 5/Art. 21, 14C-8, and 2-3.6].

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SUBPART C: APPROVING PROGRAMS THAT PREPARE PROFESSIONAL EDUCATORS IN THE STATE OF ILLINOIS

Section 25.115 Recognition of Institutions, Accreditation of Educational Units, and Approval of Programs

In order for an Illinois institution of higher education to offer one or more programs that prepare professional educators, that institution must be recognized, and the educational unit responsible for such programs must be accredited, by the State Board of Education in consultation with the State Teacher Certification Board. "Educational unit" means the institution or college, school, department, or other administrative body within the institution that is primarily responsible for the initial and continuing preparation of teachers and other education professionals. Each program that is offered by a recognized institution must also be individually approved by the State Board of Education in consultation with the State Teacher Certification Board. "Program" or "preparation program" means a program that leads to certification. Electronic transmission of written materials required pursuant to this Subpart C may be authorized or required by the State Superintendent of Education when this method may be more cost effective or feasible.

a) An institution shall be recognized if it is regionally accredited and:

1) is approved as a degree-granting institution by the Illinois Board of Higher Education, if the institution is subject to provisions of the Institution of Learning Powers Act [110 ILCS 50];

2) sponsors a course of study leading to an appropriate baccalaureate or higher degree and awards the degree; and

3) conducts or proposes to conduct at least one approved program that will prepare professional educators.
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b) An educational unit shall be accredited if its accreditation visit occurs prior to the fall of 2008 and the institution meets the standards enumerated in "Professional Standards for the Accreditation of Schools, Colleges, and Departments of Education" (2002), published by the National Council for the Accreditation of Teacher Education (NCATE), 2010 Massachusetts Avenue, N.W., Suite 500, Washington, D.C. 20036-1023 (no later amendments to or editions of these standards are incorporated by this Section). Beginning with accreditation visits in the fall of 2008, the 2008 edition of these standards shall apply; no later amendments or editions are incorporated.

c) A preparation program shall be approved if it meets the applicable content standards established by the State Board of Education and the standards set forth at 23 Ill. Adm. Code 24 (Standards for All Illinois Teachers) or 23 Ill. Adm. Code 29.100 (Illinois Professional School Leader Standards), as applicable, except as provided in Section 25.135 of this Part.

d) The accreditation of an educational unit and the approval of its programs shall be subject to review every seven years, except that no accreditation reviews shall be conducted in 2009 and each institution's first scheduled review after January 1, 2009, shall be deferred for one additional year. Accreditation Review shall be conducted as provided in Sections 25.125 and 25.127 of this Part and decisions regarding continued accreditation and approval shall be made as provided in those Sections. The State Superintendent shall alter the timing of an institution's review at the institution's request if the Superintendent determines that the request is based on unforeseen circumstances that were beyond the institution's control and were demonstrably related to the institution's ability to prepare for the review.

e) Each accredited educational unit shall annually submit to the State Superintendent of Education, in a format defined by the State Superintendent and according to a timeline announced at least six months in advance:

1) a report that describes any significant changes in the unit or its programs, updates any information previously provided as needed, and provides institutional data that describe the results of unit and program assessments and the actions taken or planned to address areas identified for improvement; and

2) as relevant to the institution, a report on all programs provided by the institution that have been approved as an alternative route to certification.
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under Section 25.67 of this Part.

f) If relevant to the institution, the report required under subsection (e) of this Section shall include a description of how the unit has addressed any applicable standards identified during the most recent review of the unit and its programs as "not met" or "met with areas for improvement". However, for institutions that have been assigned "Continuing Accreditation with Conditions" or "Probation", this description shall not be required in those years in which the institution is required to submit a special report or is subject to a focused or full visit as discussed in Section 25.125(j) of this Part.

g) No later than April 7 of each year, each institution shall report to the State Board of Education, using a form supplied by the Board, on its program completers' pass rates on the examinations required for initial certification pursuant to this Part and other information required by Title II of the Higher Education Act [20 USCA 1027]. Further, each institution shall make this information readily available to the public on an annual basis and shall include it in or with publications routinely sent to potential applicants, guidance counselors, and prospective employers of the institution's program completers.

(Source: Amended at 33 Ill. Reg. 5462, effective March 24, 2009)
DEPARTMENT OF TRANSPORTATION

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1) **Heading of the Part:** Airport Hazard Zoning

2) **Code Citation:** 92 Ill. Adm. Code 16

3) **Section Number:** Adopted Action:
   
   16.APPENDIX A Amend

4) **Statutory Authority:** Implementing and authorized by the Airport Zoning Act [620 ILCS 25]

5) **Effective Date of Rulemaking:** March 30, 2009

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 amendment, including all material incorporated by reference, is on file in the agency's Division of Aeronautics and Office of Chief Counsel and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** December 19, 2008; 32 Ill. Reg. 19462

10) **Has JCAR issued a Statement of Objection to this rulemaking?** No

11) **Differences between proposal and final version:** None

12) **Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR?** No agreements were necessary.

13) **Will this rulemaking replace any emergency rulemaking currently in effect?** No

14) **Are there any amendments pending on this Part?** No

15) **Summary and Purpose of Rulemaking:** By this Notice, the Department has amended Section 16.Appendix A to add numerous publicly-owned airports to the Part. This Part prescribes requirements for administration and enforcement that restrict the height of structures, equipment, and vegetation, and that regulate the use of property, on or in the vicinity of publicly-owned airports. The following airports are now covered under this Part: St. Louis Regional Airport (ALN), Pontiac Airport (PNT), Mt. Carmel Airport
DEPARTMENT OF TRANSPORTATION

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(AJG), Rochelle Airport (RPJ), Casey Airport (1H8), Mt. Vernon Airport (MVN), Aurora Airport (ARR), Shelby County Airport (2H0), Kankakee Airport (IKK), Flora Airport (FOA), and Quincy Airport (UIN).

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

   Mr. Robert Hahn, Airspace Specialist
   Illinois Department of Transportation
   Division of Aeronautics
   #1 Langhorne Bond Drive
   Abraham Lincoln Capital Airport
   Springfield, Illinois  62707-8415

   217/524-1580

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

NOTICE OF ADOPTED AMENDMENT

TITLE 92: TRANSPORTATION
CHAPTER I: DEPARTMENT OF TRANSPORTATION
SUBCHAPTER b: AERONAUTICS

PART 16
AIRPORT HAZARD ZONING

Section
16.10 Purpose and Scope
16.20 Applicability
16.30 Definitions
16.35 Public Hearings
16.40 Surfaces and Height Limitations
16.50 Horizontal Surface
16.60 Conical Surface
16.70 Primary Surface
16.80 Approach Surface
16.90 Transitional Surfaces
16.100 Circling Approach Surface
16.110 Instrument Approach Obstruction Clearance Surface
16.120 Heliport/Vertiport Surfaces
16.130 Use Restrictions
16.140 Pre-Existing, Non-Conforming Uses (Grandfather Clause)
16.150 Pre-Existing, Non-Conforming Structures, Uses, or Vegetation Abandoned or Destroyed
16.160 Notice of Construction or Alteration of Any Structure
16.170 Permits
16.180 Variances
16.190 Administrative and Judicial Review
16.200 Penalties
16.210 Conflicting Regulations
16.220 Severability
16.APPENDIX A Applicable Airports
16.ILLUSTRATION A Airports Imaginary Surfaces
16.ILLUSTRATION B Airports (Public- or Private-Use) Minimum Dimensional Standards
16.ILLUSTRATION C Obstruction Standards (≤ 6 Nautical Miles)
16.ILLUSTRATION D Obstruction Standards (> 6 Nautical Miles)
16.ILLUSTRATION E Public- or Private-Use Heliport/Vertiport Minimum Dimensional Standards

AUTHORITY: Implementing and authorized by the Airport Zoning Act [620 ILCS 25].
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DEPARTMENT OF TRANSPORTATION  
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Section 16. APPENDIX A Applicable Airports

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<th>Fed Std.</th>
<th>State Std.</th>
<th>Applicable Date</th>
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(Source: Amended at 33 Ill. Reg. 5474, effective March 30, 2009)
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

1) **Heading of the Part:** Aurora Municipal Airport Hazard Zoning

2) **Code Citation:** 92 Ill. Adm. Code 18

3) **Section Numbers:**

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4) **Statutory Authority:** Implementing and authorized by Section 17 of the Airport Zoning Act [620 ILCS 25/17]

5) **Effective Date of Repealer:** March 30, 2009

6) **Does this repealer contain an automatic repeal date?** No

7) **Does this repealer contain incorporations by reference?** No

8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the agency's Division of Aeronautics and Office of Chief Counsel and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** December 19, 2008; 32 Ill. Reg. 19470

10) **Has JCAR issued a Statement of Objection to this repealer?** No

11) **Differences between proposal and final version:** None
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will this repealer replace any emergency repealer currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Repealer: By this Notice, the Department has repealed this Part in its entirety and, elsewhere in this issue of the Illinois Register, has included the Aurora Municipal Airport under 92 Ill. Adm. Code 16 (Part 16), the Department's generic rule on the administration and enforcement of airport hazard zoning. Part 16 restricts the height of structures, equipment, and vegetation, and regulates the use of property, on or in the vicinity of publicly-owned airports.

It is preferable to have all airports requesting inclusion in the administration and enforcement of airport hazard zoning under one rule rather than duplicating the requirements in separate rules which was the Department's practice several decades ago. Therefore, the Department has repealed this Part and added the airport to Part 16 which was also amended.

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

Mr. Robert Hahn, Airspace Specialist
Illinois Department of Transportation
Division of Aeronautics
1 Langhorne Bond Drive
Abraham Lincoln Capital Airport
Springfield, Illinois 62707-8415

217/524-1580
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

1) **Heading of the Part:** Casey Municipal Airport Hazard Zoning

2) **Code Citation:** 92 Ill. Adm. Code 27

3) **Section Numbers:**

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4) **Statutory Authority:** Implementing and authorized by Section 17 of the Airport Zoning Act [620 ILCS 25/17]

5) **Effective Date of Repealer:** March 30, 2009

6) **Does this repealer contain an automatic repeal date?** No

7) **Does this repealer contain incorporations by reference?** No

8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the agency's Division of Aeronautics and Office of Chief Counsel and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** December 19, 2008; 32 Ill. Reg. 19493

10) **Has JCAR issued a Statement of Objection to this repealer?** No

11) **Differences between proposal and final version:** None
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will this repealer replace any emergency repealer currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Repealer: By this Notice, the Department has repealed this Part in its entirety and, elsewhere in this issue of the Illinois Register, has included the Casey Municipal Airport under 92 Ill. Adm. Code 16 (Part 16), the Department's generic rule on the administration and enforcement of airport hazard zoning. Part 16 restricts the height of structures, equipment, and vegetation, and regulates the use of property, on or in the vicinity of publicly-owned airports.

It is preferable to have all airports requesting inclusion in the administration and enforcement of airport hazard zoning under one rule rather than duplicating the requirements in separate rules which was the Department's practice several decades ago. Therefore, the Department has repealed this Part and added the airport to Part 16 which was also amended.

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

   Mr. Robert Hahn, Airspace Specialist
   Illinois Department of Transportation
   Division of Aeronautics
   1 Langhorne Bond Drive
   Abraham Lincoln Capital Airport
   Springfield, Illinois 62707-8415

   217/524-1580
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

1) **Heading of the Part:** Civic Memorial Airport Zoning Regulations

2) **Code Citation:** 92 Ill. Adm. Code 30

3) **Section Numbers:**
   - 30.5     Repeal
   - 30.10    Repeal
   - 30.20    Repeal
   - 30.30    Repeal
   - 30.40    Repeal
   - 30.50    Repeal
   - 30.60    Repeal
   - 30.70    Repeal
   - 30.80    Repeal
   - 30.90    Repeal
   - 30.100   Repeal
   - 30.110   Repeal
   - 30.120   Repeal
   - 30.130   Repeal
   - 30.140   Repeal
   - 30.150   Repeal
   - 30.160   Repeal

4) **Statutory Authority:** Implementing and authorized by Section 17 of the Airport Zoning Act [620 ILCS 25/17]

5) **Effective Date of Repealer:** March 30, 2009

6) **Does this repealer contain an automatic repeal date?** No

7) **Does this repealer contain incorporations by reference?** No

8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the agency's Division of Aeronautics and Office of Chief Counsel and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** December 19, 2008; 32 Ill. Reg. 19516

10) **Has JCAR issued a Statement of Objection to this repealer?** No
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

11) **Differences between proposal and final version:** None

12) **Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR?** No changes were necessary.

13) **Will this repealer replace any emergency repealer currently in effect?** No

14) **Are there any amendments pending on this Part?** No

15) **Summary and Purpose of Repealer:** By this Notice, the Department has repealed this Part in its entirety and, elsewhere in this issue of the *Illinois Register*, has included the Civic Memorial Airport under 92 Ill. Adm. Code 16 (Part 16), the Department's generic rule on the administration and enforcement of airport hazard zoning. Part 16 restricts the height of structures, equipment, and vegetation, and regulates the use of property, on or in the vicinity of publicly-owned airports.

   It is preferable to have all airports requesting inclusion in the administration and enforcement of airport hazard zoning under one rule rather than duplicating the requirements in separate rules which was the Department's practice several decades ago. Therefore, the Department has repealed this Part and added the airport to Part 16 which was also amended.

16) **Information and questions regarding this adopted repealer shall be directed to:**

   Mr. Robert Hahn, Airspace Specialist
   Illinois Department of Transportation
   Division of Aeronautics
   1 Langhorne Bond Drive
   Abraham Lincoln Capital Airport
   Springfield, Illinois 62707-8415
   217/524-1580
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

1) **Heading of the Part**: Flora Airport Hazard Zoning Regulations

2) **Code Citation**: 92 Ill. Adm. Code 42

3) **Section Numbers**: **Adopted Action**:
   - 42.10      Repeal
   - 42.20      Repeal
   - 42.30      Repeal
   - 42.40      Repeal
   - 42.50      Repeal
   - 42.60      Repeal
   - 42.70      Repeal
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   - 42.120     Repeal
   - 42.130     Repeal
   - 42.140     Repeal
   - 42.150     Repeal
   - 42.160     Repeal

4) **Statutory Authority**: Implementing and authorized by the Airport Zoning Act [620 ILCS 25]

5) **Effective Date of Repealer**: March 30, 2009

6) **Does this repealer contain an automatic repeal date?** No

7) **Does this repealer contain incorporations by reference?** No

8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the agency's Division of Aeronautics and Office of Chief Counsel and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register**: December 19, 2008; 32 Ill. Reg. 19530

10) **Has JCAR issued a Statement of Objection to this repealer?** No
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will this repealer replace any emergency repealer currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Repealer: By this Notice, the Department has repealed this Part in its entirety and, elsewhere in this issue of the Illinois Register, has included the Flora Airport under 92 Ill. Adm. Code 16 (Part 16), the Department's generic rule on the administration and enforcement of airport hazard zoning. Part 16 restricts the height of structures, equipment, and vegetation, and regulates the use of property, on or in the vicinity of publicly-owned airports.

