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## INTRODUCTION

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

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

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

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

## ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2015

<b>Issue#</b>	<b>Rules Due Date</b>	<b>Date of Issue</b>
1	December 22, 2014	January 2, 2015
2	December 29, 2014	January 9, 2015
3	January 5, 2015	January 16, 2015
4	January 12, 2015	January 23, 2015
5	January 20, 2015	January 30, 2015
6	January 26, 2015	February 6, 2015
7	February 2, 2015	February 13, 2015
8	February 9, 2015	February 20, 2015
9	February 17, 2015	February 27, 2015
10	February 23, 2015	March 6, 2015
11	March 2, 2015	March 13, 2015
12	March 9, 2015	March 20, 2015
13	March 16, 2015	March 27, 2015
14	March 23, 2015	April 3, 2015
15	March 30, 2015	April 10, 2015
16	April 6, 2015	April 17, 2015
17	April 13, 2015	April 24, 2015
18	April 20, 2015	May 1, 2015
19	April 27, 2015	May 8, 2015
20	May 4, 2015	May 15, 2015
21	May 11, 2015	May 22, 2015

22	May 18, 2015	May 29, 2015
23	May 26, 2015	June 5, 2015
24	June 1, 2015	June 12, 2015
25	June 8, 2015	June 19, 2015
26	June 15, 2015	June 26, 2015
27	June 22, 2015	July 6, 2015
28	June 29, 2015	July 10, 2015
29	July 6, 2015	July 17, 2015
30	July 13, 2015	July 24, 2015
31	July 20, 2015	July 31, 2015
32	July 27, 2015	August 7, 2015
33	August 3, 2015	August 14, 2015
34	August 10, 2015	August 21, 2015
35	August 17, 2015	August 28, 2015
36	August 24, 2015	September 4, 2015
37	August 31, 2015	September 11, 2015
38	September 8, 2015	September 18, 2015
39	September 14, 2015	September 25, 2015
40	September 21, 2015	October 2, 2015
41	September 28, 2015	October 9, 2015
42	October 5, 2015	October 16, 2015
43	October 13, 2015	October 23, 2015
44	October 19, 2015	October 30, 2015
45	October 26, 2015	November 6, 2015
46	November 2, 2015	November 13, 2015
47	November 9, 2015	November 20, 2015
48	November 16, 2015	November 30, 2015
49	November 23, 2015	December 4, 2015
50	November 30, 2015	December 11, 2015
51	December 7, 2015	December 18, 2015
52	December 14, 2015	December 28, 2015

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Proposed Action:</u>
810.5	Amendment
810.10	Amendment
810.15	Amendment
810.35	Amendment
810.37	Amendment
810.45	Amendment
810.70	Amendment
810.90	Amendment
810.95	New Section
- 4) Statutory Authority: Implementing and authorized by Sections 1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35 and 25-5 of the Fish and Aquatic Life Code [515 ILCS 5/1-120, 1-125, 1-150, 5-5, 10-5, 10-10, 10-15, 10-20, 10-25, 10-30, 10-35, 10-45, 10-50, 10-60, 10-75, 10-90, 10-95, 15-50, 20-5, 20-35, 25-5, and 5/5-15]
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to: change the closed season for sport fishing harvest of yellow perch from July to May; clarify legal methods, allowed species and catch limits for bowfishing; amend statewide daily catch and size limits; amend definitions for site-specific sportfishing regulations; amend site-specific fishing regulations by water area; update the Free Fishing Days for 2015; update tournament regulations for hook and line fishing; and add a new Section pertaining to bowfishing tournament permit and tournament harvest regulations.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No

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- 11) Statement of Statewide Policy Objective: This rulemaking neither creates, nor expands, any State mandate affecting units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:  
  
Jacob Smallhorn, Legal Counsel  
Department of Natural Resources  
One Natural Resources Way  
Springfield IL 62702-1271  
  
217/785-8283
- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: None
  - C) Types of professional skills necessary for compliance: None
- 14) Regulatory Agenda on which this rulemaking was summarized: July 2014

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

Section	
810.5	Definitions
810.10	<a href="#">Sportfishing Devices, Sale of Fish and Fishing Seasons – Statewide</a>
810.14	Wanton Waste – Fish Abandonment
810.15	Statewide and Site Specific Bowfishing ( <a href="#">Archery/Spear Methods</a> ) <a href="#">Regulations</a>
810.20	Snagging
810.30	Pole and Line Fishing Only (Repealed)
810.35	Statewide Sportfishing ( <a href="#">Hook and Line and Other Non-Bowfishing or Non-Snagging Legal Methods Under a Sportfishing License</a> ) <a href="#">Regulations – Daily Catch and Size Limits</a>
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 Procedures
810.90	<a href="#">Hook and Line</a> Fishing Tournament Permit
<a href="#">810.95</a>	<a href="#">Bowfishing Tournament Permit and Tournament Harvest Regulations</a>
810.100	Bed Protection

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

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

3825, effective March 13, 1985, for a maximum of 150 days; emergency expired August 10, 1985; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendment at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency expired September 1, 1988; emergency amendment at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency expired November 4, 1988; amended at 12 Ill. Reg. 15982, effective September 27, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendment at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency expired December 11, 1989; emergency amendment at 13 Ill. Reg. 14085, effective September 4, 1989, for a maximum of 150 days; emergency expired February 1, 1990; emergency amendment at 13 Ill. Reg. 15118, effective September 11, 1989, for a maximum of 150 days; emergency expired February 8, 1990; amended at 14 Ill. Reg. 6164, effective April 17, 1990; emergency amendment at 14 Ill. Reg. 6865, effective April 17, 1990, for a maximum of 150 days; emergency expired September 19, 1990; amended at 14 Ill. Reg. 8588, effective May 21, 1990; amended at 14 Ill. Reg. 16863, effective October 1, 1990; amended at 15 Ill. Reg. 4699, effective March 18, 1991; emergency amendment at 15 Ill. Reg. 5430, effective March 27, 1991, for a maximum of 150 days; emergency expired August 24, 1991; amended at 15 Ill. Reg. 9977, effective June 24, 1991; amended at 15 Ill. Reg. 13347, effective September 3, 1991; amended at 16 Ill. Reg. 5267, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 6016, effective March 25, 1992, for a maximum of 150 days; emergency expired August 22, 1992; amended at 16 Ill. Reg. 12526, effective July 28, 1992; amended at 17 Ill. Reg. 3853, effective March 15, 1993; emergency amendment at 17 Ill. Reg. 5915, effective March 25, 1993, for a maximum of 150 days; emergency expired August 22, 1993; amended at 17 Ill. Reg. 10806, effective July 1, 1993; amended at 18 Ill. Reg. 3277, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 5667, effective March 25, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 12652, effective August 9, 1994; amended at 19 Ill. Reg. 2396, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5262, effective April 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10614, effective July 1, 1995; amended at 20 Ill. Reg. 4640, effective March 6, 1996; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 21 Ill. Reg. 9389; amended at 21 Ill. Reg. 4709, effective April 1, 1997; emergency amendment at 21 Ill. Reg. 5590, effective April 15, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 12140, effective August 26, 1997; amended at 22 Ill. Reg. 4930, effective March 2, 1998; amended at 23 Ill. Reg. 3434, effective March 8, 1999; emergency amendment at 23 Ill. Reg. 7317, effective June 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 8406, effective July 7, 1999; amended at 24 Ill. Reg. 3736, effective February 25, 2000; amended at 25 Ill. Reg. 6296, effective March 26, 2001; emergency amendment at 25 Ill. Reg. 7947, effective June 16, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 9912, effective

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

**Section 810.5 Definitions**

Aquatic life – all fish, reptiles, amphibians, mollusks, crustaceans, algae, aquatic plants, aquatic invertebrates, and any other aquatic animals or plants that the Department identifies in rules adopted after consultation with biologists, zoologists or other wildlife experts~~rawfish and mussels.~~

Catch and Release Fly Fishing – fly fishing with no harvest of target fish species permitted. Caught fish must be returned to the water immediately unharmed.

Fishing – taking or attempting to take aquatic life in any waters of the State, by any method, and all other acts such as placing, setting, drawing or using any device commonly used for the taking of aquatic life, whether resulting in taking or not. This also applies to the removal of dead and decaying aquatic life.

Pole and Line Fishing Only – fishing with hook and line methods only, excluding multiple hooks, and use of gear such as trot lines, bankpoles or jigs. Commercial and bowfishing methods are permitted on public waters, except as described in Sections 810.30 and 810.45.

Take – to lure, kill, destroy, capture, gig or spear, trap or ensnare, or attempt to do so.

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Water of the State – any water within the jurisdiction of the State of Illinois.

> – symbol means "greater than".

≥ – symbol means "greater than or equal to".

< – symbol means "less than".

≤ – symbol means "less than or equal to".