It is preferable to have all airports requesting inclusion in the administration and enforcement of airport hazard zoning under one rule rather than duplicating the requirements in separate rules which was the Department's practice several decades ago. Therefore, the Department has repealed this Part and added the airport to Part 16 which was also amended.

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

Mr. Robert Hahn, Airspace Specialist
Illinois Department of Transportation
Division of Aeronautics
1 Langhorne Bond Drive
Abraham Lincoln Capital Airport
Springfield, Illinois 62707-8415

217/524-1580
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

1) **Heading of the Part:** Greater Kankakee Airport Hazard Zoning Regulations

2) **Code Citation:** 92 Ill. Adm. Code 46

3) **Section Numbers:**

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4) **Statutory Authority:** Implementing and authorized by the Airport Zoning Act [620 ILCS 25]

5) **Effective Date of Repealer:** March 30, 2009

6) **Does this repealer contain an automatic repeal date?** No

7) **Does this repealer contain incorporations by reference?** No

8) A copy of the adopted repealer, including all material incorporated by reference, is on file in the agency's Division of Aeronautics and Office of Chief Counsel and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** December 19, 2008, 32 Ill. Reg. 19550

10) **Has JCAR issued a Statement of Objection to this repealer?** No
NOTICE OF ADOPTED REPEALER

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will this repealer replace any emergency repealer currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Repealer: By this Notice, the Department has repealed this Part in its entirety and, elsewhere in this issue of the Illinois Register, has included the Greater Kankakee Airport under 92 Ill. Adm. Code 16 (Part 16), the Department's generic rule on the administration and enforcement of airport hazard zoning. Part 16 restricts the height of structures, equipment, and vegetation, and regulates the use of property, on or in the vicinity of publicly-owned airports.

It is preferable to have all airports requesting inclusion in the administration and enforcement of airport hazard zoning under one rule rather than duplicating the requirements in separate rules which was the Department's practice several decades ago. Therefore, the Department has repealed this Part and added the airport to Part 16 which was also amended.

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

Mr. Robert Hahn, Airspace Specialist
Illinois Department of Transportation
Division of Aeronautics
1 Langhorne Bond Drive
Abraham Lincoln Capital Airport
Springfield, Illinois 62707-8415
217/524-1580
1) **Heading of the Part:** Mt. Carmel Municipal Airport Hazard Zoning Regulations

2) **Code Citation:** 92 Ill. Adm. Code 68

3) **Section Numbers:**  
   - Adopted Action: 
   - 68.10 Repeal  
   - 68.20 Repeal  
   - 68.30 Repeal  
   - 68.40 Repeal  
   - 68.50 Repeal  
   - 68.60 Repeal  
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   - 68.110 Repeal  
   - 68.120 Repeal  
   - 68.130 Repeal  
   - 68.140 Repeal  
   - 68.150 Repeal  
   - 68.160 Repeal

4) **Statutory Authority:** Implementing and authorized by the Airport Zoning Act [620 ILCS 25]

5) **Effective Date of Repealer:** March 30, 2009

6) **Does this repealer contain an automatic repeal date?** No

7) **Does this repealer contain incorporations by reference?** No

8) A copy of the adopted repealer, including all materials incorporated by reference, is on file in the agency's Division of Aeronautics and Office of Chief Counsel and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** December 19, 2008; 32 Ill. Reg. 19569

10) **Has JCAR issued a Statement of Objection to this repealer?** No

11) **Differences between proposal and final version:** None
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will this repealer replace any emergency repealer currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Repealer: By this Notice, the Department has repealed this Part in its entirety and, elsewhere in this issue of the Illinois Register, has included the Mt. Carmel Municipal Airport under 92 Ill. Adm. Code 16 (Part 16), the Department's generic rule on the administration and enforcement of airport hazard zoning. Part 16 restricts the height of structures, equipment, and vegetation, and regulates the use of property, on or in the vicinity of publicly-owned airports.

It is preferable to have all airports requesting inclusion in the administration and enforcement of airport hazard zoning under one rule rather than duplicating the requirements in separate rules which was the Department's practice several decades ago. Therefore, the Department has repealed this Part and added the airport to Part 16 which was also amended.

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

Mr. Robert Hahn, Airspace Specialist
Illinois Department of Transportation
Division of Aeronautics
1 Langhorne Bond Drive
Abraham Lincoln Capital Airport
Springfield, Illinois 62707-8415

217/524-1580
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

1) **Heading of the Part:** Mt. Vernon-Outland Airport Hazard Zoning Regulations

2) **Code Citation:** 92 Ill. Adm. Code 70

3) **Section Numbers:**

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4) **Statutory Authority:** Implementing and authorized by the Airport Zoning Act [620 ILCS 25]

5) **Effective Date of Repealer:** March 30, 2009

6) **Does this rulemaking contain an automatic repeal date?** No

7) **Does this repealer contain incorporations by reference?** No

8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the agency's Division of Aeronautics and Office of Chief Counsel and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register:** 32 Ill. Reg. 19588; December 19, 2008

10) **Has JCAR issued a Statement of Objection to this repealer?** No
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will this repealer replace any emergency repealer currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Repealer: By this Notice, the Department has repealed this Part in its entirety and, elsewhere in this issue of the Illinois Register, has included the Mt. Vernon-Outland Airport under 92 Ill. Adm. Code 16 (Part 16), the Department's generic rule on the administration and enforcement of airport hazard zoning. Part 16 restricts the height of structures, equipment, and vegetation, and regulates the use of property, on or in the vicinity of publicly-owned airports.

It is preferable to have all airports requesting inclusion in the administration and enforcement of airport hazard zoning under one rule rather than duplicating the requirements in separate rules which was the Department's practice several decades ago. Therefore, the Department has repealed this Part and added the airport to Part 16 which was also amended.

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

Mr. Robert Hahn, Airspace Specialist
Illinois Department of Transportation
Division of Aeronautics
1 Langhorne Bond Drive
Abraham Lincoln Capital Airport
Springfield, Illinois 62707-8415

217/524-1580
NOTICE OF ADOPTED REPEALER

1) **Heading of the Part:** Quincy Municipal Airport Hazard Zoning Regulations

2) **Code Citation:** 92 Ill. Adm. Code 75

3) **Section Numbers:**
   - 75.10     Repealer
   - 75.20     Repeal
   - 75.30     Repeal
   - 75.40     Repeal
   - 75.50     Repeal
   - 75.60     Repeal
   - 75.70     Repeal
   - 75.80     Repeal
   - 75.90     Repeal
   - 75.100    Repeal
   - 75.110    Repeal
   - 75.120    Repeal
   - 75.130    Repeal
   - 75.140    Repeal
   - 75.EXHIBIT A Repeal

4) **Statutory Authority:** Implementing and authorized by the Airport Zoning Act [620 ILCS 25]

5) **Effective Date of Repealer:** March 30, 2009

6) **Does this repealer contain an automatic repeal date?** No

7) **Does this repealer contain incorporations by reference?** No

8) **A copy of the adopted repealer, including all material incorporated by reference, is on file in the agency's Division of Aeronautics and Office of Chief Counsel and is available for public inspection.**

9) **Notice of Proposal Published in Illinois Register:** December 19, 2008, 32 Ill. Reg. 19607

10) **Has JCAR issued a Statement of Objection to this repealer?** No

11) **Differences between proposal and final version:** None
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will this repealer replace any emergency repealer currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Repealer: By this Notice, the Department has repealed this Part in its entirety and, elsewhere in this issue of the Illinois Register, has included the Quincy Municipal Airport under 92 Ill. Adm. Code 16 (Part 16), the Department's generic rule on the administration and enforcement of airport hazard zoning. Part 16 restricts the height of structures, equipment, and vegetation, and regulates the use of property, on or in the vicinity of publicly-owned airports.

It is preferable to have all airports requesting inclusion in the administration and enforcement of airport hazard zoning under one rule rather than duplicating the requirements in separate rules which was the Department's practice several decades ago. Therefore, the Department has repealed this Part and added the airport to Part 16 which was also amended.

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Mr. Robert Hahn, Airspace Specialist
Illinois Department of Transportation
Division of Aeronautics
1 Langhorne Bond Drive
Abraham Lincoln Capital Airport
Springfield, Illinois 62707-8415

217/524-1580
NOTICE OF ADOPTED REPEALER

1) **Heading of the Part**: Rochelle Municipal Airport Hazard Zoning Regulations

2) **Code Citation**: 92 Ill. Adm. Code 76

3) **Section Numbers**: Adopted Action:
   - 76.10 Repeal
   - 76.20 Repeal
   - 76.30 Repeal
   - 76.40 Repeal
   - 76.50 Repeal
   - 76.60 Repeal
   - 76.70 Repeal
   - 76.80 Repeal
   - 76.90 Repeal
   - 76.100 Repeal
   - 76.110 Repeal
   - 76.120 Repeal
   - 76.130 Repeal
   - 76.140 Repeal
   - 76.150 Repeal
   - 76.160 Repeal

4) **Statutory Authority**: Implementing and authorized by the Airport Zoning Act [620 ILCS 25]

5) **Effective Date of Repealer**: March 30, 2009

6) **Does this repealer contain an automatic repeal date?** No

7) **Does this repealer contain incorporations by reference?** No

8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the agency's Division of Aeronautics and Office of Chief Counsel and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register**: 32 Ill. Reg. 19630; December 19, 2008

10) **Has JCAR issued a Statement of Objection to this repealer?** No
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will this repealer replace any emergency repealer currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Repealer: By this Notice, the Department has repealed this Part in its entirety and, elsewhere in this issue of the Illinois Register, has included the Rochelle Municipal Airport under 92 Ill. Adm. Code 16 (Part 16), the Department's generic rule on the administration and enforcement of airport hazard zoning. Part 16 restricts the height of structures, equipment, and vegetation, and regulates the use of property, on or in the vicinity of publicly-owned airports.

It is preferable to have all airports requesting inclusion in the administration and enforcement of airport hazard zoning under one rule rather than duplicating the requirements in separate rules which was the Department's practice several decades ago. Therefore, the Department has repealed this Part and added the airport to Part 16 which was also amended.

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

Mr. Robert Hahn, Airspace Specialist
Illinois Department of Transportation
Division of Aeronautics
1 Langhorne Bond Drive
Abraham Lincoln Capital Airport
Springfield, Illinois 62707-8415

217/524-1580
NOTICE OF ADOPTED REPEALER

1) **Heading of the Part**: Shelby County Airport Hazard Zoning Regulations

2) **Code Citation**: 92 Ill. Adm. Code 78

3) **Section Numbers**

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4) **Statutory Authority**: Implementing and authorized by the Airport Zoning Act [620 ILCS 25]

5) **Effective Date of Repealer**: March 30, 2009

6) **Does this repealer contain an automatic repeal date?** No

7) **Does this repealer contain incorporations by reference?** No

8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the agency's Division of Aeronautics and Office of Chief Counsel and is available for public inspection.

9) **Notice of Proposal Published in Illinois Register**: 32 Ill. Reg. 19650; December 19, 2008

10) **Has JCAR issued a Statement of Objection to this repealer?** No
DEPARTMENT OF TRANSPORTATION

NOTICE OF ADOPTED REPEALER

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.

13) Will this repealer replace any emergency repealer currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Repealer: By this Notice, the Department has repealed this Part in its entirety and, elsewhere in this issue of the Illinois Register, has included the Shelby County Airport under 92 Ill. Adm. Code 16 (Part 16), the Department's generic rule on the administration and enforcement of airport hazard zoning. Part 16 restricts the height of structures, equipment, and vegetation, and regulates the use of property, on or in the vicinity of publicly-owned airports.

It is preferable to have all airports requesting inclusion in the administration and enforcement of airport hazard zoning under one rule rather than duplicating the requirements in separate rules which was the Department's practice several decades ago. Therefore, the Department has repealed this Part and added the airport to Part 16 which was also amended.

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

Mr. Robert Hahn, Airspace Specialist
Illinois Department of Transportation
Division of Aeronautics
1 Langhorne Bond Drive
Abraham Lincoln Capital Airport
Springfield, Illinois 62707-8415

217/524-1580
DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

1) **Heading of the Part:** Pay Plan

2) **Code Citation:** 80 Ill. Adm. Code 310

3) **Section Numbers:**
   - 310.APPENDIX A TABLE W
   - 310.APPENDIX A TABLE X

4) **Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking:**
   The Department of Central Management Services (CMS) is amending the Pay Plan (80 Ill. Adm. Code 310) Section 310.Appendix A Table W to reflect two Memoranda of Understanding between the Department of CMS and the American Federation of State, County and Municipal Employees (AFSCME) signed February 25, 2009. The two Memoranda of Understanding assign the KidCare Supervisor and Pension and Death Benefit Technician I titles to the RC-062 bargaining unit and to the RC-062-20 and RC-062-12 pay grades, respectively, effective January 13, 2009 and November 26, 2008, respectively. No position was excluded from bargaining unit representation by the Illinois Labor Relations Board.

   CMS is amending Section 310.Appendix A Table X to reflect the Memorandum of Understanding (MOU) between the Department of CMS and AFSCME signed February 25, 2009. The MOU assigns the Actuary III title to the RC-063 bargaining unit and to the RC-063-26 pay grade effective January 6, 2009. No position was excluded from bargaining unit representation by the Illinois Labor Relations Board.

5) **Statutory Authority:** Authorized by Sections 8, 8a and 9(7) of the Personnel Code [20 ILCS 415/8, 20 ILCS 415/8a and 20 ILCS 415/9(7)] and by Sections 4, 6, 15 and 21 of the Illinois Public Labor Relations Act [5 ILCS 315/4, 5 ILCS 315/6, 5 ILCS 315/15 and 5 ILCS 315/21].

6) **Effective Date:** March 25, 2009

7) **A Complete Description of the Subjects and Issues Involved:** In Section 310.Appendix A Table W, the KidCare Supervisor title, title code 22003, RC-062 bargaining unit and RC-062-20 pay grade and the Pension and Death Benefit Technician I title, title code 30961, RC-062 bargaining unit and RC-062-12 pay grade are added to the title table.

   In Section 310.Appendix A Table X, the Actuary III title, title code 00203, RC-063 bargaining unit and RC-063-26 pay grade are added to the title table.
DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

8) Does this rulemaking contain an automatic repeal date? No

9) Date filed with the Index Department: March 25, 2009

10) This and other Pay Plan amendments are available in the Division of Technical Services of the Bureau of Personnel.

11) Is this in compliance with Section 5-50 of the Illinois Administrative Procedure Act? Yes

12) Are there any other proposed amendments pending on this Part? Yes

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

310.Appendix A Table Z Amendment 33 Ill. Reg. 4588; April 3, 2009
310.Appendix D Amendment 33 Ill. Reg. 4588; April 3, 2009
310.Appendix G Amendment 33 Ill. Reg. 4588; April 3, 2009

13) **Statement of Statewide Policy Objectives:** These amendments to the Pay Plan affect only the employees subject to the Personnel Code and do not set out any guidelines that affect local or other jurisdictions in the State.

14) **Information and questions regarding these peremptory amendments shall be directed to:**

   Mr. Jason Doggett  
   Manager  
   Compensation Section  
   Division of Technical Services and Agency Training and Development  
   Bureau of Personnel  
   Department of Central Management Services  
   504 William G. Stratton Building  
   Springfield IL 62706

   217/782-7964  
   Fax: 217/524-4570  
   CMS.PayPlan@Illinois.gov

The full text of the Peremptory Amendments begins on the next page:
NOTICE OF PEREMPTORY AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section
310.20 Policy and Responsibilities
310.30 Jurisdiction
310.40 Pay Schedules
310.45 Comparison of Pay Grades or Salary Ranges Assigned to Classifications
310.47 In-Hiring Rate
310.50 Definitions
310.60 Conversion of Base Salary to Pay Period Units
310.70 Conversion of Base Salary to Daily or Hourly Equivalents
310.80 Increases in Pay
310.90 Decreases in Pay
310.100 Other Pay Provisions
310.110 Implementation of Pay Plan Changes
310.120 Interpretation and Application of Pay Plan
310.130 Effective Date
310.140 Reinstitution of Within Grade Salary Increases (Repealed)
310.150 Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section
310.205 Introduction
310.210 Prevailing Rate
310.220 Negotiated Rate
310.230 Part-Time Daily or Hourly Special Services Rate (Repealed)
310.240 Daily or Hourly Rate Conversion
310.250 Member, Patient and Inmate Rate
310.260 Trainee Rate
DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

310.270  Legislated and Contracted Rate
310.280  Designated Rate
310.290  Out-of-State Rate (Repealed)
310.295  Foreign Service Rate (Repealed)
310.300  Educator Schedule for RC-063 and HR-010
310.310  Physician Specialist Rate
310.320  Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections (Repealed)
310.330  Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

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<td>Merit Compensation Salary Range Assignments</td>
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<td>310.420</td>
<td>Objectives</td>
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<td>Merit Compensation Salary Schedule</td>
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<td>310.450</td>
<td>Procedures for Determining Annual Merit Increases and Bonuses</td>
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<td>310.455</td>
<td>Intermittent Merit Increase</td>
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310.APPENDIX A  Negotiated Rates of Pay

310.TABLE A  RC-104 (Conservation Police Supervisors, Laborers' – ISEA Local #2002)

310.TABLE B  VR-706 (Assistant Automotive Shop Supervisors, Automotive Shop Supervisors and Meat and Poultry Inspector Supervisors, Laborers' –
DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

ISEA Local #2002)

310.TABLE C RC-056 (Site Superintendents and Natural Resource, Historic Preservation and Agriculture Managers, IFPE)

310.TABLE D HR-001 (Teamsters Local #726)

310.TABLE E RC-020 (Teamsters Local #330)

310.TABLE F RC-019 (Teamsters Local #25)

310.TABLE G RC-045 (Automotive Mechanics, IFPE)

310.TABLE H RC-006 (Corrections Employees, AFSCME)

310.TABLE I RC-009 (Institutional Employees, AFSCME)

310.TABLE J RC-014 (Clerical Employees, AFSCME)

310.TABLE K RC-023 (Registered Nurses, INA)

310.TABLE L RC-008 (Boilermakers)

310.TABLE M RC-110 (Conservation Police Lodge)

310.TABLE N RC-010 (Professional Legal Unit, AFSCME)

310.TABLE O RC-028 (Paraprofessional Human Services Employees, AFSCME)

310.TABLE P RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)

310.TABLE Q RC-033 (Meat Inspectors, IFPE)

310.TABLE R RC-042 (Residual Maintenance Workers, AFSCME)

310.TABLE S VR-704 (Corrections, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002)

310.TABLE T HR-010 (Teachers of Deaf, IFT)

310.TABLE U HR-010 (Teachers of Deaf, Extracurricular Paid Activities)

310.TABLE V CU-500 (Corrections Meet and Confer Employees)

310.TABLE W RC-062 (Technical Employees, AFSCME)

310.TABLE X RC-063 (Professional Employees, AFSCME)

310.TABLE Y RC-063 (Educators, AFSCME)

310.TABLE Z RC-063 (Physicians, AFSCME)

310.TABLE AA NR-916 (Department of Natural Resources, Teamsters)

310.TABLE AB VR-007 (Plant Maintenance Engineers, Operating Engineers)

(Repealed)

310.APPENDIX B Schedule of Salary Grade Pay Grades – Monthly Rates of Pay

310.APPENDIX C Medical Administrator Rates (Repealed)

310.APPENDIX D Merit Compensation System Salary Schedule

310.APPENDIX E Teaching Salary Schedule (Repealed)

310.APPENDIX F Physician and Physician Specialist Salary Schedule (Repealed)

310.APPENDIX G Broad-Band Pay Range Classes Salary Schedule

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20
DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
NOTICE OF PEREMPTORY AMENDMENTS

ILCS 415/8 and 8a].

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Section 310.APPENDIX A   Negotiated Rates of Pay

Section 310.TABLE W   RC-062 (Technical Employees, AFSCME)

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Buyer 05900 RC-062 18
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Chemist III 06943 RC-062 21
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Children and Family Service Intern – Option II 07242 RC-062 15
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Conservation Grant Administrator I 09311 RC-062 18
Conservation Grant Administrator II 09312 RC-062 20
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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

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Weatherization Specialist III 49103 RC-062 20
Weatherization Specialist Trainee 49105 RC-062 12
Workers Compensation Insurance Compliance Investigator 49640 RC-062 20

NOTE: For the Revenue Audit Supervisor, Revenue Auditor I, II and III and Revenue Auditor Trainee, Revenue Computer Audit Specialist and Revenue Tax Specialist II position classification titles only – The pay grade assigned to the employee is based on the location of the position and the residence held by the employee. In the same position classification, the employee holding a position and residence outside the boundaries of the State of Illinois is assigned to a different pay grade than the pay grade assigned to the employee holding a position within the boundaries of the State of Illinois. The pay grade assigned to the employee holding a position located within the boundaries of the State of Illinois is the pay grade with the (IL) indication next to the position classification. The pay grade assigned to the employee holding the position located outside the boundaries of the State of Illinois is determined by the location of the employee's residence (e.g., IL, CA or NJ or a state other than IL, CA or NJ). If the employee's residence moves to another state while the employee is in the same position located outside the boundaries of the State of Illinois, or moves into another position located outside the boundaries of the State of Illinois in the same position classification, the base salary may change depending on the location of the employee's new residence. If the employee remains in the position located outside the boundaries of the State of Illinois and moves residence from or into the boundaries of the State of Illinois, the base salary will change. In all cases, change in base salary shall be on a step for step basis (e.g., if the original base salary was on Step 5 in one pay grade, the new base salary will also be on Step 5 of the newly appropriate pay grade).

Effective January 1, 2008
Bargaining Unit: RC-062

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

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Effective January 1, 2009
Bargaining Unit: RC-062
### DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

(Source: Peremptory amendment at 33 Ill. Reg. 5501, effective March 25, 2009)
### NOTICE OF PEREMPTORY AMENDMENTS

Section 310. APPENDIX A  Negotiated Rates of Pay

Section 310. TABLE X  RC-063 (Professional Employees, AFSCME)

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NOTICE OF PEREMPTORY AMENDMENTS

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Rehabilitation/Mobility Instructor Trainee 38167 RC-063 15
School Psychologist 39200 RC-063 18
Social Worker II 41412 RC-063 18
Social Worker III 41413 RC-063 19
Social Worker IV 41414 RC-063 21
Staff Pharmacist 41787 RC-063 24
Veterinarian I 47901 RC-063 18
Veterinarian II 47902 RC-063 20
Veterinarian III 47903 RC-063 21
Vision/Hearing Consultant I 47941 RC-063 16
Vision/Hearing Consultant II 47942 RC-063 20
Vision/Hearing Consultant III 47943 RC-063 21

NOTE: The positions allocated to the Public Service Administrator title that are assigned to the negotiated pay grade have the following options: 3; 4; 6E; 8D; 8E; 8H, and 9G. See the definition of option in Section 310.50.

Effective January 1, 2008
Bargaining Unit: RC-063

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PREEMPTORY AMENDMENTS

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Bargaining Unit: RC-063

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NOTICE OF PEREMPTORY AMENDMENTS

| Year | Section | Number 1 | Number 2 | Number 3 | Number 4 | Number 5 | Number 6 | Number 7 | Number 8 | Number 9 | Number 10 | Number 11 | Number 12 | Number 13 | Number 14 | Number 15 | Number 16 | Number 17 | Number 18 | Number 19 | Number 20 |
|------|---------|----------|----------|----------|----------|----------|----------|----------|----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| 21   | Q       | 4537     | 4674     | 4811     | 4956     | 5213     | 5461     | 5719     | 5979     | 6229     | 6616      | 6880      |           |           |           |           |           |           |           |           |           |
| 21   | S       | 4609     | 4746     | 4884     | 5030     | 5283     | 5535     | 5792     | 6052     | 6300     | 6689      | 6957      |           |           |           |           |           |           |           |           |           |
| 22   | B       | 4588     | 4727     | 4870     | 5014     | 5275     | 5533     | 5794     | 6063     | 6314     | 6707      | 6976      |           |           |           |           |           |           |           |           |           |
| 22   | Q       | 4796     | 4940     | 5088     | 5238     | 5513     | 5784     | 6055     | 6335     | 6601     | 7009      | 7289      |           |           |           |           |           |           |           |           |           |
| 22   | S       | 4869     | 5012     | 5161     | 5314     | 5584     | 5857     | 6126     | 6409     | 6676     | 7084      | 7367      |           |           |           |           |           |           |           |           |           |
| 23   | B       | 4870     | 5014     | 5163     | 5318     | 5600     | 5887     | 6167     | 6451     | 6731     | 7154      | 7441      |           |           |           |           |           |           |           |           |           |
| 23   | Q       | 5088     | 5238     | 5397     | 5561     | 5855     | 6155     | 6444     | 6742     | 7035     | 7475      | 7774      |           |           |           |           |           |           |           |           |           |
| 23   | S       | 5161     | 5314     | 5471     | 5633     | 5926     | 6226     | 6517     | 6815     | 7106     | 7548      | 7849      |           |           |           |           |           |           |           |           |           |
| 24   | B       | 5181     | 5336     | 5495     | 5660     | 5961     | 6274     | 6574     | 6878     | 7188     | 7639      | 7944      |           |           |           |           |           |           |           |           |           |
| 24   | Q       | 5413     | 5574     | 5744     | 5917     | 6232     | 6556     | 6871     | 7186     | 7512     | 7984      | 8303      |           |           |           |           |           |           |           |           |           |
| 24   | S       | 5486     | 5647     | 5816     | 5990     | 6302     | 6627     | 6943     | 7260     | 7586     | 8056      | 8378      |           |           |           |           |           |           |           |           |           |
| 25   | B       | 5522     | 5686     | 5858     | 6033     | 6363     | 6699     | 7033     | 7367     | 7702     | 8196      | 8525      |           |           |           |           |           |           |           |           |           |
| 25   | Q       | 5770     | 5944     | 6119     | 6303     | 6650     | 6998     | 7351     | 7701     | 8050     | 8566      | 8909      |           |           |           |           |           |           |           |           |           |
| 25   | S       | 5846     | 6015     | 6197     | 6378     | 6723     | 7070     | 7422     | 7772     | 8120     | 8639      | 8985      |           |           |           |           |           |           |           |           |           |
| 26   | B       | 5835     | 6009     | 6193     | 6438     | 6790     | 7150     | 7513     | 7863     | 8217     | 8747      | 9097      |           |           |           |           |           |           |           |           |           |
| 26   | Q       | 6111     | 6296     | 6486     | 6748     | 7114     | 7491     | 7870     | 8238     | 8606     | 9163      | 9530      |           |           |           |           |           |           |           |           |           |
| 26   | S       | 6171     | 6355     | 6547     | 6812     | 7182     | 7564     | 7945     | 8316     | 8689     | 9254      | 9623      |           |           |           |           |           |           |           |           |           |

(Source: Peremptory amendment at 33 Ill. Reg. 5501, effective March 25, 2009)
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PEREMPTORY AMENDMENT

1) **Heading of the Part:** Food Stamps

2) **Code Citation:** 89 Ill. Adm. Code 121

3) **Section Number:** 121.64  
**Peremptory Action:** Amendment

4) **Reference to the Specific State or Federal Court Order, Federal Rule or Statute Which Requires this Peremptory Rulemaking:** These changes are being made to conform with provisions of the 2009 American Recovery and Reinvestment Act.

5) **Statutory Authority:** Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13]

6) **Effective Date:** April 1, 2009

7) **A Complete Description of the Subjects and Issues Involved:** This rulemaking implements provisions of the 2009 American Recovery and Reinvestment Act, signed into law by President Obama on February 17, 2009. The Act increases the maximum Food Stamp benefit amounts by 13.6%, and the minimum amount for one and two person households from $14 to $16.

8) **Does this rulemaking contain an automatic repeal date?** No

9) **Date Filed with the Index Department:** March 27, 2009

10) **A copy of the peremptory amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.**

11) **This rulemaking is in compliance with Section 5-50 of the Illinois Administrative Procedure Act.**

12) **Are there any proposed amendments pending on this Part?** Yes

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NOTICE OF PEREMPTORY AMENDMENT

121.10 Amendment 33 Ill. Reg. 4537; March 27, 2009
121.63 Amendment 33 Ill. Reg. 4537; March 27, 2009
121.120 Amendment 33 Ill. Reg. 4537; March 27, 2009
121.125 Amendment 33 Ill. Reg. 4537; March 27, 2009

13) **Statement of Statewide Policy Objectives:** This rulemaking does not create or expand a State mandate.