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 810.10 Sportfishing Devices, Sale of Fish and Fishing Seasons – Statewide**

- a) No fish or parts thereof (including eggs) taken by sport fishing methods (including snagging) may be bought, sold or bartered. All sportfishing devices shall be under the immediate supervision of the fisherman. Immediate supervision shall be defined as the fisherman being on the water where the sportfishing devices are being used and readily available to identify to law enforcement officers.
- b) Lake Michigan – The sport fishing season for rainbow smelt shall be from March 1 to April 30.
- c) It is unlawful to fish within 250 yards of an occupied duck or goose blind on Department-owned or -managed sites during the migratory waterfowl season.
- d) Lake Michigan, Calumet River, and the Chicago River including its North Branch, South Branch, and the North Shore Channel – the sport fishing harvest for yellow perch shall not be permitted from May 1~~July 1~~ through June 15~~July 31~~ annually.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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

- a) Legal Methods of Taking

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Carp, buffalo, suckers, gar, shad, drum and bowfin may be taken by means of a pitchfork, underwater spear gun, bow and arrow or bow and arrow device, spear or gig. Each person taking fish by these means shall possess a valid sport fishing license. Fish taken by these means shall not be sold or bartered. No other fish may be taken in this State by these means. *It is unlawful to discharge any gun or bow and arrow device along, upon, across or from any public right-of-way or highway in this State.* [\[520 ILCS 5/2.33\(r\)\]](#)

## b) Species of Fish and Catch Limit

1) Only fish species listed may be taken by bowfishing and other legal methods and in accordance with creel limits identified for each. Fish species permitted (except as noted in this subsection (b)) to be taken by bowfishing and other archery/spear fishing legal methods in Illinois waters include:

A1) Order LepisosteiformesFamily Lepisosteidae (Native Species):Spotted gar – *Lepisosteus oculatus* (Winchell)Longnose gar – *Lepisosteus osseus* (Linnaeus)Shortnose gar – *Lepisosteus platostomus* (Rafinesque)B2) Order AmiiformesFamily Amiidae (Native Species):Bowfin – *Amia calva* (Linnaeus)C3) Order CypriniformesFamily Cyprinidae (Non-Native Species):Grass carp – *Ctenopharyngodon idella* (Valenciennes)Common carp – *Cyprinus carpio* (Linnaeus)

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Silver carp – *Hypophthalmichthys molitrix* (Valenciennes)

Bighead carp – *Hypophthalmichthys nobilis* (Richardson)

Goldfish – *Carassius auratus* (Linnaeus)

[Black Carp – \*Mylopharyngodon piceus\*](#)

Family Catostomidae [\(Native Species\)](#):

River carpsucker – *Carpionodes carpio* (Rafinesque)

Quillback carpsucker – *Carpionodes cyprinus* (Lesueur)

Highfin carpsucker – *Carpionodes velifer* (Rafinesque)

White sucker – *Catostomus commersoni* (Lacepede)

Blue sucker – *Cycleptus elongates* (Lesueur)

Smallmouth buffalo – *Ictiobus bubalus* (Rafinesque)

Bigmouth buffalo – *Ictiobus cyprinellus* (Valenciennes)

Black buffalo – *Ictiobus niger* (Rafinesque)

Spotted sucker – *Minytrema melanops* (Rafinesque)

Silver redhorse – *Moxostoma anisurum* (Rafinesque)

River redhorse (State threatened) – *Moxostoma carinatum*  
(Cope) may not be legally taken; release immediately

Black redhorse – *Moxostoma duquesnei* (Lesueur)

Golden redhorse – *Moxostoma erythrurum* (Rafinesque)

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Shorthead redhorse – *Moxostoma macrolepidotum*  
(Lesueur)

Greater redhorse (State endangered) – *Moxostoma valenciennesi* (Jordan) may not be legally taken; release immediately

Family Sciaenidae (Native Species):

Freshwater drum – *Aplodinotus grunniens* (Rafinesque)

Family Clupeidae (Native Species):

Gizzard shad – *Dorosoma cepedianum* (Lesueur)

- 2) All invasive fish (legal to take with bowfishing methods) have an unlimited take limit.
- c) Asian Carp (Non-Native Species)  
No live possession of Asian carp species is permitted. Bowfishing and other legal methods are not permitted in waters listed in the site specific regulations in Section 810.45 as "2 pole and line fishing only", except as listed by notation.
- d) Waters Open to Bowfishing and Other Legal Archery and Spearfishing Methods  
*It is unlawful to discharge any gun or bow and arrow device along, upon, across or from any public right-of-way or highway in this State [520 ILCS 5/2.33(r)].*
  - 1) Illinois waters open to bowfishing and other legal methods include all public rivers and streams as noted in 17 Ill. Adm. Code 3704.Appendix A, except as noted in subsections (d)(3) through (14) ~~site specific waters as noted in Section 810.45 and all public rivers and streams as noted in 17 Ill. Adm. Code 3704.Appendix A.~~
  - 2) All public site specific waters as noted in Section 810.45.
  - 3) Mississippi River connected public (wholly accessible by boat) backwaters, including that portion of the Kaskaskia River below the navigation lock and dam, except:

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- A) Quincy Bay, including Quincy Bay Waterfowl Management Area.
  - B) Spring Lake in the Upper Mississippi River Wildlife and Fish Refuge.
  - C) Mark Twain U.S. Fish and Wildlife Service National Wildlife Refuge Waters (except by special permit).
- 4) Illinois River and connected public (wholly accessible by boat) backwaters from Route 89 highway bridge downstream, except for:
- A) U.S. Fish and Wildlife National Refuge Waters.
  - B) Donnelly/DePue Fish and Wildlife Area.
  - C) Rice Lake Complex, including all of Big Lake.
  - D) Meredosia Lake in Cass and Morgan Counties during the central zone duck season.
  - E) Clear Lake in Mason County 7 days prior to and during the central zone duck season.
  - F) Route 89 highway bridge to Starved Rock Dam for the commercial removal of Asian carp only by a limited number of restricted period contracts.
- 5) Wabash River.
- 6) Embarras River, except from Route 130 in Coles County upstream to the Harrison Street Bridge, including Lake Charleston.
- 7) Sangamon River, downstream of Belt Route 48 southwest of Decatur to mouth in Cass County.
- 8) Kaskaskia River south of Route U.S. 50 Bridge to mouth in Randolph County.
- 9) Little Wabash River.

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- 10) Big Muddy River south of State Route 14 highway bridge in Franklin County to mouth in Jackson County.
- 11) Skillet Fork.
- 12) Cache River from Route 51 downstream to the Mississippi River via Cache Diversion Channel, but not including that portion of the Cache River between the Cache Diversion Channel Levee and the Ohio River.
- 13) Saline River in Gallatin and Saline Counties.
- 14) Ohio River, except for:
  - A) Lock and Dam 52 downstream to a line perpendicular with the end of the longest lock wall, including the circular cell portion.
  - B) Lock and Dam 53 downstream to a line perpendicular with the end of the longest lock wall, including the circular cell portion.
  - C) Smithland Dam downstream to a line perpendicular to the end of the outer lock wall.
  - D) Within 50 yards of the mouth of any tributary or stream.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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

- a) Length is measured from the tip of the snout to the end of the tail with the fish laid flat on a ruler, with the mouth of the fish closed and the tail lobes pressed together.
- b) No fish species may be dressed (filleted or head and tail removed) on any waters to which length or bag limits are applicable. Regardless of where taken, no fish less than the specified minimum length or more than the daily catch shall be possessed while taking from, or on, any waters to which length or bag limits

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and/or daily catch limits apply. While taking from areas designated as "Catch and Release Only", all catch and release species must be immediately released back into the waters from which taken.

- c) Statewide limits by type of fish:
- 1) CHANNEL CATFISH  
There are no daily catch or size limits except in those waters listed under Site Specific Regulations.
  - 2) LARGEMOUTH BASS, SMALLMOUTH BASS, SPOTTED BASS
    - A) Daily catch limit is 6 bass, either singly or in the aggregate, except as specified under Site Specific Regulations.
    - B) In streams and rivers (excluding the mainstem of the Mississippi, Ohio, including the Golconda Marina and Wabash Rivers) the daily creel can contain no more than 3 smallmouth bass.
    - C) In ~~rivers and their streams and~~ tributaries statewide, except for the Mississippi, Ohio, including the Golconda Marina, Wabash and Illinois Rivers, all smallmouth bass must be immediately released between April 1 and June 15.
    - D) There is no statewide size limit.
  - 3) MUSKELLUNGE, NORTHERN PIKE AND THEIR HYBRIDS
    - A) All muskellunge and muskellunge hybrids (tiger muskie) taken must be 36"~~inches~~ in total length or longer, except as specified under Site Specific Regulations.
    - B) No more than 1 muskellunge or muskellunge hybrid (tiger muskie), either singly or in the aggregate, may be taken per day, except as specified under Site Specific Regulations.
    - C) All northern pike taken must be 24"~~inches~~ in total length or longer, except in the Mississippi River and Ohio River where there is no size limit.

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- D) No more than 3 northern pike may be taken per day, except as specified under Site Specific Regulations.
- 4) **CRAPPIE (WHITE, BLACK OR HYBRID CRAPPIE)**  
There are no catch or size limits except in those waters listed under Site Specific Regulations.
- 5) **BLUEGILL AND REDEAR SUNFISH**  
There are no catch or size limits except in those waters listed under Site Specific Regulations.
- 6) **STRIPED BASS (OCEAN ROCKFISH), WHITE BASS, YELLOW BASS AND HYBRIDS**  
There are no daily catch limits or minimum size limits for striped bass (ocean rockfish), white bass, yellow bass and their hybrids, which are less than 17"~~inches~~ in total length, except in those waters listed under Site Specific Regulations. For these fish 17"~~inches~~ in total length or longer, the daily limit is 3 fish, either singly or in the aggregate, except in the Mississippi River between Illinois and Missouri where there is a 30 fish daily creel limit for all striped, white, yellow or hybrid striped bass. In the Mississippi River between Illinois and Iowa, there is a 25 fish daily creel on striped bass, white bass, yellow bass and their hybrids, either singly or in the aggregate.
- 7) **TROUT AND SALMON**  
Daily catch limit is 5 trout or salmon, either singly or in the aggregate.
- 8) **WALLEYE, SAUGER OR THEIR HYBRID**
- A) All walleye, sauger, or their hybrid (saugeye) taken must be 14"~~inches~~ in total length or longer, except in the Mississippi River, Ohio River, Wabash River, or as specified under Site Specific Regulations.
- B) Daily catch limit is 6 walleye, sauger or their hybrid, either singly or in the aggregate, except in those waters listed under Site Specific Regulations.

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- 9) [PADDLEFISH](#)  
[Daily catch limit is 2 paddlefish.](#)

- 10) INJURIOUS SPECIES  
For injurious species, as described in 17 Ill. Adm. Code 805, there are no catch or size limits. Possession of live specimens, progeny thereof, viable eggs, or gametes is prohibited.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 810.37 Definitions for Site Specific Sportfishing Regulations**

- a) Site Specific Regulations are listed by water area affected. The coverage of the regulation is dictated by the extent of the water area listed and not by the county. In some cases, regulations for a given water area or site may extend beyond the counties listed. The counties listed refer to the location of the dam or outfall for impoundments or mouths of small streams. Since large rivers or streams usually flow through many counties, the term "Multiple" is used rather than listing all counties where the large stream or river flows.
- b) The following subsections are referred to by number in Section 810.45. Each water area listed in Section 810.45 has numbers in parentheses that explain all of the restrictions or special provisions in this Section that apply to that water area.
- 1) Anglers must not use more than 2 poles and each pole must not have more than 2 hooks or lures attached 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.

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- 4) 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 Memorial Day through Labor Day. East of Wolf Creek Road, fishing from boats is permitted from March 15 through September 30. Fishing from the bank is permitted all year only at the Wolf Creek and Route 148 causeways. On the entire lake, jugs and trotlines must be checked daily and must be removed on the last day they are used. It is illegal to use stakes to anchor any trotlines; they must be anchored only with portable weights and must be removed on the last day they are used. The taking of carp, carpsuckers, shad, drum, buffalo, gar, bowfin and suckers with spear, gig, bow and arrow or archery device is permissible.
- 5) Sport fishermen may take carp, carpsuckers, buffalo, gar, bowfin and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices.
- 6) Sport fishing is allowed in the Fox River south of the Illinois-Wisconsin line to the Algonquin Dam and the Nippersink Creek upstream to the Wilmot Road Bridge.
- 7) Sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs or spears during May and June.
- 8) Daily 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 1<sup>st</sup> Saturday in April (both dates inclusive) that were taken during that period.

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- 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 12" ~~inches~~ and less than or equal to 15" ~~inches~~ in length.
- 13) Jug fishing is permitted from the hours of sunset to sunrise and ~~t~~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, redear 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) Clinton Lake – Sport fishermen shall be allowed to use trotlines, jugs and bank poles in the portions of the lake that lie north of the Route 54 Railroad ~~Davenport~~ Bridge and northeast of the Route 48 ~~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 150 feet of any boat ramp, dock, beach or other developed recreation areas. All jugs and trotlines set in a body of water shall be under the immediate supervision of the angler.

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- 19) It shall be unlawful to enter upon a designated duck hunting area between sunset of the Sunday immediately preceding opening day of regular duck season through the day before regular duck season and Canada goose season as posted at the site, or to fish on such areas during the regular duck season except in areas posted as open to fishing. It shall be unlawful to enter upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of the regular duck season through the end of duck and Canada goose season.
- 20) Carlyle Lake (including its tributary streams and those portions of the Kaskaskia River and Hurricane Creek up to the U.S. Army Corps of Engineers Carlyle Lake Project boundaries), U.S. Army Corps of Engineers, Bond, Clinton and Fayette Counties. Does not include the tailwaters. Sport fishermen may not use a minnow seine, cast net or shad scoop for bait collecting between U.S. Route 50 and the Carlyle Lake dam and spillway.
- 21) Lake Shelbyville (including its tributary streams and those portions of the West Okaw and Kaskaskia Rivers up to Lake Shelbyville Project boundaries – including parts of the Lake Shelbyville Fish and Wildlife Management Area), U.S. Army Corps of Engineers, Shelby and Moultrie Counties. Does not include the tailwater except for the 48" total length and live bait rig requirement for muskellunge (see subsections (b)(40) and (43)).
- 22) Rend Lake (including its tributary streams and those portions of the Big Muddy and Casey Fork Rivers up to the Rend Lake Project boundaries), Rend Lake Project Ponds, U.S. Army Corps of Engineers, Franklin and Jefferson Counties. Does not include tailwaters. Sport fishermen may not use a minnow seine, cast net, or shad scoop for bait collecting within 1,000 yards downstream of the Rend Lake Dam and Spillway.
- 23) Daily 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

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greater than or equal to 20" and less than or equal to 27" in total length – protected slot limit.

- 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) Bank fishing is prohibited. Boat fishing is permitted May 1 through August 31 during the hours of 2:00 p.m. to 8:00 p.m. See site for additional regulations and exact opening and closing dates.
- 28) Trotlines may be set within 300 feet from shore.
- 29) Carp, buffalo, suckers and carpsuckers may be taken by means of pitchfork and gigs (no bow and arrow devices).
- 30) Fishing is permitted from March 15 through September 30, both dates inclusive, from sunrise to sunset. Fishing during all other times of the year is illegal and not permitted.
- 31) Daily 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.

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- 34) Sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs or spears from May 1 through August 31.
- 35) 14" minimum length limit for walleye, sauger or hybrid walleye with a protected slot (no possession) of fish 18" to 24" in total length. There is a 4 fish Daily Creel Limit of which only 1 can be greater than 24".
- 36) Sport fishermen may not use a minnow seine, minnow trap, cast net or shad scoop for bait collecting in the following water areas:
- Charleston Lower Channel Lake tailwaters from that portion of the Embarras River from the Charleston Lower Channel Lake Dam downstream to the Route 130 Bridge.
- Clinton Lake tailwaters from that portion of Salt Creek from the Clinton Dam downstream to the Route 10 Bridge
- Cook County Forest Preserve District Waters (except in the Des Plaines River)
- Lake Decatur tailwaters from that portion of the Sangamon River from the Lake Decatur Dam downstream to the Route 48 Bridge.
- 37) 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.
- 40) The 48 inch total length limit on pure muskellunge applies to that body of

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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 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 waterfowl rest areas or refuges from 10 days prior to the start of the

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regular duck season through the end of duck and Canada goose season.

- 42) During duck season, walk-in only access for fishing from the bank is permitted after 1:00 p.m.
- 43) When using live bait, all live bait in excess of 8" in total length shall be rigged with a quick set rig. The hook shall be immediately set upon the strike. A quick set rig is defined as follows: a live bait rig with up to 2 treble hooks attached anywhere on the live bait; single hooks are prohibited. This subsection (b)(43) does not apply to trotlines, jug lines, etc., if allowed on the lake.
- 44) Sport fishermen may take carp from boat by bow and arrow and bow and arrow devices, but not within 150 feet of any developed recreation areas.
- 45) Sport fishermen may take carp, buffalo, suckers and gar by bow and arrow devices, gigs or spears (except during waterfowl season) but not within 200 yards of any developed recreational areas.
- 46) All large or 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.
- 47) 14" minimum length limit for walleye, sauger or hybrid walleye with a protected slot (no possession) of fish 18" to 26" in total length. There is a 3 fish daily creel of which only 1 can be greater than 26".
- 48) Sport fishermen may take carp, buffalo, suckers and gar by bow and arrow or bow and arrow devices, gigs or spears, except when closed under site regulations (17 Ill. Adm. Code 110) and posted on site.
- 49) Length limit regulation exemptions for fishing tournaments may be allowed for any fish species found in water body.
- 50) 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 18" in total length and no more than 2 of which may be less than 14" in total length.

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(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**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.

Altamont Reservoir, City of Altamont  
Effingham County

Large or Smallmouth Bass	15" Minimum Length Limit
Large or Smallmouth Bass (14)	1 Fish Daily Creel Limit

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 <u>and Fall</u> Closed Season. <u>No harvest with Hook and Line Fishing. Catch and</u>

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Release Fishing only. Fly Fishing is permitted.-(11)

~~Apple River and tributaries, State of Illinois  
Jo Daviess County~~

~~All Fish  
Smallmouth Bass  
Trout~~

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

Argyle Lake, Argyle Lake State Park  
McDonough County

Recreational Use Restrictions

All Fish  
Bluegill or Redear Sunfish (14)  
Channel Catfish  
Hybrid Walleye  
Large or Smallmouth Bass (14)  
Trout  
White, Black, or Hybrid Crappie (15)  
White, Black, or Hybrid Crappie

- All live bait > 8" must be rigged with a quick set rig (43)  
- 2 Pole and Line Fishing Only (1)  
- 25 Fish Daily Creel Limit  
- 6 Fish Daily Creel Limit  
- 3 Fish Daily Creel Limit  
- 1 Fish > 15" and/or 5 < 12" Daily (12)  
- Fall Closed Season (10)  
- 10 Fish Daily Creel Limit  
- 9" Minimum Length Limit

Arrowhead Heights Lake, Village of Camp Point  
Adams County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
Large or Smallmouth Bass (14)

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

Arrowhead Lake, City of Johnston City  
Williamson County

All Fish  
Channel Catfish  
Large or Smallmouth Bass  
~~Large or Smallmouth Bass (14)~~  
White, Black, or Hybrid Crappie (15)

- 2 Pole and Line Fishing Only (1)  
- 6 Fish Daily Creel Limit  
- Protected Slot15" ~~Minimum~~ Length Limit  
With 1 fish >15" and/or 2 < 12"  
~~-3 Fish Daily Creel Limit~~  
- 15 Fish Daily Creel Limit

Ashland City Old Reservoir, City of Ashland

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## 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

## Axehead Lake, Cook County Forest Preserve

## 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
- 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

## 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

## 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

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- |                                      |                             |
|--------------------------------------|-----------------------------|
| 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

## 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)          |
| <del>Trout</del>              | - Spring Closed Season (11)        |

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

## Peoria/Fulton Counties

- |                                      |  |
|--------------------------------------|--|
| Recreational Use Restrictions        | - All live bait > 8" must be rigged with a quick set rig (43)    |
| All Fish                             | - 2 Pole and Line Fishing Only (1) (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 <del>(no possession)</del> |
| 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         |
| <del>Channel Catfish</del>           | - 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)

## Calhoun County

## Baumann Park Lake, City of Cherry Valley

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## 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

- 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
- 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

## Beck 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
- Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

## Belk Park Pond, City of Wood River

## Madison County

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

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Channel Catfish	- 6 Fish Daily Creel Limit
<del>Large or Smallmouth Bass</del>	<del>- 18" Minimum Length Limit</del>
<del>Large or Smallmouth Bass (14)</del>	<del>- 1 Fish Daily Creel Limit</del>

## Belleau 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)
<del>Trout</del>	- Spring Closed Season (11)
White, Black, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