14) **Information and questions regarding this peremptory amendment shall be directed to:**

   Tracie Drew, Bureau Chief
   Bureau of Administrative Rules and Procedures
   Department of Human Services
   100 South Grand Avenue East
   Harris Bldg., 3rd Floor
   Springfield, IL 62762

   217/785-9772

The full text of the Peremptory Amendment begins on the next page:
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PEREMPTORY AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121
FOOD STAMPS

SUBPART A: APPLICATION PROCEDURES

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SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

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SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

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DEPARTMENT OF HUMAN SERVICES

NOTICE OF PEREMPTORY AMENDMENT

121.30 Unearned Income
121.31 Exempt Unearned Income
121.32 Education Benefits (Repealed)
121.33 Unearned Income In-Kind
121.34 Lump Sum Payments and Income Tax Refunds
121.40 Earned Income
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121.50 Exempt Earned Income
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DEPARTMENT OF HUMAN SERVICES
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121.82 Definition of Fraud (Renumbered)
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121.96 Uses For Benefits
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121.120 Redetermination of Eligibility
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121.130 Residents of Shelters for Battered Women and their Children
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SUBPART H: FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM
DEPARTMENT OF HUMAN SERVICES

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<td>121.200</td>
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<td>Establishing a Claim for Intentional Violation of the Program (Recodified)</td>
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<td>121.202</td>
<td>Establishing a Claim for Unintentional Household Errors and Administrative Errors (Recodified)</td>
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<td>121.203</td>
<td>Collecting Claim Against Households (Recodified)</td>
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<td>121.205</td>
<td>Methods of Repayment of Food Stamp Claims (Recodified)</td>
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<td>121.206</td>
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<tr>
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**SUBPART I: WORK REQUIREMENT FOR FOOD STAMPS**

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<td>Volunteer Community Work Component (Repealed)</td>
</tr>
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</table>
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121.223 Work Experience Component (Repealed)
121.224 Supportive Service Payments to Meet the Work Requirement (Repealed)
121.225 Meeting the Work Requirement with the Illinois Works Component (Repealed)
121.226 Meeting the Work Requirement with the JTPA Employability Services Component (Repealed)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PEREMPTORY AMENDMENT

DEPARTMENT OF HUMAN SERVICES

NOTICE OF PEREMPTORY AMENDMENT

DEPARTMENT OF HUMAN SERVICES

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DEPARTMENT OF HUMAN SERVICES
NOTICE OF PEREMPTORY AMENDMENT
SUBPART D: ELIGIBILITY STANDARDS

Section 121.64 Food Stamp Benefit Amount

a) The monthly food stamp benefit amount is determined by subtracting 30% of the adjusted net monthly income from the maximum monthly food stamp benefit amount.

b) Maximum Monthly Food Stamp Benefit Amount:

<table>
<thead>
<tr>
<th>Household Size</th>
<th>Amount</th>
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<tbody>
<tr>
<td>1</td>
<td>$200476</td>
</tr>
<tr>
<td>2</td>
<td>$367323</td>
</tr>
<tr>
<td>3</td>
<td>$526463</td>
</tr>
<tr>
<td>4</td>
<td>$668588</td>
</tr>
<tr>
<td>5</td>
<td>$793698</td>
</tr>
<tr>
<td>6</td>
<td>$952838</td>
</tr>
<tr>
<td>7</td>
<td>$1,052926</td>
</tr>
<tr>
<td>8</td>
<td>$1,2024958</td>
</tr>
<tr>
<td>Each additional member</td>
<td>$150432</td>
</tr>
</tbody>
</table>

As a result of the American Recovery and Reinvestment Act, the revision of the maximum food stamp benefit amounts are effective April 1, 2009. Because the March fiscal month of certain households includes days which fall in the April calendar month, the portion of the March fiscal food stamp benefit amount covering April 1st and later must be increased to reflect the new amounts.
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PEREMPTORY AMENDMENT

c) All one and two-person households will receive a minimum monthly food stamp benefit amount of $1644.

d) September Food Stamp Benefit Amount Adjustment
The annual revisions of maximum gross and net income standards, standard deduction, maximum excess shelter deduction and food stamp benefit amounts are effective October 1st of each year. Because the September fiscal month of certain households includes days which fall in the October calendar month, the portion of the September fiscal food stamp benefit amount covering October 1st and later must be increased to reflect the new standards.

(Source: Peremptory amendment at 33 Ill. Reg. 5537, effective April 1, 2009)
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PEREMPTORY AMENDMENT

1) Heading of the Part: Collections and Recoveries

2) Code Citation: 89 Ill. Adm. Code 165

3) Section Number: Peremptory Action:
   165.40 Amendment

4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute Which Requires this Peremptory Rulemaking: These changes are being made to conform with provisions of the 2009 American Recovery and Reinvestment Act.

5) Statutory Authority: Implementing and authorized by Sections 11-18, 12-4.4 and 12-13 of the Illinois Public Aid Code [305 ILCS 5/11-18, 12-4.4 and 12-13]

6) Effective Date: April 1, 2009

7) A Complete Description of the Subjects and Issues involved: This rulemaking implements provisions of the 2009 American Recovery and Reinvestment Act, signed into law by President Obama on February 17, 2009. The Act provides that food stamp units will not be subject to an overpayment for any benefit amount included as part of the temporary benefit increase granted under that Act. The 2009 American Recovery and Reinvestment Act requires that these changes go into effect April 1, 2009.

8) Does this rulemaking contain an automatic repeal date? No

9) Date Filed with the Index Department:

10) A copy of the peremptory amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

11) This rulemaking is in compliance with Section 5-50 of the Illinois Administrative Procedure Act.

12) Are there any proposed amendments pending on this Part? No

13) Statement of Statewide Policy Objective: This rulemaking does not create or expand a State mandate.

14) Information and questions regarding this peremptory amendment shall be directed to:
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PEREMPTORY AMENDMENT

Tracie Drew, Bureau Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Bldg., 3rd Floor
Springfield, IL 62762

217/785-9772

The full text of the Peremptory Amendment begins on the next page:
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PEREMPTORY AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER f: COLLECTIONS

PART 165
COLLECTIONS AND RECOVERIES

SUBPART A: GENERAL OVERPAYMENT PROVISIONS

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<td>165.10</td>
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<td>165.20</td>
<td>Determination of Financial Assistance Overpayments</td>
</tr>
<tr>
<td>165.30</td>
<td>Types of Food Stamp Overpayment Claims</td>
</tr>
<tr>
<td>165.40</td>
<td>Determination of Food Stamp Overpayments</td>
</tr>
<tr>
<td>165.42</td>
<td>Establishment of Claims for Food Stamp Overpayments</td>
</tr>
<tr>
<td>165.44</td>
<td>Acceptable Forms of Food Stamp Payments</td>
</tr>
<tr>
<td>165.50</td>
<td>Suspension and Termination of Food Stamp Claims</td>
</tr>
</tbody>
</table>

SUBPART B: COLLECTION OF FINANCIAL ASSISTANCE OVERPAYMENTS FROM CURRENT CASES

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
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<tbody>
<tr>
<td>165.70</td>
<td>Recoupment of Overpayments from Current Temporary Assistance to Needy Families (TANF), Aid to the Aged, Blind or Disabled (AABD) and General Assistance (GA) Cases</td>
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</table>

SUBPART C: COLLECTION OF FOOD STAMP OVERPAYMENTS FROM CURRENTLY PARTICIPATING HOUSEHOLDS

<table>
<thead>
<tr>
<th>Section</th>
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<tbody>
<tr>
<td>165.80</td>
<td>Initiating Collection from Currently Participating Households</td>
</tr>
<tr>
<td>165.82</td>
<td>Methods of Food Stamp Claim Repayment</td>
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<tr>
<td>165.84</td>
<td>Determination of Monthly Benefit Reduction Amount</td>
</tr>
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<td>165.86</td>
<td>Failure to Respond to Initial Demand Letter</td>
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<tr>
<td>165.88</td>
<td>Failure to Comply with Repayment Schedule (Repealed)</td>
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</tbody>
</table>

SUBPART D: COLLECTION OF OVERPAYMENTS FROM NON-RECIPIENTS
NOTICE OF PEREMPTORY AMENDMENT

Section 165.100 Collection of Overpayments from Persons Not Receiving Financial Assistance or Food Stamps
165.102 Demand for Repayment
165.104 Methods of Involuntary Repayment
165.106 Effect of Return to Active Assistance Status

AUTHORITY: Implementing and authorized by Sections 11-18, 12-4.4 and 12-13 of the Illinois Public Aid Code [305 ILCS 5/11-18, 12-4.4 and 12-13].


SUBPART A: GENERAL OVERPAYMENT PROVISIONS

Section 165.40 Determination of Food Stamp Overpayments

The Department determines the amount of a food stamp overpayment claim by comparing the correct amount of food stamp benefits, if any, the household was entitled to receive, based on actual income and expenses, to the amount actually received, beginning with the month of overpayment. The amount received which is in excess of the correct amount is the amount of the overpayment, except as described in subsection (d) of this Section. The earned income deduction is not allowed when the amount of an overpayment is calculated, if the household failed to report the earned income.

a) The determination of an intentional program violation, an inadvertent household error, or an administrative error overpayment shall not include any amount of overpayment for any month that is more than six years before the discovery date
DEPARTMENT OF HUMAN SERVICES

NOTICE OF PEREMPTORY AMENDMENT

of the overpayment.

b) Where an intentional failure to report a change in circumstances constitutes the intentional program violation, the first month of overpayment is the month the change would have been effective if it had been reported.

c) For an inadvertent household error and an administrative error overpayment, where the overpayment resulted from an unreported change or the Department's inaction on a reported change, the first month of overpayment is the month the change would have been effective had it been reported or acted on in a timely manner.

d) As provided for in the 2009 American Recovery and Reinvestment Act, the amount of any overpayment cannot include the amount of the temporary benefit increase granted under that Act.

(Source: Peremptory amendment at 33 Ill. Reg. 5549, effective April 1, 2009)
JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of March 24, 2009 through March 30, 2009 and have been scheduled for review by the Committee at its April 21, 2009 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.

<table>
<thead>
<tr>
<th>Second Notice Expires</th>
<th>Agency and Rule</th>
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<tr>
<td></td>
<td>Expires: 11/14/08</td>
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<tr>
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<td>Start Of First Notice: 32 Ill. Reg. 17619</td>
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<tr>
<td></td>
<td>JCAR Meeting: 4/21/09</td>
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<tr>
<td>5/8/09</td>
<td>Department of Children and Family Services, Department of Children and Family Services Scholarship Program (89 Ill. Adm. Code 312)</td>
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<tr>
<td></td>
<td>Expires: 10/17/08</td>
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<tr>
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<td>Start Of First Notice: 32 Ill. Reg. 16656</td>
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<tr>
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<td>JCAR Meeting: 4/21/09</td>
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<tr>
<td>5/8/09</td>
<td>Pollution Control Board, Standards and Limitations for Organic Material Emissions for Area Sources (35 Ill. Adm. Code 223)</td>
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<td>Expires: 11/7/08</td>
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<tr>
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<td>Start Of First Notice: 32 Ill. Reg. 17301</td>
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<td>JCAR Meeting: 4/21/09</td>
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<tr>
<td>5/13/09</td>
<td>Department of Children and Family Services, Reports of Child Abuse and Neglect (89 Ill. Adm. Code 300)</td>
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<td>Expires: 8/1/08</td>
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<td>Start Of First Notice: 32 Ill. Reg. 12120</td>
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<td>JCAR Meeting: 4/21/09</td>
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NOTICE OF WITHDRAWAL OF PROPOSED AMENDMENT

1) **Heading of the Part:** Medical Payment

2) **Code Citation:** 89 Ill. Adm. Code 140

3) **Section Number:** 140.402  
   **Proposed Action:** Amendment

4) **Date Notice of Proposed Amendment Published in the Illinois Register:** February 6, 2009; 33 Ill. Reg. 2051

5) **Reason for the Withdrawal:** The proposed changes to 89 Ill. Adm. Code 140.402, February 6, 2009 (33 Ill. Reg. 2051) were intended to add co-payment language for Advanced Practice Nurses and encounter clinic services to equate them with other similar non-institutional providers. The Department is now withdrawing the rulemaking for the new administration to review the policy.
DEPARTMENT OF PUBLIC HEALTH

NOTICE OF AGENCY RESPONSE TO A RECOMMENDATION OF THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES

1) Heading of the Part: Health Care Worker Background Check Code

2) Code Citation: 77 Ill. Adm. Code 955

3) Section Numbers: 955.100, 955.110, 955.115, 955.120, 955.130, 955.135, 955.140,
   955.145, 955.150, 955.160, 955.165, 955.170, 955.180, 955.190, 955.200, 955.220,
   955.230, 955.240, 955.250, 955.260, 955.270, 955.275, 955.280, 955.285,
   955.APPENDIX A, 955.APPENDIX B, 955.APPENDIX C

4) Date Notice of Proposed Amendments Published in the Register: April 4, 2008; 32 Ill.
   Reg. 4529

5) Date JCAR Statement of Recommendation Published in the Register: April 3, 2009; 33
   Ill. Reg. 5028

6) Summary of Action Taken by the Agency:

   The Joint Committee recommended that the Department of Public Health be more timely
   in updating its rules to reflect statutory changes.

   The Department agrees with the Recommendation.
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

Pursuant to Public Act 91-0016, the Illinois State Treasurer's Office is publishing the names and last known addresses of abandoned property owners whose last known addresses are allegedly in a state other than Illinois. The other state does not have a reciprocity arrangement with Illinois.

If your name or that of a person you represent appears below, you may contact this Agency for further information about the assets.

INQUIRIES MUST BE IN WRITING. The written inquiry should include the name and address as listed, and the correct name and address for reply. If inquiring about a name other than your own, you must indicate your authority to act on behalf of that person.