## Belvidere Ponds, City of Belvidere

## 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)
<del>Trout</del>	- Spring Closed Season (11)

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

## McLean County

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

## Blue Pond, Boone County Conservation District

## Boone County

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- |   |   |
|---|---|
| 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  |
| <br>  |   |
| 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  |
| <br>  |   |
| Boston Pond, Stephen A. Forbes State Park                   |   |
| Marion County   |   |
| Trout   | - Fall Closed Season (10)   |
| <del>Trout</del>  | - Spring Closed Season (11)   |
| <br>  |   |
| 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 <del>(3)</del> <del>(no possession)</del>   |
| Large or Smallmouth Bass (14)                               | - 3 Fish Daily Creel Limit  |
| <br>  |   |
| Boyd-Wesley Park Pond, Village of Towanda                   |   |
| McLean 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  |
| Bluegill or Redear Sunfish (14)                             | - 10 Fish Daily Creel Limit   |
| <br>  |   |
| Braidwood Lake, Braidwood State Fish and Wildlife Area (41) |   |
| Will County   |   |
| Recreational Use Restrictions                               | - Braidwood Lake is closed to all fishing and boat traffic, except for legal waterfowl hunters, from 10 days prior to duck season through the day before duck |

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	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	- <del>15</del> 4" Minimum Length Limit
Large or Smallmouth Bass (14)	- <del>3</del> 4 Fish Daily Creel Limit
Striped, White or Hybrid Striped Bass (16)	- 10 Creel/3 Fish 17" or Longer Daily (17)

~~Breese~~Breeze JC's Park Pond, City of ~~Breese~~Breeze

## Clinton 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

## Buckner City Reservoir, City of Buckner

## 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

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

## Knox County

Recreational Use Restrictions	- Buffalo Prairie Pheasant Habitat Area is closed to all fishing during the northern zone upland hunting season
All Fish	- 2 Pole and Line Fishing Only (1)
Large or Smallmouth Bass (14)	- 1 Fish $\geq$ 15" and 2 Fish $<$ 15" daily (25)
Bluegill or Redear Sunfish (14)	- 10 Fish Daily Creel Limit

## Bullfrog Lake, Cook County Forest Preserve District

## Cook County

All Fish	- 2 Pole and Line Fishing Only (1) (36)
Large or Smallmouth Bass	- 14" Minimum Length Limit
Bluegill, Redear, or Pumpkinseed Sunfish (14)	- 15 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit
- Bunker Hill Lake, City of Bunker Hill  
Macoupin County
- All Fish - 2 Pole and Line Fishing Only (1)
  - Channel Catfish - 6 Fish Daily Creel Limit
- Burrells Wood Park Pond  
White County
- Channel Catfish - 6 Fish Daily Creel Limit
- Busse Lake, Cook County Forest Preserve  
Cook County
- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
  - All Fish - 2 Pole and Line Fishing Only (1) (36)
  - Bluegill, Redear, or Pumpkinseed - 15 Fish Daily Creel Limit
  - Sunfish (14)
  - Channel Catfish - 6 Fish Daily Creel Limit
  - Large or Smallmouth Bass - 14" Minimum Length Limit
  - Trout - Fall Closed Season (10)
  - Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit
  - White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit
- Cache River State Natural Area  
Pulaski/Johnson Counties
- Recreational Use Restrictions - Waterfowl Refuge or Hunting Area; no fishing in Nature Preserves – Section 8 Woods, Heron Pond/Little Black Slough
  - All Fish - 2 Pole and Line Fishing Only (1) (5)
  - All Fish - No Seines
- Calhoun Point Wildlife Management Area (19)  
Calhoun County
- Calumet River  
Cook County
- Yellow Perch - 15 Fish Daily Creel Limit
  - Yellow Perch - Closed May 1 through June 15 ~~During July~~

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

Canton Lake, City of Canton  
Fulton County

- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel or Blue Catfish (14) - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- Pure Muskellunge - 42" Minimum Length 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)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- 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) - 15 Fish Daily Creel Limit
  - White, Black, or Hybrid Crappie - 10" Minimum Length Limit
- Carthage Lake, City of Carthage  
Hancock County
- All Fish - 2 Pole and Line Fishing Only (1)
  - Channel Catfish - 6 Fish Daily 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 > 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
- Casters Pond, Boone County Conservation District  
Boone County
- All Fish - 2 Pole and Line Fishing Only
  - 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
- Cedar Lake and Little Cedar Lake, U.S. Forest Service and City of Carbondale  
Jackson County
- All Fish - 2 Pole and Line Fishing Only (1) (5)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass	- 14"-18" Protected Slot Length Limit <del>(no possession)</del>
Large or Smallmouth Bass (14)	- 5 Fish < 14" and 1 Fish > 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
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit
Centennial Park Pond, Coloma Township Park District Whiteside County	
Trout	- Fall Closed Season (10)
<del>Trout</del>	- Spring Closed Season (11)
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 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
Champaign Park District Lakes (Kaufman Lake, Heritage Lake, <a href="#">Porter Lake</a> and Mattis Lake), Champaign Park District Champaign County	
All Fish	- 2 Pole and Line Fishing Only (1)
<a href="#">Bluegill or Redear Sunfish (14)</a>	- <a href="#">15 Fish Daily Creel Limit</a>
Channel Catfish	- <del>36</del> Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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 - 3 Fish Daily Creel Limit

(16)

White, Black or Hybrid Crappie (15) - 10 Fish Daily Creel Limit for Fish < 10";  
10 Fish Daily Creel Limit for Fish  $\geq$  10"  
(23)

## Charlie Brown Lake &amp; 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

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

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Mason County

## Recreational Use Restrictions

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

## Largemouth Bass

## Chenoa City Lake, City of Chenoa

## McLean County

## All Fish

- 2 Pole and Line Fishing Only (1)

## Channel Catfish

- 6 Fish Daily Creel Limit

## 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 May 1 through June 15 ~~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

Large or Smallmouth Bass

- 15" Minimum Length Limit

Large or Smallmouth Bass (14)

- 3 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)

- ~~6 Fish Daily Creel Limit~~ 1 Fish > 15" and/or 5 Fish < 12" Daily Creel Limit (12)

## Trout

- Fall Closed Season (10)

## Clear Lake, Kickapoo State Park

## Vermilion County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- |   |  |
|---|--|
| All Fish  | - 2 Pole and Line Fishing Only (1)   |
| Channel Catfish   | - 6 Fish Daily Creel Limit   |
| Large or Smallmouth Bass (14)                             | - <del>1 Fish &gt; 15" and/or 2 Fish &lt; 15"</del> <u>12" to 15"</u><br><del>Protected Slot Length Limit (no possession); 3 Fish Daily Creel Limit of which no more than 1 fish may be &gt; 15" and no more than 2 may be &lt; 12"</del> (31) |
| Trout   | - Fall Closed Season (10)  |
| <del>Trout</del>  | - Spring Closed Season (11)  |
| Clinton Lake, Clinton Lake State Recreation Area          |  |
| DeWitt County   |  |
| All Fish  | - 2 Pole and Line Fishing Only (1) (18) (36)<br><u>(2)</u>   |
| 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 (14)                             | - 1 Fish $\geq$ 15" and 2 Fish < 15" daily (25)  |
| White, Black, or Hybrid Crappie (15)                      | - 10 Fish Daily Creel Limit  |
| White, Black, or Hybrid Crappie                           | - 10" Minimum Length Limit   |
| <del>Striped, White, or Hybrid Striped Bass</del>         | <del>17" Minimum Length Limit</del>  |
| <del>Striped, White, or Hybrid Striped Bass</del><br>(16) | <del>3 Fish Daily Creel Limit</del>  |
| 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" - <u>18 Protected Slot</u> <del>Minimum</del> Length Limit <u>(38)</u>   |

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- 1 Fish > 18" and 2 Fish < 14" Daily Creel Limit (50)

## 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 of the Director. Apply for permit by writing to: Department of Natural Resources, Division of Fisheries, One Natural Resources Way, Springfield IL 62702

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

## Cook County

- All Fish - 2 Pole and Line Fishing Only (1) (36)
- Bluegill, Redear, or Pumpkinseed - 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

## Williamson County

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

All Fish	- 2 Pole and Line Fishing Only (1)
<u>Bluegill or Redear Sunfish (14)</u>	- <u>8" Minimum Length Limit</u>
	- <u>25 Fish Daily Creel Limit</u>
<u>Trout</u>	- <u>Fall Closed Season (10)</u>

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

All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12-15" <u>Protected</u> Slot Length Limit (3)

Crab Orchard National Wildlife Refuge – Visitors Pond  
Williamson 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
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

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

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

Crawford County State Fish and Wildlife 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 County State Fish and Wildlife Co.-Cons. Area Ponds, Crawford County  
Conservation Area

Crawford County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily 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
Large or Smallmouth Bass	- 14" Minimum Length Limit
Bluegill or Redear Sunfish (14)	- 10 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)
<del>All Fish</del>	- No Seines

## Dawson Lake &amp; Park Ponds, Moraine View State Park

McLean County

All Fish	- 2 Pole and Line Fishing Only (1) (44)
Bluegill or Redear Sunfish (14)	- <del>2015</del> Fish Daily Creel Limit <u>with no more than 5 Fish &gt; 8"</u>
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass <u>(14)</u>	- <u>3 Fish Daily Creel Limit with no more than 1 Fish &gt; 15" and 2 Fish &lt; 15" Minimum Length Limit</u>
<del>Walleye, Sauger, or Hybrid Walleye (14)</del>	<del>- 6 Fish Daily Creel Limit</del>
White, Black or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Decatur Park ~~District Pond~~ ~~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<br>Fairview Park – Dreamland Pond, which<br>has a 3 Fish Daily Creel Limit) |
| <u>Large or Smallmouth Bass</u> | <u>- 14" Minimum Length Limit</u><br><u>- 1 Fish Daily Creel Limit</u>   |

## 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         |
| <del>Channel Catfish</del>                 | - 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<br>(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

- |                               |                                    |
|-------------------------------|------------------------------------|
| 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 47<sup>th</sup> Street Bridge, including tributaries)

## Cook County

- |                                     |  |
|-------------------------------------|--|
| Channel Catfish                     | - 15" Minimum Length Limit   |
| <del>Channel Catfish</del>          | - 6 Fish Daily Creel Limit   |
| Large or Smallmouth Bass            | - Catch and Release Only— <del>No Harvest</del><br><u>Permitted</u> -(9) |
| Northern Pike                       | - 30" Minimum Length Limit   |
| <del>Northern Pike</del>            | - 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   |

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Walleye, Sauger, or Hybrid Walleye (14) - 1 Fish Daily Creel Limit
- 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
- Dieterich Park Pond, City of Dieterich  
Effingham County
- All Fish - 2 Pole and Line Fishing Only (1)
  - Channel Catfish - ~~6~~ 3 Fish Daily Creel Limit
  - Large or Smallmouth Bass - 15" Minimum Length Limit
  - Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- 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
- Donnelley State Wildlife Area (33)  
Bureau County
- Double "T" State Fish and Wildlife Area, State of Illinois  
Fulton County
- Recreational Use Restrictions - Waterfowl Refuge or Hunting Area (all use other than waterfowl hunting is prohibited from October 1 through the end of the central zone Canada goose season)
  - All live bait > 8" must be rigged with a quick set rig (43)
  - All Fish - 2 Pole and Line Fishing Only (1)
  - Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- |  |   |
|--|---|
| Channel or Blue Catfish  | - 6 Fish Daily Creel Limit  |
| Large or Smallmouth Bass   | - 21" Minimum Length Limit  |
| Large or Smallmouth Bass (14)  | - 1 Fish Daily Creel Limit  |
| Pure Muskellunge   | - 42" Minimum Length Limit  |
| White, Black, or Hybrid Crappie  | - 10" Minimum Length Limit  |
| White, Black, or Hybrid Crappie (15)   | - 25 Fish Daily Creel Limit   |
| <br>   |   |
| Douglas Park Lagoon, Chicago Park District   |   |
| Cook County  |   |
| All Fish   | - 2 Pole and Line Fishing Only (1)                                    |
| Channel Catfish  | - 4 Fish Daily Creel Limit  |
| <br>   |   |
| DuPage County Forest Preserve District Lakes and Ponds (excluding Bass Lake, Deep Quarry Lake, and Grove Lake), DuPage County Forest Preserve District |   |
| DuPage County  |   |
| All Fish   | - 2 Pole and Line Fishing Only (1)                                    |
| Channel Catfish  | - 6 Fish Daily Creel Limit  |
| <del>Channel Catfish</del>   | - 12" Minimum Length Limit  |
| Large or Smallmouth Bass   | - 15" Minimum Length Limit  |
| Large or Smallmouth Bass (14)  | - 3 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   |
| <br>   |   |
| 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)                                  |
| <br>   |   |
| 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 <del>(no possession)</del> (38) |
| Large or Smallmouth Bass (14)  | - 5 Fish < 14" and <u>or</u> 1 Fish > 18" Daily Creel Limit           |

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

## Emiquon Preserve – Thompson Lake

## 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" Minimum Length Limit  
 Walleye, Sauger, or Hybrid Walleye (14) - 6 Fish Daily Creel Limit

## Evergreen Lake, City of Bloomington

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## McLean County

- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Large or Smallmouth Bass - 15" Minimum Length Limit
- Pure Muskellunge - 48" Minimum Length Limit (40)
- White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

## Fairgrounds Pond – Fort Massac State Park, State of Illinois

## Massac County

- Largemouth and Smallmouth Bass - 18" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Trout - Fall Closed Season (10)
- ~~Trout~~ - Spring Closed Season (11)

Fairview Park – Dreamland Pond, City of Decatur Park District

## Macon County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 3 Fish Daily Creel Limit
- Largemouth and Smallmouth Bass - 14" Minimum Length Limit  
- 1 Fish Daily Creel Limit
- Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit  
- 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
- 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Fletcher Park Pond, City of Mt. Zion

## Macon County

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

## Marion County

- ~~Recreational Use Restrictions~~ - ~~All live bait > 8" must be rigged with a quick set rig (43)~~
- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 14"-18" ~~Protected Slot~~ ~~Minimum~~ Length Limit (14)
- 5 Fish < 14" and/or 1 Fish > 18" (38)
- ~~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

## 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)
- Channel Catfish - 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Trout	- Fall Closed Season (10)
<del>Trout</del>	- Spring Closed Season (11)
Four Lakes, Winnebago County Forest Preserve	
Winnebago County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Trout	- Spring Closed Season (11)
	- <u>Fall Closed Season (10)</u>
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), State of Illinois	
Lake and McHenry Counties	
Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) <u>only</u> on State Park property bordering the Fox River and Grass Lake
<u>Flathead Catfish</u>	- <u>1 Fish ≥ 28" and/or 2 Fish ≥ 13" but &lt; 28" per day</u>
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)	- 4 Fish Daily Creel Limit of which only 1 can be > 24" (35)
Fox Ridge State Park (see also Hurricane Pond, Wilderness Pond and Ridge Lake)	
Coles County	

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

Multiple Counties

Flathead Catfish

- 1 Fish  $\geq$  28" and/or 2 Fish  $\geq$  13" but  $<$  28"  
per day

Smallmouth Bass

- 1 Fish  $\geq$  12"  $\geq$  and 2 Fish  $<$  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 Gregory), 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) (5)

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)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## 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)

## Calhoun County

## Fulton County Camping and Recreation Area Waters, Fulton County Board

## Fulton County

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

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

Channel Catfish - 6 Fish Daily Creel Limit

Large or Smallmouth Bass - 12"-15" Protected Slot Length Limit (no possession) [\(3\)](#)

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 - 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)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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 Jackson and Union Counties	
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" <u>Protected</u> 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) 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- |  |   |
|--|---|
| Channel or Blue Catfish (14)   | - 6 Fish Daily Creel Limit                                    |
| Large or Smallmouth Bass (14)  | - 1 Fish $\geq$ 15" and/or 2 < 12" Daily (31)                 |
| <br>Glen Oak Park Lagoon, Peoria Park District<br>Peoria County                    |   |
| All Fish   | - 2 Pole and Line Fishing Only (1)                            |
| Channel Catfish  | - 6 Fish Daily Creel Limit                                    |
| <br>Glen Shoals Lake, City of Hillsboro<br>Montgomery 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                                    |
| <del>Large or Smallmouth Bass (14)</del>   | - 1 Fish Daily Creel Limit                                    |
| Striped, White, or Hybrid Striped Bass   | - 17" Minimum Length Limit                                    |
| Striped, White, or Hybrid Striped Bass<br>(16)                                     | - 3 Fish Daily Creel Limit                                    |
| <br>Godar-Diamond/Hurricane Island Wildlife Management Area (19)<br>Calhoun County |   |
| <br>Gompers Park Lagoon, Chicago Park District<br>Cook County                      |   |
| All Fish   | - 2 Pole and Line Fishing Only (1)                            |
| Channel Catfish  | - 4 Fish Daily Creel Limit                                    |
| <br>Gordon F. More Park Lake, City of Alton<br>Madison 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)  | - 3 Fish Daily Creel Limit                                    |
| <br>Governor Bond Lake, City of Greenville<br>Bond County                          |   |
| Channel Catfish  | - All jugs must be attended at all times while<br>fishing (2) |
| Large or Smallmouth Bass   | - 15" Minimum Length Limit                                    |

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

## 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

Green Lake, Cook County Forest PreserveCook CountyTrout

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

## Greenfield City Lake, City of Greenfield

## Greene County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 25 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12"-15" Protected Slot Length Limit <del>(no possession)</del>
<del>Large or Smallmouth Bass</del>	- 5 Fish < 12" and 1 Fish > 15" Daily Creel Limit <u>(38)</u>

## 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)
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## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish	- 3 Fish Daily Creel Limit
<del>Channel Catfish</del>	- 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
Large or Smallmouth Bass	- 14" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit

## 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	- 17" Minimum Length Limit
Striped, White or Hybrid Striped Bass (16)	- 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 > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Black, White, or Hybrid Crappie (15)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- |   |   |
|---|---|
| Large or Smallmouth Bass (14)   | - 12" to 18" Protected Slot <a href="#">Length Limit</a> (no possession); 1 <a href="#">Fish</a> > 18" and 2 <a href="#">Fish</a> < 12" Daily Creel Limit (46)  |
| Pure Muskellunge  | - 48" Minimum Length 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  |
| <br>  |   |
| Helmbold Slough (19)<br>Calhoun County  |   |
| <br>  |   |
| Henderson Creek State Fish and Wildlife Area<br>Henderson County<br>Recreational Use Restrictions | - It shall be unlawful to trespass upon a designated waterfowl hunting area during the 7 days prior to regular duck season or to fish on such areas during the regular duck season except in areas posted as open to fishing; it shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of the regular duck season through the end of duck and Canada Goose season (33) |
| <br>  |   |
| Hennepin Canal – Mainline & Feeder, Hennepin Canal Parkway State Park<br>Multiple Counties        |   |
| All Fish  | - 2 Pole and Line Fishing Only (1) (13)   |
| Large or Smallmouth Bass  | - 14" Minimum Length Limit  |
| Trout   | - Fall Closed Season (10)   |
| <del>Trout</del>  | - Spring Closed Season (11)   |
| <br>  |   |
| Hennepin-Hopper Lakes, The Wetlands Initiative<br>Putnam County<br>Recreational Use Restrictions  | - All live bait > 8" must be rigged with a quick set rig (43)   |
| All Fish  | - 2 Pole and Line Fishing Only (1)  |

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Black, White or Hybrid Crappie	- 9" Minimum Length Limit
Black, White or Hybrid Crappie (15)	- 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
Pure Muskellunge	- 42" Minimum Length Limit
Walleye, Sauger or Hybrid Walleye	- 18" Minimum Length Limit
Walleye, Sauger or Hybrid Walleye (14)	- 3 Fish Daily Creel Limit
Herrin Lake #1, City of Herrin 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
Herrin Lake #2, City of Herrin 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
Hidden Springs State Forest Pond, Hidden Springs State Forest Shelby 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	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
Highland Old City Lake, City of Highland Madison 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	- Fall Closed Season (10)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Hillsboro Old City Lake, City of Hillsboro

## Montgomery County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 12"-15" <u>Protected</u> Slot Length Limit (3)

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

## Clinton County

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

## Homer Lake, Champaign County Forest Preserve District

## Champaign 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
<del>White, Black, or Hybrid Crappie</del>	<del>- 9" Minimum Length Limit</del>
<del>White, Black, or Hybrid Crappie (15)</del>	<del>- 25 Fish Daily Creel Limit</del>