Address written inquiries to:

ILLINOIS STATE TREASURER'S OFFICE
UNCLAIMED PROPERTY DIVISION
P.O. Box 19495
Springfield, Illinois 62794-9495

AUTHORITY: Implementing and required by the Illinois Uniform Disposition of Unclaimed Property Act, (765 ILCS 1025/12).
NOTICE OF NAMES OF PERSONS APPEARING
TO BE OWNERS OF ABANDONED PROPERTY WHOSE
LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

ABDOOL MANSOOR 113 THE ORCHARD OMEARA RD  ARIMA
AGRO OCHOA POULTRY FARMS
    CALL BOX 11889  SAN JUAN PUERTO RICO
AHN HOSUNG 1305 HWAN HWA APT HONG JAE DONG  SEOUL
AKBAR HASSAN A326 EN BN UNIT 96040  APO
AUDIGIER MARIE J 99 RUE DE BELLEVILLE  PARIS
BACHUK ROBERT 415 BLAKE ST 4  BARRIE ON
BAGNIS MARCELO G 120 MODULO 7 501  MEXICO
BAILE PAMELA M 7A BESSELSLEIGH RD  WOOTON ABINGDON
BAKER EVELYN O PSC 80 BOX 16875  APO
BAKER KIP D PSC 80 BOX 16875  APO
BARAN ZULEYHA MANNHEIM S12
BARCIKOWKI EDWARD C
BARCLAYS BANK PLC PO BOX 333  UNITED KINGDOM
BARCLAYS BANK PLC PO BOX 333  OXFORD
BARGER A HILLEL 38 SALITT ST  ISRAEL
BARRETTE ISABELLE 1635 BOUL RATHIER  TROIS RIVIERES QC
BARTLETT DAVID B GARDEN COTTAGE PRIORY RD  BERKS UK
NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

BARTLETT PAMALA A
GARDEN COTTAGE PRIORY RD BERKS UK

BATTE LESLIE 86 BURLINGTON WAY WINNIPEG

BAZERGHI JOSEPH 177 ANDOVER BEACONSFIELD QC

BECKER GENEVIEVE 338 N VAN BOREN ST BARAUUA

BELCHER JOHN JR R PSC 2 BOX 5359 APO
BELCHER LEISA A PSC 2 BOX 5359 APO

BERRIEN COUNTY

BHROIN DEIRDRE N KILBARRON ROSSNOWLAGH DONEGAL

BIGAOUETTE CHRISTIAN 493 MONTPELLIER BEAUPORT QC

BLADEK D A 2031 UNGAUA RD NW CALGARY AB
BLADEK M J 2031 UNGAUA RD NW CALGARY AB
BLADEK O M UNGAUA RD NW CALGARY AB

BLAIRPALKA DEBORAH L 530 TECUMSEH TRL HEDGESVILLE

BLONDIN MELINA 2810 LAJOIE 2 TROIS RIVIERES QC

BOCKMAN MARY C PSC 80 BOX 14213 APO

BOIVIN LARRY 1006 PIERRE BEDARD CHICOUTIMI QC

BOUNADERE DAN 12335 FORT LORELLE MONTREAL QC
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

BRAUN HANS B
BRESLAUERSTR 9
WIESBADEN

BROCKLEHURST CRAIG
94 PORTUGAL COVE RD
ST JOHNS

BUSS DANIELA
61348 BAD HAMBURG
GERMANY

BYCA MICHAEL
28 TARRAGONE DR
KIRKLAND QC

CABRERA HERIBERO
1622 COL DEL VALLE
MEXICO

CALABASAS CITY OF

CALIFORNIA DEPARTMENT OF CORPORATION

CAP BETTY
RR 1 ACTON
ONTARIO

CAP WILLIAM
RR 1 ACTON
ONTARIO

CARDENA JOSE
2 NO 28 COL EDUCACION
MEXICO

CARIAGA CHARITO C
BOX 45
FPO

CARIAGA PATERNIO R
BOX 45
FPO

CARMICHAEL CRAIG
1724 SNAKE RD
CANADA

CASTIGLIO STEPHANIE
1208 ST ANDRE 2ND FL
MONTREAL

CERVANTES JORGE M

80 DEPTO 40 FRACCIONAMIENTO LOS GIRASOLES
MEXICO

CERVANTS JORGE M

80 DEPTO 40 FRACCIONAMIENTO LOS GIRASOLES
MEXICO
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

CHALOUPKA DALE J  PSC 78 BOX 1199 APO
CHALOUPKA ROBERTA  PSC 78 BOX 1199 APO
CHAPMAN FRANK C II  RTE DE VAUDAGNE 1670 HOUCHES
CHARLES SARA  1725 EDGE HILL APT 1 OTTAWA ON

CHICAGO TITLE OF MICHIGAN

CHOI HEEJUNG  3172602 HAN YONG APT SEOHUNDONG
CHRISTEN COLLEEN P  26 CHARING CROSS RD LONDON
CHRISTEN EDWARD L  26 CHARING CROSS RD LONDON

CLARK ERNEST

USS DWIGHT D EISENHOWER CVN 69 FPO AE FPO

COFINO OLGA  10 AVENUE 9 06 ZONA 17 CENTRAL AMERICA

CONNOLLY CHRIS  45 WALSBY DRIVE SITTINGBOURNE KENT

COOPER MICHA  16 CONCORDE GARDENS MALABAR ARIMA

CORKERN JAMES  CARRETERA N ENTRE AVE 43 & 44 ZULIA

CORKERN MERCEDES

CARRETERA N ENTRE AVE 43 & 44 ZULIA

CORPORATE RECOVERY SERVICES

2070 HADWEN RD MISSISSAGUA ONTARIO
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING
TO BE OWNERS OF ABANDONED PROPERTY WHOSE
LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

CORTES LUIS M

571 DEPTO 3 COL REFORMA IZTACCHIALTL MEXICO

COTE PAUL  2720 LESAGE  JONQUIERE QC

COUETTE AURELIE  MEXICO DF BUGAMBIOS 69

COYLE AGNES  SHEENA DRUMKEERIN CO LEITRIM

CRUMBIE KEVIN E  14 USS JOHN C STENNIS FPO

CULL FELIX F  16 TULLYORIER RD CORBET BANBRIDGE

CUMMING CHRIS  10 TANNOCH ROAD UPLAWMOOR RENFREWSHIRE

DAGORN FRANCOISE A  25 RUE DU CHENE VERT WOODFORD

DAGORN LAURENT C  25 RUE DU CHENE VERT WOODFORD

DAWE ADRIAN  14 CHURCH ROAD KNIGHTON POWYS

DENIS ROBYN  1409 PETER ST CORNWALL ON

DEPAPP JAYSON P  19 WILTON CRESCENT 1 OTTAWA ON

DEVANEY FRANCES  FRIARSTOWN DROMAHAIR CO LEIRIRM IRELAND

DIAZ MARIO V  46 DEPTO 306 COL ESCANDON MEXICO

DIRECTOR OF REVENUE MISSOURI

DOMINGUEZ AGUSTIN T

8 EJIDOS TEPEPAN 16010 D F
NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

DOMINICK HOLLIS 233 7TH AVE NORTH ST PETERSBURG
DUMOULIN YVAN 22 ROUNDTREE CRESCENT POINTE CLAIRE QC
DUNBAR LEE 375 CHERRY VALLEY RD VERNON
DUNBAR LISA C 375 CHERRY VALLEY RD VERNON
D wyER AUTUMN E 114 PTE CLAIRE AVE PTE CLAIRE QC
ELLASCHUK BEVERLY J 4035 PO BOX 5053 BELLEVILLE ON
ENGEL ANNE 5360 MACDONALD APT 405 MONTREAL
ESPIRITU HELEN 45 BALLIOT ST TORONTO ON
ESTRADA ALFREDO PINO 65 BARRIO SAN DIEGO MEXICO
EVANS HEATHER 2740 RETALLACK 2ND FL REGINA SK
FAJARDO MARCO SR A
XOTEPINGO NO 47 CD JARDIN MEXICO

FAJARDO VAZQUEZ MARCO A
XOTEPINGO NO 47 CD JARDIN MEXICO

FAUCHER ANNIE 33 PIERRE PAUL DEMARAY ST LUC QC
FILAN FINBARR 38 ASHBROOK ORANMORE GALWAY
FLEET AARON PSC 45 BOX 1409 APO
FLORES FRANCISCO 54090 CONVENTO DE TEC PAN 1A
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

FLORIDA STATE DISBURSEMENT CENTER

FLORISSI STEFANO AV JOAO PESSOA 52 SALA 33B

FOOTE BRITTANY

FORTIER LISE 7762 RENEE LASALLE

FT PUBLICATIONS 149 TOTTENHAM COURT

GALLEGOS ANNMARIE M PSC 559 BOX 5692 FPO AP

GALLEGOS MACARIO JR PSC 559 BOX 5692 FPO AP

GARDNER LINDA C 27 RANDALL RD ENGL

GATSON MICHAEL WINSGATE BISTOCK SITTINGBOURNE NR DOD

GE JIANG 365 PU JIAN ROAD JING LON SHANGHAI PRC CHINA

GHIONE FABIEN PERTUIS 343 CHEMIN DES MOULIERES

GIRERD CLAUDE 18 RUE DE VILLEVERT

GLAXCO SMITHKLINE PHARMACEUTICALS

LIMITED DR ANNIE BESANT ROAD WORLI MUMBAI

GLYNN TOMAS COROFIN CROSS CUMMER TUAM COGALAWAY IRELAND

GOTTFRIED NANCY J PO BOX 10006 PMB 381 SAIPAN

GRAFIL ALFREDO JR P VFA 27 UNIT 25392 FPO AP

GRAND TRAVERSE AUTO CO PSC 45 BOX 1409 APO
NOTICE OF NAMES OF PERSONS APPEARING
TO BE OWNERS OF ABANDONED PROPERTY WHOSE
LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

GRATON CHANTAL 60 GERARD LAVALTRIE QC
GRAY ELSPETH HENBANE CLOSE GROVE GREEN MAIDSTON
GREEN MATTHEW CRESENT EMERSON VLLY BUCKIN
GREENWOOD COLIN 2 BETHEL TERRACE HURST RD WEST YORKSHIRE
GREFVE ANNE L PITEA SWEDEN HARDARD 10 941 48
GROVE LISA 6 BARRA PLACE STEVENSTON AYRSHIRE
GUARANTEE CO OF NA 2R4 1010 DE LA GAUCHIERE MONTREAL QUEBEC
GUEVARA TED AUX DIV EA02 USS NASSAU LHA4
GUNNING ORLA LISANENNA COLLOONEY
GUTIERREZ CARLOS A 210 CASA 19 CANDELARIA COYOCAN MEXICO
GUTIERREZ JUAN E 26 COL ADOLFO PRIETO GUADALUPE NL
HAKMI ATEF S57AU HERRIES RD SHEFFIELD UK
HALO JOSEPH EST
HARGREAVES STEVE

PROSPECT COTTAGE DUNNINGTON YORK
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING
TO BE OWNERS OF ABANDONED PROPERTY WHOSE
LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

HARRIS COUNTY FIRE AND EMERGENCY

HARVEY CHRIS 17 HEATHWAY SURREY
HAVELL ELIA WIF 451 REED KINGSTREE
HEADING SARA 8 BERTIE TRRCE FLT 2 WARWICK LEAMINGTON SPA
HEBERT MICHAEL UNIT 25560 APO
HEBERT RENATE UNIT 25560 APO
HERNANDEZ CESAR PLAZA CRISTO REY MADRID 28040
HERNANDEZ JOSE A NORTE 3A 4726 COL MEXICO
HERNANDEZ JOSE E 20 FRACC VALLEDELOSPINOS MEXICO
HERNANDEZ LEON JOSE A NORTE 3 A 4726 MEXICO
HERNANDEZ REFUGIO MATAMOROS CARDENAS 18
HERNANDEZ RUBEN H 909 C CONJUNTO PUEBLA PUE CP
HERNANDEZ RUBEN H 2909 C CONJUNTO PUEBLA PUE CP
HERNANDEZ VALERIO 4 COL JARDINES DELALVA CUAILTAN ISCALI
HIAI YASUHIRO 81517 IZUMI KUMAMOTO
HOBBES KELLIE 309 3278 HEATHERST VANCOUVER BC
HODGSON DARCY PSC 80 BOX 20452 APO
HOLLIS DOMINICK 233 7TH AVE NORTH ST PETERSBURG
NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

HONG SIU SHUNG N10 LN 109 CHIEN KUO RD TAOYUAN HSIEN

HOUSTON CITY OF

HOWLAND PENNIE L PO BOX 37 ST JOHN

HUENE MELANIE HOYNINGEN TALLEE 61 OSHABRUECK

HURST DARRYL B HHC 29TH SG CMR 429 BOX 1008 APO

IGLESIA GUILLERMO 64 FRACCIONAMIENTO MEXICO

IINUMA KAZUSHIGE 578 4 MATSUHIDAI MATSUDO CHIBA

INTELLECTUAL PROPERTY SERVICES LTD

ST BK OF INDIA BLDG 2 MUDALIGE MAWATHA

IOWA INTERSTATE RAILROAD

IRISUMI TOSHIHIKI MARINHITAU 403 KAKEMAMA ICH

JAH ASIF 3480 HAVENWOOD DR APT 417 MISSISSAUGA ON

JARVIS JOHN 13 SANSPAREIL AVE MINSTER SHEPPEY KENT

JAWOREK ZYGMUNT WIOSNY LUDOW 12 MALOPOSIE POLSKA

JAWOREK ZYGMUNT WIOSNY LUDOW 12 POLSKA

JAWOREK ZYGMUNT WIOSNY LUDOW 12 MALOPOSIE POLSKA

JOHANSEN ARTHUR D BOX 124 UNIT 15449 APO

JOKSCH STEFAN HOCHLANDSTR 55 BERLIN
OFFICE OF THE TREASURER

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NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

JONES SANDRA D  PSC 80 BOX 11855  APO
JORDAN SUSAN  2 RATHBRAUGHAN PARK  SLIGO
KALISZKY ZOLTAN L  1202 YORK MILLS RD APT 1209  ONTARIO
KAMLE MY A  PO BOX 213 AIRPORT ROAD  SAUDI ARABIA
KASMYA MOHAMMED  5340 FLORAL CRESCENT  MISSISSAUGA ON
KEANEY THERESE  DERRY GRANGE  SLIGO
KEARNS TERESA  35 MCNEILL DRIVE  SLIGO
KEDILHAC NAVARRO EDWIN R
96 COLONIA TRLL GRR  TLALPAN CP
KELLY GRACE  14 GLENOUGHLY LETTERKENNY  DONEGAL
KENDRICK LAKATHY  VFA 83 UNIT 60151  FPO
KENDRICK TOREZ  VFA 83 UNIT 60151  FPO
KENNEDY RICHARD  13 FOYLE ROAD FAIRVIEW  DUBLIN
KENTUCKY STATE TREASURER
KIELY DAVID O  27 PATRICK STREET  KILKENNY ERIE
KIELY JULIAN R  27 PATRICK STREET  KILKENNY ERIE
KIM JUNG W  121ST GENERAL HOSPITAL 86  APO
KIM KYUNG M  121ST GENERAL HOSPITAL 86  APO
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