## Hormel Pond, Donnelly State Fish and Wildlife Area

## Bureau County

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

## Horseshoe Lake – Alexander Co., Horseshoe Lake Conservation Area

## Alexander County

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

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

## Madison County

All Fish	- 2 Pole and Line Fishing Only (1) (5) (28)
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## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- 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 - 15 Fish Daily Creel Limit
- Sunfish (14)
- 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
- Trout - Fall Closed Season (10)  
No harvest with Hook and Line;  
Catch and Release Fly Fishing is  
permitted (11)  
- Spring Closed Season

## 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

- 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

## Illinois &amp; Michigan Canal, State of Illinois

## Grundy/LaSalle/ Will Counties

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Spring Closed Season (11)

## Illinois Beach State Park Ponds, Illinois Beach State Park

## Lake County

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

## Illinois Department of Transportation Lake, State of Illinois

## Sangamon County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Fall Closed Season (10) <a href="#">No harvest with Hook and Line; Fly Fishing is permitted</a>
<del>Trout</del>	- Spring Closed Season (11) <a href="#">No harvest with Hook and Line; Fly Fishing is permitted</a>

## Illinois River – Pool 26 (19)

## Calhoun County

Illinois River – Starved Rock ~~and Marseilles Pools~~

## LaSalle and Grundy Counties

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

## Illinois River – State of Illinois

## Multiple Counties

Large or Smallmouth Bass	- 12" Minimum Length Limit
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## Indian Boundary South Pond, Frankfort Square Park District

## Will County

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Iroquois &amp; Kankakee Rivers and their Tributaries, State of Illinois

## Multiple Counties

- Walleye, Sauger and Hybrid Walleye - 14" Minimum Length Limit
- Walleye, Sauger and Hybrid Walleye (14) - 18" to 26" Protected Slot Length Limit(~~no possession~~);
- 3 Fish Daily Creel Limit of which only 1 can be  $\geq$  26" (47)

## Island Pond, Boone County Conservation District

## Boone County

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

Jim Edgar/Panther Creek Fish and Wildlife Area, ~~Gridley Gurney~~ Road ~~Lake 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)  
[No harvest with Hook and Line; Catch and Release Fly Fishing permitted](#)
- [Fall Closed Season \(10\)](#)  
[No harvest with Hook and Line; Catch and Release Fly Fishing permitted](#)

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

Henry County

- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 6 Fish Daily 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- 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 < 14" and 1 Fish  $\geq$  18" Daily Creel Limit
- Jubilee College State Park Pond, Jubilee College State Park  
 Peoria County  
 All Fish - 2 Pole and Line Fishing Only (1)  
 Channel Catfish - 6 Fish Daily 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 - 14" Minimum Length Limit  
 Walleye, Sauger, and Hybrid Walleye (14) - 18" to 26" Protected Slot Length Limit ~~(no possession)~~;  
 - 3 Fish Daily Creel Limit of which only 1 can be  $\geq$  26" (47)
- Kankakee River, from the Kankakee Dam to the Wilmington Dam on 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 > 18" and 2 Fish < 12" Daily Creel Limit (37)
- Kaskaskia River Fish and Wildlife Area – Doza Creek Wildlife Management Area (33)  
 St.Clair County
- Kendall Co. Lake #1, Kendall County Forest Preserve District

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Kendall 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

## Kent Creek

## Winnebago County

- Trout - Catch and Release Fishing Only
- [Fly Fishing is permitted](#) (9)

## Kickapoo State Park Lakes &amp; 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) - ~~12" - 15" Protected Slot~~ Length Limit (no possession);
- 3 Fish Daily Creel Limit of which no more than 1 fish may be  $\geq 15"$  and no more than 2 may be  $< 15" + 2"$  (~~2531~~)

## Kincaid City Reservoir, City of Kincaid

## Christian 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

## Kinkaid Lake, Kinkaid Lake State Fish and Wildlife Area

## Jackson County

- Recreational Use Restrictions - All live bait  $> 8"$  must be rigged with a quick set rig (43)
- Large or Smallmouth Bass - 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## 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         |
| 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 (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) | - 3 Fish Daily Creel Limit               |
| White, Black, or Hybrid Crappie (15)        | - <del>1525</del> Fish Daily Creel Limit |

## Lake Carlton, Morrison-Rockwood State Park

## Whiteside County

- |                                      |   |
|--------------------------------------|---|
| Recreational Use Restrictions        | - All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish                             | - 2 Pole and Line Fishing Only (1)                            |
| Channel Catfish                      | - 6 Fish Daily 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                                   |

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Lake Chaminwood, Will County Forest Preserve District

## Will County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill or Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 3 Fish Daily Creel Limit
Large or Smallmouth Bass	- 18" Minimum Length Limit
Large or Smallmouth Bass (14)	- 1 Fish Daily Creel Limit
<u>White, Black, or Hybrid Crappie (15)</u>	<u>- 15 Fish Daily Creel Limit</u>

## 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
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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily 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)	- 15 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit

## Lake Kakusha, City of Mendota

## LaSalle County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily 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 Kids Only Fishing Pond, Lake Le-Aqua-Na State Park

## Stephenson County

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

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## 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" ~~and~~/or 2 < 12" Daily (31)

Lake Michigan (Illinois Portion) ~~(49)~~, 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 ~~May 1 through June 15~~ 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 Whitefish and Round Whitefish - 12 Fish (in aggregate) 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
- Trout - Spring Closed Season (11)

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

## Vermilion County

- ~~Recreational Use Restrictions~~ - ~~All live bait > 8" must be rigged with a quick set rig (43)~~
- All Fish - 2 Pole and Line Fishing Only (1) (44)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Bluegill or Redear Sunfish (14) - 20 Fish Daily Creel Limit with no more than 5 Fish  $\geq$  8"~~No more than 5 fish  $>$  7"~~  
permitted;  
unlimited daily creel for fish 7" and under
- Channel Catfish - 6 Fish Daily Creel Limit
- Large or Smallmouth Bass - 15" Protected Minimum Slot Length Limit with no more than 1 Fish  $>$  15" and 2 Fish  $<$  15" (25)
- Pure Muskellunge - 36~~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
- 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
- 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
- Lake of the Woods & Elk's Pond, Champaign County Forest Preserve District  
Champaign County
- Recreational Use Restrictions - All live bait  $>$  8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - No more than 5 fish  $>$  7" permitted;  
unlimited daily creel for fish  $\leq$  7"
- 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)
- Lake Owen, Hazel Crest Park District  
Cook County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

## Lake Paradise, City of Mattoon

## 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

## 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 > 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 < 10" and 10 Fish ≥ 10" permitted

## 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 (15) - 15 Fish Daily Creel Limit with only 5 Fish < 10" and 10 Fish ≥ 10" permitted

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Lake Shermerville, Northbrook Park District  
Cook County

All Fish	- 2 Pole and Line Fishing Only
<u>Bluegill and Redear Sunfish (14)</u>	- <u>15 Fish Daily Creel Limit</u>
Channel Catfish	- <u>36 Fish Daily Creel Limit</u>
<u>Large or Smallmouth Bass</u>	- <u>1 Fish Daily Creel Limit</u>
	- <u>15" Minimum Length Limit</u>
<u>White, Black, or Hybrid Crappie (15)</u>	- <u>15 Fish Daily Creel Limit</u>

Lake Sinnissippi (33)  
Whiteside CountyLake 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 > 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

Lake Strini, Village of Romeoville  
Will County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
<u>Trout</u>	- <u>Fall Closed Season (10)</u>

Lake Sule, Flagg-Rochelle Park District  
Ogle County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

## Lake Taylorville, City of Taylorville

## Christian County

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 Vandalia, City of Vandalia

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

## Lake Vermilion, Vermilion County Conservation District

## Vermilion County

All Fish	- 2 Pole and Line Fishing Only (1) (26) (except that sport fishermen may take carp, carpsuckers, buffalo, gar, bowfin, and suckers by pitchfork, gigs, bow and arrow or bow and arrow devices north of Boiling Springs Road, but not within 300 feet around the wetland boardwalk)
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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## 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; site regulations apply
- 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 - 10 Creel/3 Fish  $\geq$  17" Daily (17)
- (16)

## 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

## 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

## Cook County

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

~~Channel Catfish~~~~-4 Fish Daily Creel Limit~~

Lincoln Park South Lagoon, Chicago Park District

Cook County

All Fish

~~- Closed to Fishing~~  
~~2 Pole and Line Fishing~~  
~~Only (1)~~~~Channel Catfish~~~~-4 Fish Daily Creel Limit~~

Lincoln Trail Lake, Lincoln Trail State Park

Clark 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 ~~(38)~~~~(14"~~  
~~to 18" protected)~~

Large or Smallmouth Bass (14)

- 4 Creel/1 Fish  $\geq$  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  $\geq$  18" in length)

Litchfield City Lake, City of Litchfield

Montgomery County

Large or Smallmouth Bass (14)

- 3 Fish Daily Creel Limit – 1 Fish  $\geq$  15" and 2  
Fish < 15" Total Length (25)

White, Black or Hybrid Crappie (15)

- 15 Fish Daily Creel Limit

Loami Reservoir, City of Loami

Sangamon 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

Lou Yeager Lake, City of Litchfield

Montgomery 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Mackinaw Ponds 1 and; 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

- Recreational Use Restrictions - All live bait > 8" must be rigged with a quick set rig (43)
- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 3 Fish Daily 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)
- 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

Marine Heritage Lake, Village of Marine

Madison County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 25 Fish Daily Creel Limit
- Channel Catfish - 6 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

## Grundy/Kankakee/Will Counties

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

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Mechanicsburg Park Pond, City of Mechanicsburg

## Sangamon 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)	- 3 Fish Daily Creel Limit

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

## Cass County

## Meredosia Lake, Cass County Portion

## Cass County

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

Vermilion County

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

Mill Creek Lake, Clark County Park District

Clark County

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

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

Channel Catfish - 6 Fish Daily Creel Limit

Large or Smallmouth Bass (14) - ~~42~~ Fish < 15" and 1 fish ≥ 15" daily (25)

Pure Muskellunge - 42" Minimum Length Limit

White, Black, or Hybrid Crappie (15) - 25 Fish Daily Creel Limit, of which only 2 fish can be 12" or longer

Mill Pond, Pearl City Park District

Stephenson County

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

Large or Smallmouth Bass - 14" 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, Bloomington Park District

McLean 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) - 3 Fish Daily Creel Limit

Trout - Spring Closed Season (11)

Mineral Springs Park Lagoon, City of Pekin

Tazewell County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- |                 |                                    |
|-----------------|------------------------------------|
| 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 (33)

Multiple Counties

Mississippi River Pools 25 and 26 (19)

Multiple Counties

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

Multiple Counties

- |                                 |  |
|---------------------------------|--|
| Recreational Use Restrictions   | - Any tagged sport fishing device may not be left unattended for more than 24 hours or must be completely removed  |
|                                 | - Maximum treble hook size is 5/0; gaffs may not be used to land paddlefish  |
| 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 ½ hour before sunrise to ½ hour after sunset daily, March 1 through April 15 within a 500 yard downstream limit below locks and dams on the Mississippi River between Illinois and Iowa; daily catch limit is 2 fish; the maximum length limit for paddlefish taken from the Mississippi River between Illinois and Iowa is 33" eye-fork length (EFL) (all paddlefish ≥ to 33" EFL must be immediately released back to the Mississippi River); no sorting allowed; once the daily limit of paddlefish has been reached, snagging must cease |

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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 $\geq$ 17" 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 > 27" in total length
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 Pickerel, Walleye, Sauger, Paddlefish)	- 100 Total Fish Daily Creel Limit
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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Paddlefish

- Snagging for paddlefish is permitted from September 15 ~~through~~ December 15 and March 15 through May 15 within a 300 yard downstream limit below locks and dams on the Mississippi River between Illinois and Missouri except for the Chain of Rocks low water dam at Chouteau Island, also known as Dam 27 at the Chain of Rocks (Madison County) where no snagging is permitted; daily catch limit is 2 fish; sorting is permitted; every paddlefish  $\geq 24$ " in eye to fork length must be taken into immediate possession and included in the daily catch limit; paddlefish  $< 24$ " eye to fork length must be returned immediately to the water; once the daily limit of paddlefish has been reached, snagging must cease
  - Striped, White, Yellow or Hybrid Striped Bass - 30 Fish Daily Creel Limit singly or in aggregate – statewide regulation limiting daily creel to 3 fish  $\geq 17$ " is not in effect on the Mississippi River between Illinois and Missouri
  - Walleye and Sauger (14) - 8 Fish Daily Creel Limit
  - White, Black or Hybrid Crappie (15) - 30 Fish Daily Creel Limit
- Monee Reservoir, Will County Forest Preserve District  
Will 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 - 15" Minimum Length Limit
  - White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit
- Montrose Lake, City of Montrose  
Cumberland 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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

## Macoupin County

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

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

## Logan County

- All Fish - 2 Pole and Line Fishing Only (1)
- Channel Catfish - 3 Fish Daily 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" Protected Slot Length Limit (3)

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

## Jefferson 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) - 3+ 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## 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 boat traffic except for legal waterfowl hunters during waterfowl season commencing with regular duck season through the close of the Canada goose and regular duck season; fishing tournaments prohibited from June 1 through August 31
- All Fish - 2 Pole and Line Fishing Only (1) (5)  
- [Closed for Regular Shotgun Deer Season](#)
- Large or Smallmouth Bass - 18" Minimum Length Limit
- Large or Smallmouth Bass (14) - 3 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie (15) - 10 Fish Daily Creel Limit
- White, Black, or Hybrid Crappie - 10" Minimum Length Limit

## Norris City Reservoir, City of Norris City

## White 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

## 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)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED 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

Ohio River (between [IL Illinois](#) & [KY Kentucky](#)), State of Illinois

Multiple Counties

Large or Smallmouth Bass	- 12" Minimum Length Limit
Northern Pike	- No Length or Creel Limit
Muskie or Tiger Muskie	- 2 Fish Daily Creel Limit
<del>Muskie or Tiger Muskie</del>	- 30" Minimum Length Limit
Walleye, Sauger, or Hybrid Walleye (14)	- 10 Fish Daily Creel Limit
White, Black, or Hybrid Crappie (15)	- 30 Fish Daily Creel Limit
Striped, White, Yellow or Hybrid Striped Bass	- 30 Creel/4 Fish $\geq$ 15" Daily (32)
<u>Channel Catfish</u>	- <u>Only 1 Fish per day <math>\geq</math> 28"</u>
	- <u>Between 13" and 18" unlimited harvest</u>
<u>Blue and Flathead Catfish</u>	- <u>No harvest <math>&lt;</math> 13"</u>
	- <u>Only 1 Fish per day <math>\geq</math> 35"</u>
	- <u>Between 13" and 35" unlimited harvest</u>
	- <u>No harvest <math>&lt;</math> 13"</u>

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

Multiple Counties

Large <del>orange</del> Smallmouth Bass	- 12" Minimum Length Limit
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Old 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

Olsen Lake, Rock Cut State Park

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Omaha City Reservoir, City of Omaha

## 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

## Omaha Township Reservoir, City of Omaha

## 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 > 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 - 10 Creel/3 Fish  $\geq$  17" (17)
- (16)
- Pure Muskellunge - 48" Minimum Length Limit (40)

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

## Cook County

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

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

## Macoupin County

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- |  |   |
|--|---|
| Recreational Use Restrictions  | - All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish   | - 2 Pole and Line Fishing Only (1)                            |
| Channel Catfish  | - 6 Fish Daily 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 Willow Lake for additional regulations) |   |
| St Clair 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)  | - 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                                    |
| 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)   |   |
| Madison/Jersey Counties  |   |
| Pierce Lake, Rock Cut State Park   |   |
| Winnebago County   |   |
| Recreational Use Restrictions  | - All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish   | - 2 Pole and Line Fishing Only (1) (7)                        |

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish	- 6 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 (40)
White, Black, or Hybrid Crappie (15)	- 25 Fish Daily Creel Limit

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)
	<u>No harvest with Hook and Line; Catch and Release Fly Fishing permitted</u>
	- <u>Fall Closed Season (10)</u>
	<u>No harvest with Hook and Line; Catch and Release Fly Fishing permitted</u>

~~Pine Lake, Village of University Park  
Will County~~

<del>All Fish</del>	<del>- 2 Pole and Line Fishing Only (1)</del>
<del>Channel Catfish</del>	<del>- 6 Fish Daily Creel Limit</del>

Piscasaw Creek  
McHenry County

<del>Trout</del>	<del>- 9" Minimum Length Limit</del>
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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Striped, White, or Hybrid Striped Bass - 3 Fish Daily Creel Limit  
(16)

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

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 - 10 Creel/3 Fish  $\geq$  17" Daily (17)  
(16)  
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)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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 live bait <del>&gt;in excess of</del> 8" must be rigged with a quick set rig (43)  |
| All Fish                             | - 2 Pole and Line Fishing Only (1) (5)   |
| Bluegill or Redear Sunfish (14)      | - 25 Fish Daily Creel Limit  |
| Channel Catfish                      | - 6 Fish Daily Creel Limit   |
| Large or Smallmouth Bass             | - 14" to 18" Protected Slot <del>(Length Limit</del> <u>Length Limit</u> <del>(38)no possession)</del>   |
| Large or Smallmouth Bass (14)        | - 1 Fish > 18" and 5 Fish < 14" <del>(40)</del>  |
| Pure Muskellunge                     | - 48" Minimum Length 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 live bait > 8" must be rigged with a quick set rig (43)  |
| All Fish                             | - 2 Pole and Line Fishing Only (1) (5)   |
| Bluegill or Redear Sunfish (14)      | - 25 Fish Daily Creel Limit  |
| Channel Catfish                      | - 6 Fish Daily Creel Limit   |
| Large or Smallmouth Bass             | - 14" to 18" Protected Slot <u>Length Limit</u> <del>(38)no possession)</del>  |
| Large or Smallmouth Bass (14)        | - 1 Fish > 18" and 5 Fish < 14" (40)   |
| Pure Muskellunge                     | - 48" Minimum Length Limit   |
| White, Black, or Hybrid Crappie (15) | - 25 Fish Daily Creel Limit  |

Pyramid State Park Lakes & Ponds (excluding Captain, Denmark, Gallum and East Conant Areas), Pyramid State Park

Perry County

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- |  |   |
|--|---|
| Channel Catfish  | - 6 Fish Daily Creel Limit  |
| Large or Smallmouth Bass   | - 14" to 18" Protected Slot <u>Length Limit</u><br><u>(38)(no possession)</u> |
| Large or Smallmouth Bass (14)  | - 1 Fish > 18" and 5 Fish < 14" (40)  |
| Raccoon Lake, City of Centralia<br>Marion County                           |   |
| Large or Smallmouth Bass   | - 15" Minimum Length Limit  |
| Ramsey Lake, Ramsey Lake State Park<br>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<br>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<br>Randolph 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)   |
| Red Hills Lake, Red Hills State Park<br>Lawrence 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  |
| Red's Landing Wildlife Management Area (19)                                |   |

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## 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 $\geq$ 17" Daily                         |
| White, Black or Hybrid Crappie (15)                | - 25 Creel/10 Fish $\geq$ 10" 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

- |                                 |                                    |
|---------------------------------|------------------------------------|
| 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

- |                          |   |
|--------------------------|---|
| 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)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## 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)  |
| <del>Bluegill or Redear Sunfish</del>    | <del>- 8" Minimum Length Limit</del>  |
| Bluegill or Redear Sunfish (14)          | - <del>15</del> 10 Fish Daily Creel Limit   |
| Channel Catfish                          | - 6 Fish Daily Creel Limit  |
| Large or Smallmouth Bass                 | - 15" <del>Protected Minimum Slot</del> Length Limit<br><u>with no more than 1 Fish <math>\geq</math> 15" and 2 Fish <math>&lt;</math> 15" (25)</u> |
| <del>Large or Smallmouth Bass (14)</del> | <del>- 1 Fish Daily Creel Limit</del>   |
| 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        |
| 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) |
|---------|--|

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Walleye and Sauger (14) - 6 Fish Daily Creel Limit with no more than 1 walleye > 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)  
Channel Catfish - 6 Fish Daily Creel Limit
- Route 6 Quarries (East and West), Will County Forest Preserve District  
Will County  
All Fish - 2 Pole and Line Fishing Only (1)  
Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit  
Channel Catfish - 3 Fish Daily Creel Limit  
Large or Smallmouth Bass - 18" Minimum Length Limit  
Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Route 154 Day Use Pond, State of Illinois  
Randolph County  
All Fish - 2 Pole and Line Fishing Only (1)

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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
<del>Rainbow</del> 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

Recreational Use Restrictions	- All live bait > 8" must be rigged with a quick set rig (43)
All Fish	- 2 Pole and Line Fishing Only (1) (5)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 14" Minimum Length Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- Pure Muskellunge - 48" Minimum Length Limit
- Sam Dale Trout Pond, Sam Dale Conservation Area  
Wayne County
- All Fish - 2 Pole and Line Fishing Only (1)
  - Channel Catfish - 6 Fish Daily 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
- Large or Smallmouth Bass - 12" Minimum Length Limit
- Sangchris Lake, Sangchris Lake State Park  
Christian/Sangamon Counties
- Recreational Use Restrictions - Posted waterfowl refuge closed to all boat traffic during waterfowl season. Bank fishing along the dam shall be permitted. Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season.