KLYMKO CAROLYN 97 CALLANDER DR ONTARIO

KORTENHORST AREND JAN 12579 ALCROSSBR DEVALE

KUZMINSKI PETER 350 FRONT ST BELLEVILLE ON

LABOSSIERE ISABELLE 3731 STE FAMILLE MONTREAL QC

LAFONTAINE MARIE F 414 CLIFFSIDE HUDSON QC

LAFRENIERE JULIE 1035 F DE LA PRAIRIE ST JEAN CHRYSTONI EC

LAMARRE MARTIN 454 P MONDOU DRUMMONDVILLE QC

LAMBERT JONATHAN 7687 OAK ST VANCOUVER BC

LANCASTER CAROL 260 MERTON ST SUITE 505 TORONTO ON

LANDRIAULT CHARLYNE 4822 PANNELT LAVAL QC

LANOUETTE KARINE 1381 CHERBOURG SHERBROOKE QC

LARA SAMUEL BOTTICELLI 67 MIXCOAC MEXICO

LAROUQUE JOSEE 20 PLACE DE LA CALEDONIE CANDIAC QC

LECLAIR DEENA 2 HAMMIL COURT APT 201 NEPEAN ON

LEONARD FINTAN 80 CHERRYWOOD AVE TORONTO ON

LICHOW AARON MICAH 35 BEER SHEVA ISRAEL

LICHOW LEONARD 35 BEER SHEVA ISRAEL

LIU SONG 4 SHANGBUZHONGLU RD
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<thead>
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<td>22 POPPY RD</td>
<td>RISBOROUGH</td>
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<td>MARTINEZ IRENE</td>
<td>28010 SANTA ENGARCIA</td>
<td>MADRID</td>
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<td>MARTINEZ LETICIA</td>
<td>245D NO 19 COL AGRICOLA</td>
<td>MEXICO</td>
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<td>MARTINEZ MANUEL P</td>
<td>210 LOMAS VALLE DORADO</td>
<td>MEXICO</td>
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<tr>
<td>MARYLAND INSTITUTE</td>
<td>ULCOMBE MAIDSTONE</td>
<td>KENT</td>
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<td>MASTERMAN AMANDA</td>
<td>USS CONSTELLATION</td>
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<td>MATINDALE ROBERT B</td>
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NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

MCCLENON ANN M PSC 2 BOX 7838 APO
MCCLENON EDWARD J PSC 2 BOX 7838 APO
MCCLINTOCK ROY E 451 REED KINGSTREE
MCCORMICK JANE UNIT 2B 1486 JOHNSON COQUITLAM
MCGEARY EILEEN 48 MOUNTAIN VIEW RD RANELAGH DUBLIN
MCGOWAN DEIRDRE 15 THE MALL SLIGO
MCTIERNAN SONYA 30 LANGAN DRIVE SLIGO
MEDINA EUGENIO O 45 CASA 1 COL DEL VALLE MEXICO
MEENMORE HANNAH M DUNGLOE COUNTY IRELAND
MEINDERS LYDIA 43 FAUGHN LANE COUNTY UNIT
MEJIA EUSTORGIO 2 CIRCUITO POETAS MEXICO

MISSOURI DIRECTOR OF REVENUE

MIYATAKE TOKUJIRO 3 CHOME HIGASHI KU OSAKA
MOORE CHRISTOPHER G 19 TUDOR COURT POINTE CLAIRE QC
MORALES ALFREDO C 22 PRADO COAPA MEXICO
MORALES OSCAR M 492 COL VERTIZ NARVAarte MEXICO
MORIKAWA TETSUYA 195403 GOKONISHI MATSUDO CHIBA
MUNOZ MARTIN CMR 467 BOX 4106 APO
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

MURPHY TONJA BOX 3136 UNIT 45013 APO
NATHAN & LEWIS 260 MADISON AVENUE NEW YORK
NATOUR TEL AVIV 53 BEN YEHUDA STREET

NAVARRETTE SERGIO F 55 APTO 14 FOVISSSTE MEXICO
NELSON BILL 11 KITTIWAKE DR TYNE AND WEAR
NESS FREDA 10 MARCHFIELD PARK EDINBURGH
NESS HENRY 10 MARCHFIELD PARK EDINBURGH
NGASSAM KATHLEEN 750 A QUERBES OUTREMONT QC

NICHOLSON JENNIFER 3519 49TH ST NW UNIT 60 CALGARY AB
NICOL KAY 61 CONNELL ROAD OYSTER BAY
NOORANI MOHAMMED 150 LAKESHORE RD WEST MISSISSAUGA ON
NORMAN KAREN 103 ORCHID VICTORIA TRINIDAD WEST INDIES

OBERNDORFF ERNA M NORTH AUSTIN
OBOYLE PATRICK S LAS PALMAS BUNGLOWS QPS COASTA RICA

OCONNELL DANIEL G IRELAND DUNGLOE
ODONNELL SEAN WUTHERING HEIGHTS 13 SLIGO
OHTA YUMI 1210 MOTNOAKAYAMA CHIBA

OKLAHOMA COUNTY RECORDER
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

OLIVEIRA BRUNO 16 RUE DE ST REMY
ONEILL CATHERINE 1255 ROLAND DESMEULES CAN
ONODERA YOICHI 203715 KAMARIYANISHI YOKOHAMA
ONTARIO LTD PO BOX 127 ESSEX ONTARIO
ORDONEZ GUSTAVO E 96 4 COLONIA PORTALES MEXICO
OSULLIVAN JOHN 127 RATHEDMOND ESTATE SLIGO
OWEN SARAH E 1141 FAIRWAY VIEWS WYND DELTA BC
OXNARD CITY OF
PARKES NUALA SLIGO
PASTERNAK WALTER
PATONE ANTONIO 17329 BOUL BRUNSWICK KIRKLAND QC
PERKIN ELMER LIFE SCIENCE INC PO BOX 751716 CHARLOTTE
PERSINGER HENRY LEE 213 KLONDIKE HWY CAN
PERSONAL SUPPORT ACTIVITY BOX 45 FPO
PETRIZ ELVIRA MARIA D PESTALOZZI 1250 MEXICO
PHILADELPHIA CITY OF
PIGOTT ANNE 2639 WEST 5TH AVE VANCOUVER BC
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING
TO BE OWNERS OF ABANDONED PROPERTY WHOSE
LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

PIM CHERYL 34 CADILLAC BLVD KIRKLAND QC
PLASENCIA JORGE V EL OLMO 106 COLONIA CIPRES TOLUCA
PLUNKETT ANTHONY 12 CASHEL DRIVE KILKENNY
POMERLEAU ANNIE 377 RUE TESSIER RIMO
PORTEOUS DOROTHY 2 CHAPEL RD BALLINDERRY LISBURN
POWELL ALEXANDRA 5 NEWBURY ROA NOTTINGHAMSHIRE
PRASCHBERGER JOHANN WALCHESEE A6344
QUEZADA MALANIO PSC 78 BOX 3566 APO
QUEZADA YOLANDA PSC 78 BOX 3566 APO
RAIMOND KEDILHAC EDWIN 96 COLONIA MEXICO
RAJA MUGASIMANGALAM 105 3RD MAIN BANGALORE
RAMIREZ FERNANDO R SUR 115 A 314 MEXICO
RAMIREZ RICARDO BOGOTA CALLE 93 1940 MEXICO
RAMIREZ RICARDO B 4A PRIV DE TRIOMAS 206 MEXICO
RAMSAY JACQUES 21 MCFARLAND RD NORTH HATLEY QC
RANDALL LORAINE RR 1
RAYWORTH SCOTT D PO BOX 927 WOLFVILLE NS
RENDON AGUILERA CARLOS E 25 COL LA MEXICO
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

REndon Carlos E 25 col la concordia Mexico

RESSLER JENNIFER 14071150 burnahy st Vancouver

RICHARD MICHAEL 35 keefer st brockville Ontario Can

RISTAU MARY

RIVER WILDERNESS COUNTRY Parrish

RIVERA HERIBERTO C 1622 col del valle Mexico

RIVERO FERNANDO SUR 115A 314 col escuadron 201 Mexico

ROD ANTONIO B 4230 delegacion Mexico

RODRIGUEZ ANTONIO B 4230 delegacion Mexico

RODRIGUEZ FERNANDO M 1 campestre Mexico

ROHRIG KAY Breckenheimer weg 16 Wiesbaden

ROSA ALTAIR A al jurupis 900 apto 141 Sao Paulo Brazil

Samarakoon Priyanka Shamal Dehiw

SAULNIER CLAUDE 364 du foyer 2 Chicoutimi QC

SAUVE MONIQUE 435 Galland 3e Dorval QC

SCHMITT FREDERIQUE 4220 st dominique Montreal QC

SCOTT CHRISTINE M PSC 80 BOX 11668 APO

SCOTT JAMES M PSC 80 BOX 11668 APO
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

SERIO BERNADETTE
SERIO JOE

SERRANO EMMANUEL 270 PALMDALE DRIVE SCARBOROUGH ON

SHIMIZU MARI 5610 SHINCHIU TAKAMATSU AICHI

SHINNO CHIE 15 YASHIKI SAKASAGAWA HIGASHISHIRAKAWA

SHIRAISHI AKIRA 229NAKAMACHI MUSASHIMOSHI TOKYO

SHOWA UNIVERSITY FUJIGAOKA HO JPN

SILVESTRY JOSE R 101ST MIBN BOX 111 APO

SILVESTRY LOURDES M 101ST MIBN BOX 111 APO

SIMPSON CHRISTIE 95 LIMERICK RD FREDERICTON

SIMPSON CHRISTIE 5679 AVENUE DE LESPLANADE MONTREAL QC

SMITH DANA J PSC 1 BOX 1640 APO

SOFTWARE MASTERS 205 FORMANS ROAD SPARKHILL BIRMINGHAM

SOLEDAD ISABEL RESENT CHIHUA

SOUTH DAKOTA STATE

SOUTHERN MINNESOTA BEET

SOUTHWEST CHICAGO CHAPTER CREDIT UNION

SOVIAK JOHN J
NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

SPIES UWE
FREIENBORNSTRABE 24
ELTVILLE

STANISLAW ELAINE

STANISLAW MICHAEL

STANLEY MAVIS
53 THORNHILL STRANDHILL RD
SLIGO

STANLEY PATRICK
CLAREOGHILL CASTLEBLAYNEY MONAGH

STATE OF TEXAS

STATE OF TEXAS DEPARTMENT OF

STONGE LOUISE
6380 FARIBAULT
MONTREAL QC

STRONG TRACY
ENG 16 PLATER LANE
OXFORD

STYNES TARA
95 CROZON PARK
SLIGO

SUGIURA TATSUTO
5201 HIGASHIKANAZAWACHO
HITACHI

TAKAE TOMI
2138 SUEHIROCHO SUITASHI OSAKA
JAPAN

TAM SUSANNE
109 2222 CASTLE DR
WHISTLER BC

TECH ION INDUSTRIAL BRAZIL SAANDAR
SAO PAULO

TELEFLEX MEDICAL IRELAND PORTADOWN
ARMAGH

TELLEZ GERARDO A
72 COL COMUNIDAD
MEXICO

TEMPLE MARY
435 NELSON ST 23
LONDON ON

TENNESSEE DEPT OF HUMAN SERVICES
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

THACKWAY HELEN 60 HANSON ROAD ABINGDON
THOME KROMER BIRGIT STRASSE KLEINMACHNOW
THORNLEY RAY 122 TUCKWELL ROAD CASTLE HILL
THORNLEY RAYMOND A 122 TUCKWELL SYDNEY
TIMMONS BARBARA A 244 SO PLUM GROVE
TORRES GERARDO L SERENO NO 49 COLINAS MEXICO
TREASURER STATE OF IOWA
TREASURER STATE OF TENNESSEE
TRETYAKOV ANDREI STUDENCHES 11 MOSCOW
TROTTIER JULIE 50 DES CONIFERES APT 305 AYLMER QC
TROUT NICOLA C PSC 41 BOX 667 APO
TROUT RONALD C PSC 41 BOX 667 APO
TSOULUHAS ANNA 6010 HUTCHISON 2 OUTREMONT QC
TURKISH PATENT INSTITUTE TURKIYE ANKARA
TURNER IRVING H 250 PARK RD PEACEFIELD
UNIV OF COLORADO
UNIV OF THE PHILIPPINES 4031 LAGUNA
VALDERRAMA ALFREDO E PINO 65 BARRIO XOCHIMILCO DF
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

VALDEZ JOSE A ALPES 34C COL ALVARO OBREGON MEXICO
VANDERLINDEN MARK 77 LOON OP ZAND NE
VEJLENS ANNA 21 MCFARLAND RD NORTH HATLEY QC
VETERANS AFFAIRS
VILLENEUVE LUC 2281 RUE LE VERSANT CANTON DE MAGOG
VILLENEUVE SYLVAIN 7 DES PATRIOTES BROMONT QC
VOLPI JEWELL MONTCLARE
WADA TERUYUKI 2247410 KOTOBUKICHO FUCHUSHI
WALCOT ELMA 88 ELEVETH STREET TORONTO ON
WARRINER VICKY 59 SYCAMORE DRIVE HIXON STAFFORDSHIRE
WATKIN JARED L 11 KYSBIE CLOSE ABINGDON
WILLIAMS HUGH 200 UNIVERSITY AVE WEST WATERLOO ONTARIO
WILLIAMS JOANNE RR 3 BROCKVILLE ON
WIRIYADAMRONG SUTTAMON 310 BLOOR TORONTO
WISCONSIN DEPARTMENT OF REVENUE
WOMERSLEY REBECCA 47 NAUTILUS DRIVE KENT
WOOD WAYNE 232 STARWOOD LANE TECUMSEH
WRIGHT PATRICK BALLYMUNAIRE BIG BALEY MORE KILLI
OFFICE OF THE TREASURER

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING TO BE OWNERS OF ABANDONED PROPERTY WHOSE LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

YALE UNIV

YAMAMOTO YASUSHI 311 NAKAJIMAKA

ZAFRA RAMIRO JOSEFA VALCARCEL MADRID

ZAPATA JORGE A 131 A REAL DE TULTEPEC MEXICO

ZAPATA SOLIS JORGE A 131 A REAL DE TULTEPEC MEXICO

ZAYAS VICTOR M 15 COL PRADOS COYOACAN MEXICO
PROCLAMATIONS

2009-97
Specialist Norman L. Cain

WHEREAS, on Sunday, March 15, Specialist Norman L. Cain, III, from Oregon, Illinois, died at age 22 of injuries sustained when an improvised explosive device detonated near his vehicle in Kot, Afghanistan, where Specialist Cain was serving in support of Operation Enduring Freedom; and

WHEREAS, Specialist Cain was assigned to D Company, 1st Battalion, 178th Infantry Regiment, 33rd Infantry Brigade Combat Team, Army National Guard, based in Woodstock, Illinois; and

WHEREAS, Specialist Cain graduated from Freeport High School in 2006 and enlisted in the National Guard in 2007; and

WHEREAS, a funeral will be held on Friday, March 27 for Specialist Cain, who is survived by his mother, his wife, Brigette, and two children:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all State facilities to fly their flags at half-staff from sunrise on March 25, 2009 until sunset on March 27, 2009 in honor and remembrance of Specialist Cain, whose selfless service and sacrifice is an inspiration.

Issued by the Governor March 20, 2009
Filed by the Secretary of State March 27, 2009

2009-98
Sergeant Robert M. Weinger

WHEREAS, on Sunday, March 15, Sergeant Robert M. Weinger, from Round Lake Beach, Illinois, died at age 24 of injuries sustained when an improvised explosive device detonated near his vehicle in Kot, Afghanistan, where Sergeant Weinger was serving in support of Operation Enduring Freedom; and

WHEREAS, Sergeant Weinger was assigned to D Company, 1st Battalion, 178th Infantry Regiment, 33rd Infantry Brigade Combat Team, Army National Guard, based in Woodstock, Illinois; and

WHEREAS, Sergeant Weinger graduated from Round Lake High School in 2002 and enlisted in the National Guard in 2006. Sergeant Weinger hoped his time in uniform would prepare him for a career as a police officer; and
WHEREAS, a funeral will be held on Sunday, March 29 for Sergeant Weinger, who is survived by his parents:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all State facilities to fly their flags at half-staff from sunrise on March 27, 2009 until sunset on March 29, 2009 in honor and remembrance of Sergeant Weinger, whose selfless service and sacrifice is an inspiration.

Issued by the Governor March 20, 2009
Filed by the Secretary of State March 27, 2009

2009-99
Sergeant Christopher P. Abeyta

WHEREAS, on Sunday, March 15, Sergeant Christopher P. Abeyta, from Midlothian, Illinois, died at age 23 of injuries sustained when an improvised explosive device detonated near his vehicle in Kot, Afghanistan, where Sergeant Abeyta was serving in support of Operation Enduring Freedom; and

WHEREAS, Sergeant Abeyta was assigned to D Company, 1st Battalion, 178th Infantry Regiment, 33rd Infantry Brigade Combat Team, Army National Guard, based in Woodstock, Illinois; and

WHEREAS, Sergeant Abeyta graduated from Bremen High School in 2003. He enlisted in the National Guard before graduation; and

WHEREAS, a funeral will be held on Saturday, March 28 for Sergeant Abeyta, who is survived by his parents:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby order all State facilities to fly their flags at half-staff from sunrise on March 26, 2009 until sunset on March 28, 2009 in honor and remembrance of Sergeant Abeyta, whose selfless service and sacrifice is an inspiration.

Issued by the Governor March 20, 2009
Filed by the Secretary of State March 27, 2009

2009-100
Braille Readers are Leaders Day
WHEREAS, since its invention by Louis Braille (1809-1852), the reading and writing code for
the blind that bears his name has become the accepted method of reading and
writing for the blind the world over; and

WHEREAS, the Braille code is used to represent not only the alphabets of most written
languages, but is also used for mathematical and scientific notation and the
reproduction of musical scores; and

WHEREAS, contrary to widely believed myths, Braille is not difficult to learn, nor is reading
Braille slower than reading print; and

WHEREAS, while technology has improved the lives of blind people by facilitating quick
access to information, no technology can replace Braille literacy, since literacy is
the ability to read and to write and to do the two interactively; and

WHEREAS, despite its efficiency, versatility, and universal acceptance by the blind, the rate of
Braille literacy in the United States has declined to the point where only 10
percent of blind children are learning the code; and

WHEREAS, just as a literacy rate of 10 percent among this nation's sighted children would be
rightly viewed as a crisis and as cause for national outrage, the decline in Braille
literacy is a crisis and swift action must be taken to reverse this dangerous trend;
and

WHEREAS, Braille is the key to independence, productivity, and success for blind people, as
evidenced by the fact that while 70 percent of the blind are unemployed, 85
percent of those who are employed use Braille; and

WHEREAS, the National Federation of the Blind, the nation's oldest and largest organization
of blind people and the leading advocate for Braille literacy in the United States,
has launched a national "Braille Readers are Leaders" campaign to promote
awareness of the importance of Braille and to increase the availability of
competent Braille instruction and Braille reading materials in this country; and

WHEREAS, a key component of this campaign is the release of a United States Louis Braille
commemorative silver dollar, proceeds from the sale of which will benefit the
efforts of the National Federation of the Blind to increase Braille literacy:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 26,
2009 as BRAILLE READERS ARE LEADERS DAY in Illinois, and I call upon all public
officials, educators, and citizens to recognize the importance of Braille to the lives of blind
people and to assist the National Federation of the Blind in its efforts to increase the instruction in and use of Braille in this State and across the nation.

Issued by the Governor March 23, 2009
Filed by the Secretary of State March 27, 2009

2009-101
American Red Cross Month

WHEREAS, in 1881, the efforts of Clara Barton led to the establishment of the American Red Cross, and now for more than a century the American Red Cross has been at the forefront of helping Americans prevent, prepare and respond to large and small disasters; and

WHEREAS, since its inception, the American Red Cross has grown into an organization which is uniquely chartered by the United States Congress to act in times of need by providing assistance to persons afflicted by local, state, national or international disasters, as well as to assist American military personnel and their families; and

WHEREAS, American Red Cross chapters in Illinois have responded to over 4,000 local emergencies, assisted over 10,000 military families, educated over 120,000 people in disaster preparedness and trained over 350,000 people in lifesaving skills such as First Aid, CPR, and Automated External Defibrillators; and

WHEREAS, the American Red Cross is committed to assuring a safe and adequate blood supply for Illinois and the entire nation by performing blood drives where volunteers are asked to donate so that blood is readily available when needed by members of our communities; and

WHEREAS, through its work, the American Red Cross, an enduring American institution, restores hope at home and throughout the world every day. Furthermore, the vital services of this humanitarian organization would not be possible without generous contributions from the American people:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 2009 as AMERICAN RED CROSS MONTH in Illinois, and encourage all Illinois citizens to support the noble efforts of the American Red Cross by giving their time, money, or blood donations to this worthy organization so that it may continue to help our communities in time of need.

Issued by the Governor March 23, 2009
Filed by the Secretary of State March 27, 2009
2009-102
Rockford Park District Day

WHEREAS, the Rockford Park District was formed on March 27, 1909, and is celebrating 100 years of parks, play and fun throughout 2009 with a series of special events and activities; and

WHEREAS, the mission of the Rockford Park District is to help people enjoy life; and

WHEREAS, park space and recreation are essential to the quality of life in our communities; and

WHEREAS, the Rockford Park District has earned national recognition for its community with its high standards for excellence; and

WHEREAS, the Rockford Park District is dedicated to providing park and recreational activities for citizens' health, wellbeing, and entertainment; and

WHEREAS, citizens have exceptional parks and recreation facilities, services, and programs provided by the Rockford Park District; and

WHEREAS, the District has demonstrated accountability, transparency, and stewardship of public assets during the past century; and

WHEREAS, the communities of Rockford, Loves Park, Cherry Valley, and New Milford are recognized as great places to live, work, and play because of the Rockford Park District:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 27, 2009 as ROCKFORD PARK DISTRICT DAY in Illinois, in recognition of their 100th anniversary of service to the community.

Issued by the Governor March 23, 2009
Filed by the Secretary of State March 27, 2009

2009-103
Keep Illinois Beautiful Month

WHEREAS, Keep Illinois Beautiful, Inc. was founded in 1994 as a State-wide affiliate of Keep America Beautiful, Inc. as a non-profit organization that works with certified
PROCLAMATIONS

affiliates in Illinois to improve the environment through education, public awareness, and community involvement; and

WHEREAS, Keep Illinois Beautiful and Affiliates have once again in 2008 reached 100 percent "Good Standing" status and have won a President's Circle Award and are continuing to grow; and

WHEREAS, Keep Illinois Beautiful has established and maintained partnerships with the Illinois Environmental Protection Agency, the Illinois Counties Solid Waste Management Association, the Illinois Beverage Association, as well as various corporate board members, including legal, accounting and public relations partners to further the organization's efforts; and

WHEREAS, Keep Illinois Beautiful has worked with its affiliates across the state on a variety of initiatives, including educating students about anti-litter efforts through the Reading for Environment Program, placing containers in downtown areas to encourage businesses to recycle, establishing a Recycling Hall of Fame Award Program, supporting a garden walk, litter prevention and landscaping programs, completing beautification projects and beginning fluorescent light bulb, prescription drug and textile recycling programs; and

WHEREAS, Earth Day is celebrated each April:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 2009 as KEEP ILLINOIS BEAUTIFUL MONTH.

Issued by the Governor March 23, 2009
Filed by the Secretary of State March 27, 2009

2009-104
Public Health Week

WHEREAS, despite the dramatic progress achieved through a century of public health advancements, our nation's health falls far short of its potential and there remains vulnerable populations in America that are not as healthy as they should be; and

WHEREAS, our country spends more on health care than any other country, yet the health system we have is failing and we have reached a point where we must examine our health system and the foundation upon which it stands; and
PROCLAMATIONS

WHEREAS, the Illinois Public Health Association is a voluntary professional society whose members strive to improve the health of Illinois residents through leadership in and advancement of the practice of public health; and

WHEREAS, April 6 – 12, 2009 has been designated as National Public Health Week by the American Public Health Association and other distinguished state and national organizations; and

WHEREAS, this year's theme for Public Health Week is "Building the Foundation for a Healthy America"; and

WHEREAS, all observances during National Public Health Week will be used to address the potential of improving our nation's health in the future by building a strong foundation today; and

WHEREAS, the observation is a cooperative effort of state and local health departments, academic institutions, allied organizations, community groups, and professional and trade associations which have joined together to promote a common interest in public health; and

WHEREAS, by recommitting ourselves to support our nation's public health system, we can build on the successes of the past and establish the solid foundation needed for a healthy nation:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 6–12, 2009 as PUBLIC HEALTH WEEK in Illinois, and encourage all citizens to take part in the events planned for this observance.

Issued by the Governor March 23, 2009
Filed by the Secretary of State March 27, 2009

2009-105
Elks National Youth Week

WHEREAS, the Benevolent and Protective Order of Elks is one of the largest and most active fraternal organizations in the world, boasting more than 1.1 million members nationwide; and

WHEREAS, the Elks are dedicated to providing youth with a future full of hope and promise by providing college scholarships to graduating high school seniors. This
continued dedication has made the Elks the largest private source of college scholarships in the nation; and

WHEREAS, in 1997, the Elks made seven promises to America's youth, among which were: sponsoring drug-free prom or graduation parties in 2,000 communities by the year 2000, developing mentoring relationships with 20,000 youth and involving 275,000 youth in community service initiatives, and donating $34.9 million a year in support of scouting, athletic programs, and other youth organizations and programs; and

WHEREAS, by making this commitment to future generations, members of the organization are taking the meaning of their motto, "Elks Care, Elks Share", to a whole new level; and

WHEREAS, the Elks Lodges of the State of Illinois will observe the first week in May as Elks National Youth week in tribute to our youth and to honor them for their achievements and contributions to the life of our communities and the state and nation as a whole; and

WHEREAS, it is our responsibility to guide, inspire and encourage our youth to go forth to serve America, our privilege to manifest a lively interest in all their activities and ambitions, and help prepare them for the duties and opportunities of citizenship, which is the objective of Elks National Youth Week:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 1-7, 2009 as ELKS NATIONAL YOUTH WEEK in Illinois, and encourage all citizens to recognize our youth for their achievements and contributions to their communities.

Issued by the Governor March 23, 2009
Filed by the Secretary of State March 27, 2009

2009-106
Order Sons of Italy/Alzheimer's Association "Partners in Progress" Day

WHEREAS, the Order Sons of Italy in America (OSIA) was established in the Little Italy neighborhood of New York City on June 22, 1905, by Vincenzo Sellaro, M.D., and five other Italian immigrants who came to the United States during the great Italian migration (1880-1923); and
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WHEREAS, their aim was to create a support system for all Italian immigrants that would assist them in becoming U.S. citizens, and providing their health/death benefits and educational opportunities; and

WHEREAS, over the years, the OSIA has achieved much success in their goals of serving the public. Not only have they established free schools and centers to teach immigrants English and to help them become citizens, but they have also instituted orphanages and homes for the elderly, and helped to raise money for those in need; and

WHEREAS, to date, OSIA members have given more than $83 million to educational programs, disaster relief, cultural advancement and medical research; and

WHEREAS, the National Council of the Order Sons of Italy in America has adopted Alzheimer's disease as one of its primary charities, and plans to support this cause by implementing a fund raising campaign throughout the nation; and

WHEREAS, joining their cause will be the Alzheimer's Association, a group that provides services to Alzheimer's patients and their families; and

WHEREAS, together, they will be holding the Illinois portion of this benevolent fundraiser on May 16, 2009. Members of the Order, along with other volunteers, will be collecting donations to help the 2.5 million Americans affected by this debilitating disease:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 16, 2009 as ORDER SONS OF ITALY/ALZHEIMER'S ASSOCIATION "PARTNERS IN PROGRESS" DAY in Illinois, and encourage all citizens to recognize and aid in the charitable work these organizations carry out for the benefit of others.

Issued by the Governor March 23, 2009
Filed by the Secretary of State March 27, 2009

2009-107
Public Works Week

WHEREAS, public works infrastructure, facilities and services are of vital importance to the health, safety and well-being of the people of Illinois; and

WHEREAS, such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers and administrators, representing state and
PROCLAMATIONS

local units of government, who are responsible for and must design, build, operate and maintain the transportation, water supply, sewage and refuse disposal systems, public buildings and other structures and facilities essential to serving our citizens; and

WHEREAS, it is in the public interest for the citizens and civic leaders of this country to gain knowledge of, and to maintain a progressive interest in the public works needs and programs of their respective communities:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 17-23, 2009 as **PUBLIC WORKS WEEK** in Illinois, and encourage all citizens to join with representatives of governmental agencies and the American Public Works Association in activities and ceremonies designed to pay tribute to public works professionals, engineers and administrators, and to recognize the substantial contributions they have made to our national health and welfare.

Issued by the Governor March 23, 2009
Filed by the Secretary of State March 27, 2009

2009-108
**National Garden Week**

WHEREAS, the Garden Clubs of Illinois, in cooperation with the National Garden Clubs, Inc., is promoting National Garden Week in Illinois; and

WHEREAS, Garden Week involves setting aside a special week to strengthen communities by encouraging citizens of all ages to work toward common goals; and

WHEREAS, among Garden Week activities are: educational programs, environmental cleanup, community beautification, flower shows, garden walks, youth activities and workshops; and

WHEREAS, the Garden Clubs of Illinois is a non-profit organization with more than 9,100 members and 199 clubs throughout Illinois; and

WHEREAS, the members are concerned citizens willing to devote their time and talents to the conservation, preservation, and beautification of our state's natural treasurers and to expand and share our knowledge for the betterment of the environment:
PROCLAMATIONS

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 1–7, 2009 as NATIONAL GARDEN WEEK in Illinois, and encourage all citizens to recognize and celebrate the importance of our state's natural wonders.

Issued by the Governor March 23, 2009
Filed by the Secretary of State March 27, 2009

2009-109
Children's Day

WHEREAS, in 1954, the United Nations Assembly suggested that all nations should observe a Universal Children's Day as a day of worldwide fraternity and understanding between children and of activity promoting the welfare of the world's children; and

WHEREAS, children hold a special place in our lives, and raising happy, healthy children is the greatest success any parent can hope to achieve; it should also be an important goal of every member of society, because children are profoundly influenced by the people and the environment around them. The strongest influence, of course, is often a child's family, but good schools and nurturing communities also play a vital role in helping children reach their full potential; and

WHEREAS, Children's Day focuses on inspiring positive action to be better parents and better role models in society and encourages individuals to think our how their actions affect future generations; and

WHEREAS, in the State of Illinois, children are a high priority and should be honored, recognized, educated, and inspired. The residents of this State should be aware of the needs of our children and help to promote a safe and healthy environment:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim October 17, 2009 as CHILDREN'S DAY in Illinois, and urge all members of the community to unite to participate in educating, recognizing, and inspiring our State's children.

Issued by the Governor March 23, 2009
Filed by the Secretary of State March 27, 2009

2009-110
ASPIRA Day
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WHEREAS, ASPIRA Inc. of Illinois was founded in 1968 as a not-for-profit organization committed to the development and self-determination of the Latino community through education and leadership development; and

WHEREAS, the organization began with the concerns of Puerto-Rican activist, Mirta Ramirez, who recognized the disproportionate number of Latino students dropping out of high school. ASPIRA began with a youth development center which continues today and serves over three thousand students each year with leadership development and academic enhancement services; and

WHEREAS, over the last forty years ASPIRA has helped thousands of underserved students enter college and hundreds of parents navigate the complex educational process; and

WHEREAS, in 2002, ASPIRA was granted a Chicago Public Schools charter and now operates four schools, with two more opening over the next year; and

WHEREAS, ASPIRA serves over 3,500 students every year through the ASPIRA Miguel del Valle Youth Development Center programs and its four unique project-based schools. Of the 1,200 current ASPIRA students, 95 percent are Latino and from low-income homes; and

WHEREAS, the services provided by ASPIRA offer state-of-the-art middle and high school technical education, college preparatory education, after-school programs, computer literacy programs for adults, career development programs, health education and family wellness programs, and truancy and gang violence prevention programs among others; and

WHEREAS, this year ASPIRA is celebrating its milestone 40th anniversary, culminating in a black tie gala benefit to be held at the Grand Ballroom of Chicago's Navy Pier on April 3:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 3, 2009 as ASPIRA DAY in Illinois, in recognition of ASPIRA's fortieth anniversary of making a positive difference in the lives of thousands of Latino youth.

Issued by the Governor March 25, 2009
Filed by the Secretary of State March 27, 2009

2009-111
Greek Independence Day
WHEREAS, in 1821, the Greeks began a War of Independence by rising up against 400 years of occupation and oppression by the Ottoman Empire; and

WHEREAS, independence was finally granted by the Treaty of Constantinople in July 1832 when Greece (Hellas) was recognized as a free country. Greeks celebrate their Independence Day annually on March 25; and

WHEREAS, the leaders of the American Revolution and the Framers of the Constitution often drew inspiration from Athenian lawgivers and philosophers. In fact, ancient Greek thought has long served as an example for representative government and free political discourse, and we continue to embrace those philosophies in our Nation today; and

WHEREAS, without a doubt, Greeks and Americans both share a love of freedom and individual rights. Bound by history, mutual respect, and common ideals, America and Greece have been firm allies in the great struggles for human liberty; and

WHEREAS, embodying the independence and creativity that have made our country strong, Greece's proud history is a source of inspiration for our Nation and our world; and

WHEREAS, this year, Greeks and Americans are coming together to celebrate the 188th anniversary of the Declaration of Independence of 1821, and the State of Illinois is proud to join with the entire Greek American community of Illinois in celebration of this significant occasion:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 25, 2009 as GREEK INDEPENDENCE DAY in Illinois, in recognition of the country's 188th Anniversary of Independence, and in tribute to all the Greek Americans who call Illinois their home.

Issued by the Governor March 25, 2009
Filed by the Secretary of State March 27, 2009

2009-112
Welcome Home Vietnam Veterans Day

WHEREAS, the Vietnam War took place in Vietnam from 1961 to 1975 in which North Vietnam and the Viet Cong were in conflict with the United States and South Vietnam; and
WHEREAS, members of the United States Armed Forces began serving in an advisory role to the people of South Vietnam in 1961, and by 1965 as a result of the Gulf of Tonkin incidents, ground combat units of the U.S. Armed Forces began to arrive in Vietnam. The number of troops on the ground peaked in 1969 at approximately 543,000; and

WHEREAS, on January 17, 1973, the Paris Peace Accords were signed requiring the release of all United States prisoners-of-war held in North Vietnam and the withdrawal of all members of the United States Armed Forces from South Vietnam. On March 30, 1973 the U.S. Armed Forces completed the withdrawal of combat troops from Vietnam; and

WHEREAS, all told, more than 58,000 members of the United States Armed Forces made the ultimate sacrifice during the Vietnam War, and more than 300,000 were injured; and

WHEREAS, as of 2005, more than 1,800 members of the U.S. Armed Forces remain unaccounted for in Vietnam and Southeast Asia, and the Department of Defense continues efforts to recover these members; and

WHEREAS, those who returned home from Vietnam were caught in the middle of a public debate about U.S. involvement in the conflict and did not have the traditional welcome home ceremonies; and

WHEREAS, veterans returning from Vietnam continue to face many problems, including health problems related to exposure to Agent Orange, prolonged risk for post-traumatic stress disorder, and homelessness; and

WHEREAS, Vietnam veterans, and all veterans, deserve the best care and treatment available. The anniversary of the end of military operations in Vietnam provides an opportunity to honor the brave members of the United States Armed Forces who served faithfully during the conflict in Vietnam:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim March 30, 2009 as WELCOME HOME VIETNAM VETERANS DAY in Illinois, in honor of all of those who served bravely and faithfully in the Vietnam War.

Issued by the Governor March 26, 2009
Filed by the Secretary of State March 27, 2009

2009-113
Armenian Martyrs Day

WHEREAS, the Armenian community, as well as the global community, remembers the Armenian Genocide, which occurred 93 years ago; and

WHEREAS, during this tragic historical period between the years of 1915 and 1923, Armenians were forced to witness the genocide of their loved ones and the loss of their ancestral homelands; and

WHEREAS, this extermination and forced relocation of over 1.5 million Armenians by the Ottoman Turks is recognized every year; and

WHEREAS, Armenians continue to be a people full of hope, courage, faith, and pride in their heritage, working together to rebuild a firm foundation for Armenia; and

WHEREAS, many of the thousands of Armenian-Americans in Illinois are descendents or survivors of the Armenian genocide, and have been forthcoming in their efforts to preserve their culture, heritage, and language, while contributing much to our state and our nation's diverse society and economy; and

WHEREAS, both recognition and education concerning past atrocities such as the Armenian Genocide are crucial in the prevention of future crimes against humanity:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 24, 2009 as ARMENIAN MARTYRS DAY in Illinois, in remembrance of the 94th Anniversary of the Armenian Genocide.

Issued by the Governor March 26, 2009
Filed by the Secretary of State March 27, 2009

Global Youth Service Days

WHEREAS, Youth Service America (YSA) is a resource center dedicated to providing local, national and global volunteer opportunities for youth ages 5 to 25; and

WHEREAS, YSA believes that "a strong youth service movement will create healthy communities, foster citizenship, knowledge and the personal development of young people"; and
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WHEREAS, there is a strong correlation between youth service and lifelong adult volunteering and philanthropy; and

WHEREAS, through community service, young people build character and learn valuable skills, including time management, teamwork, needs-assessment and leadership, that are highly sought after by employers; and

WHEREAS, service learning combines meaningful service to the community with academic curriculum to benefit both participants and the communities they serve; and

WHEREAS, Global Youth Service Days, a program of Youth Service America, is an annual public awareness and education campaign that highlights the valuable contributions that young people make to their communities throughout the year; and

WHEREAS, this event has garnered national support from many corporate, fraternal and not-for-profit organizations, including the presenting sponsor, the State Farm Companies Foundation; and

WHEREAS, this year, Global Youth Service Days, the largest service event in the world, will take place on April 24-26 in all 50 states and in more than 100 countries worldwide:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 24–26, 2009 as GLOBAL YOUTH SERVICE DAYS in Illinois, in support of Youth Service America, and to commend all young volunteers for their contributions to our communities.

Issued by the Governor March 26, 2009
Filed by the Secretary of State March 27, 2009

2009-115
Infant Immunization Awareness Week

WHEREAS, vaccines are considered one of the most safe, successful and cost effective public health tools available for preventing disease and death; and

WHEREAS, immunizations are one of the most important ways parents can protect their children against serious diseases; and

WHEREAS, children need a series of vaccinations, starting at birth, to be fully protected against 14 childhood diseases by the time they reach 2 years of age; and
WHEREAS, Vaccine-preventable diseases are at an all-time low in the country and state but these diseases still exist and continued vaccination is necessary to reach levels high enough to protect everyone from potential outbreaks; and

WHEREAS, immunization is a shared responsibility. Families, health care providers, and public health officials must work together to help protect the entire community; and

WHEREAS, National Infant Immunization Week (NIIW) focuses local and national attention on the importance of protecting infants from vaccine-preventable diseases through timely immunization and offers the opportunity to celebrate the achievements of immunization programs in promoting healthy communities; and

WHEREAS, the Illinois Department of Public Health has partnered with local health departments, including the host health agency of the Chicago Department of Public Health, the U.S. Centers for Disease Control and Prevention, the Illinois Chapter of American Academy of Pediatrics, local health coalitions, and health advocate organizations to promote and support immunization activities throughout the state; and

WHEREAS, the week of April 26, 2009, through May 2, 2009, has been declared National Infant Immunization Week to help ensure children receive all recommended vaccinations by age 2:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim April 26 through May 2, 2009, as INFANT IMMUNIZATION AWARENESS WEEK in Illinois, and encourage all citizens to spread the immunization message throughout their communities, and urge public and private health care providers, parents and caregivers in Illinois to advance the health of children by ensuring early and on-time vaccinations against preventable childhood diseases.

Issued by the Governor March 26, 2009
Filed by the Secretary of State March 27, 2009

2009-116
Postpartum Mood Disorders Awareness Month

WHEREAS, up to 80 percent of new mothers experience changes in their emotional health following childbirth, regardless of race, age, culture or socioeconomic status.
this number, 15-20 percent experience more severe symptoms, collectively known as Postpartum Mood Disorders; and

WHEREAS, in 2006, there were 180,503 live births in Illinois, resulting in an estimated 27,075-36,100 mothers who struggled with moderate to severe postpartum emotional symptoms in Illinois alone. Postpartum Mood Disorders (PPMDs) have been called "The most significant complication associated with childbirth". PPMDs interfere with mother-infant bonding and disrupt the entire family unit; and

WHEREAS, there are many forms of Postpartum Mood Disorders, including the milder "Baby Blues" and more severe Postpartum Depression, Postpartum Panic Disorder, and Postpartum Obsessive-Compulsive Disorder. The most severe disorder, Postpartum Psychosis, is a life-threatening mental illness associated with a 10 percent suicide/infanticide rate; and

WHEREAS, with proper awareness, education, intervention, and resources, Postpartum Mood Disorders are nearly 100 percent treatable; and

WHEREAS, increasing public awareness among all Illinois families on the prevalence, identification, and treatment of Postpartum Mood Disorders has significant potential to save lives and prevent the unnecessary suffering experienced by so many families following childbirth:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim May 2009 as POSTPARTUM MOOD DISORDERS AWARENESS MONTH in Illinois, in order to raise awareness of this serious and debilitating disorder that affects childbearing women and their families.

Issued by the Governor March 26, 2009
Filed by the Secretary of State March 27, 2009

2009-117
Great Outdoors Month

WHEREAS, June of each year is designated as Great Outdoors Month to highlight the numerous benefits of active fun outdoors and the magnificent shared resources of our parks, forests, refuges, and other public lands and waters; and

WHEREAS, Great Outdoors Month is an opportunity to celebrate the rich blessings of our nation's natural beauty, and to renew our commitment to protecting our
environment so that we can leave our children and grandchildren a healthy and flourishing land; and

WHEREAS, this month is also an opportunity to pay tribute to those whose hard work and dedication keep our country's open spaces beautiful and accessible to our citizens; and

WHEREAS, June also opens the active summer vacation and recreation season. Through recreational activities such as fishing, skiing, biking, and nature watching, we can teach our young people about the wonders of our state's landscapes; and

WHEREAS, experiencing Illinois' natural splendor contributes to happier and healthier lives for our citizens and a deeper appreciation for the great outdoors; and

WHEREAS, countless citizens volunteer their time and talents to protect America's natural resources. By working together, we can help preserve our local parks, lakes, rivers, and working lands; and

WHEREAS, it is fitting that during this month we should also acknowledge the dedicated efforts of all those who work to promote stewardship and conservation of our state's natural wonders:

THEREFORE, I, Pat Quinn, Governor of the State of Illinois, do hereby proclaim June 2009 as GREAT OUTDOORS MONTH in Illinois, and encourage all citizens to observe this month with appropriate programs and activities and to take time to experience and enjoy the great outdoors.

Issued by the Governor March 26, 2009
Filed by the Secretary of State March 27, 2009
# ILLINOIS ADMINISTRATIVE CODE
## Issue Index - With Effective Dates

Rules acted upon in Volume 33, Issue 15 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

### PROPOSED RULES

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### ADOPTED RULES

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### PEREMPTORY RULES

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### EXECUTIVE ORDERS AND PROCLAMATIONS

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# ORDER FORM

<table>
<thead>
<tr>
<th>□ Subscription to the Illinois Register (52 Issues)</th>
<th>$290.00 (annually)</th>
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<tbody>
<tr>
<td>□ New</td>
<td>□ Renewal</td>
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<table>
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<th>□ Electronic Version of the Illinois Register (E-mail Address Required)</th>
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<tbody>
<tr>
<td>□ New</td>
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<table>
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<th>□ Back Issues of the Illinois Register (Current Year Only)</th>
<th>$ 10.00 (each)</th>
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<tr>
<td>Volume #__________ Issue#__________ Date__________</td>
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<tr>
<th>□ Microfiche sets of the Illinois Register 1977 – 2003</th>
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<table>
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<tr>
<th>□ Cumulative/Sections Affected Indices 1990 - 2005</th>
<th>$ 5.00 (per set)</th>
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(Processing fee for credit cards purchases, if applicable.) $ 2.00

**TOTAL AMOUNT OF ORDER** $ ____________

☐ Check  Make Checks Payable To: **Secretary of State**

  ☐ VISA  ☐ Master Card  ☐ Discover  (There is a $2.00 processing fee for credit card purchases.)

  Card #: ____________________________ Expiration Date: _______

  Signature: ____________________________

**Send Payment To:** Secretary of State  **Fax Order To:** (217) 524-0308

Department of Index  
Administrative Code Division  
111 E. Monroe  
Springfield, IL  62756

<table>
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