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

<p>All Fish            Large or Smallmouth Bass            Large or Smallmouth Bass (14)            White, Black, or Hybrid Crappie (15)            White, Black, or Hybrid Crappie</p>	<p>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</p> <ul style="list-style-type: none"> <li>- 2 Pole and Line Fishing Only (1) (45)</li> <li>- 15" Minimum Length Limit</li> <li>- 3 Fish Daily Creel Limit</li> <li>- 10 Fish Daily Creel Limit</li> <li>- 10" Minimum Length Limit</li> </ul>
<p><del>Sangehris Lake Park Ponds, Sangehris Lake State Park            Sangamon County</del></p>	
<p><del>All Fish</del></p>	<p><del>- 2 Pole and Line Fishing Only (1)</del></p>
<p>Schiller Pond, Cook County Forest Preserve District            Cook County</p>	
<p>All Fish            Bluegill, Redear, or Pumpkinseed Sunfish (14)            Channel Catfish            Large or Smallmouth Bass            White, Black, or Hybrid Crappie (15)</p>	<ul style="list-style-type: none"> <li>- 2 Pole and Line Fishing Only (1) (36)</li> <li>- 15 Fish Daily Creel Limit</li> <li>- 6 Fish Daily Creel Limit</li> <li>- 14" Minimum Length Limit</li> <li>- 15 Fish Daily Creel Limit</li> </ul>
<p>Schuy-Rush Lake, City of Rushville            Schuyler County</p>	
<p>All Fish            Channel Catfish            White, Black or Hybrid Crappie</p>	<ul style="list-style-type: none"> <li>- 2 Pole and Line Fishing Only (1)</li> <li>- 6 Fish Daily Creel Limit</li> <li>- 9" Minimum Length Limit</li> </ul>
<p><del>Senior Citizen's Pond, Kankakee River State Park            Kankakee County</del></p>	
<p><del>All Fish            Channel Catfish</del></p>	<p><del>- 2 Pole and Line Fishing Only (1)            - 6 Fish Daily Creel Limit</del></p>
<p>Sesser City Lake, City of Sesser            Franklin County</p>	
<p>All Fish</p>	<p>- 2 Pole and Line Fishing Only (1)</p>

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED 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 > 8" must be rigged with a quick set rig (43) <a href="#">- No sport fishing below dam to fence</a>
All Fish	- 2 Pole and Line Fishing Only (1) (48)
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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## 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 – 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 or Smallmouth Bass - 15" Minimum Length Limit

## Shawnee National Forest – Little Cedar Lake, U.S. Forest Service

## Jackson County

- All Fish - 2 Pole and Line Fishing Only (1)
- Large or Smallmouth Bass - 14"-18" Protected Slot Length Limit  
(no possession)
- Large or Smallmouth Bass (14) - 5 Fish < 14" and 1 Fish > 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

## 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 PROPOSED 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" Protected Slot Length Limit  
 (3)

Trout - Fall Closed Season (10)  
No harvest with Hook and Line;  
 Catch and Release Fly Fishing is  
 permitted

~~Trout~~ - Spring Closed Season (11)  
No harvest with Hook and Line;  
 Catch and Release Fly Fishing is  
 permitted

## 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit
Silver 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
Trout	- Spring Closed Season (11)
	- <a href="#">Fall Closed Season (10)</a>
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
Silver Springs S.P. (Big Lake) & Ponds, Silver Springs State Fish and Wildlife Area	
Kendall County	
All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 6 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Trout	- Fall Closed Season (10)
<del>Trout</del>	- Spring Closed Season (11)
Skokie Lagoons, Cook County Forest Preserve District	
Cook County	
All Fish	- 2 Pole and Line Fishing Only (1) (36)
Bluegill, Redear, or Pumpkinseed 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

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 zone Canada goose season)
- All live bait > 8" must be rigged with a quick set rig (43)
- 2 Pole and Line Fishing Only (1)
- 10 Fish Daily Creel Limit
- 6 Fish Daily Creel Limit
- 3 Fish Daily Creel Limit with only one fish  $\geq$  15"
- 42" Minimum Length Limit
- 3 Fish Daily Creel Limit
- 5 Fish Daily Creel Limit

All Fish

Bluegill or Redear Sunfish (14)

Channel Catfish

Large or Smallmouth Bass (14)

Pure Muskellunge

Walleye, Sauger, or Hybrid Walleye (14)

White, Black, or Hybrid Crappie (15)

Southwind Pond, Springfield Park District

Sangamon County

Trout

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

Sparta City Lakes, City of Sparta

Randolph County

All Fish

Channel Catfish

Large or Smallmouth Bass

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

Sparta City Reservoir (South), City of Sparta

Randolph County

All Fish

Channel Catfish

Bluegill or Redear Sunfish (14)

Large or Smallmouth Bass

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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
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	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)	- 10 Fish Daily Creel Limit

Sparta World Shooting and Recreational Complex – Derby Lake, State of Illinois  
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill and Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large and Smallmouth Bass	- 18" Minimum Length Limit
Large and 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
Trout	- Fall Closed Season (10)
<del>Trout</del>	- Spring Closed Season (11)

Sparta World Shooting and Recreational Complex Lakes, State of Illinois  
Randolph County

All Fish	- 2 Pole and Line Fishing Only (1)
Bluegill and Redear Sunfish (14)	- 15 Fish Daily Creel Limit
Channel Catfish	- 6 Fish Daily Creel Limit
Large and Smallmouth Bass	- 18" Minimum Length Limit
Large and 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

Spencer 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit

## Sportsmans' Club Pond, Macon County Conservation District

## Macon County

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

Trout - Spring Closed Season (11)

Spring Grove Hatchery Pond, City of Spring GroveMcHenry CountyTrout

- Fall Closed Season (10)

## Spring Lake, City of Macomb

## McDonough County

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

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

Channel Catfish - 6 Fish Daily 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) - 3 Fish Daily Creel Limit

## Spring Lakes (North &amp; South), Spring Lake Conservation Area (33)

## Tazewell County

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

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

Channel Catfish - 6 Fish Daily 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

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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Starved Rock State Park (33)  
LaSalle County

Staunton City Lake, City of Staunton  
Macoupin County

- |                               |   |
|-------------------------------|---|
| Recreational Use Restrictions | - All live bait > 8" must be rigged with a quick set rig (43) |
| All Fish                      | - 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              | - 36" Minimum Length Limit                                    |

Stephen A. Forbes State Park (33) (see also Forbes State Lake and Forbes State Park Ponds)  
Marion County

Sterling Lake, Lake County Forest Preserve District  
Lake County

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

Tampier Lake, Cook County Forest Preserve District

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## Cook County

- All Fish - 2 Pole and Line Fishing Only (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
- Walleye, Sauger, or Hybrid Walleye - 18" Minimum Length Limit
- White, Black, or Hybrid Crappie (15) - 15 Fish Daily Creel Limit

## 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

## Hamilton/Jefferson Counties

(Areas designated as waterfowl rest areas are closed to all access during the Canada goose season only)

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

Three Oaks North ~~and South Lakes~~Lake, City of Crystal Lake

## McHenry County

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

~~Three Oaks South Lake, City of Crystal Lake~~~~McHenry County~~

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

## 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- 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
  - Large or Smallmouth Bass - 1 Fish  $\geq$  15" and 2 Fish  $<$  12" (31)
  - Large or Smallmouth Bass - 3 Fish Daily Creel Limit
- Tri-Township Park Pond, City of Troy  
Madison 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 - 15" Minimum Length Limit
  - Large or Smallmouth Bass (14) - 3 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
  - Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
  - Large or Smallmouth Bass - 15" Minimum Length Limit
- Turtle Lake (East Lake Renwick), Will County Forest Preserve District  
Will County
- All Fish - 2 Pole and Line Fishing Only (1)
  - Channel Catfish - 3 Fish Daily Creel Limit
  - Large or Smallmouth Bass - 18" Minimum Length Limit
  - Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
  - Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## 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 Fish and Wildlife Area – All lakes and ponds

## Union County

(All fishing and boat traffic prohibited from October 15 through the last day of February)

- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit

## 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
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- [Trout](#) - [Fall Closed Season \(10\)](#)

## 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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 - 18" Minimum Length Limit
- Large or Smallmouth Bass (14) - 1 Fish Daily Creel Limit
- Striped, White, or Hybrid Striped Bass - 17" Minimum Length Limit
- Striped, White, or Hybrid Striped Bass (16) - 1 Fish Daily Creel 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~~

Wabash River, various counties (between IL and IN)Multiple County

- Channel Catfish
  - Only 1 Fish per day  $\geq$  28" may be harvested
  - Between 13" and 28" unlimited harvest
  - No harvest < 13"
- Blue and Flathead Catfish
  - Only 1 Fish per day  $\geq$  35" may be harvested
  - Between 13" and 35" unlimited harvest
  - No harvest < 13"

Waddams Creek  
Stephenson County

- Trout - Spring Closed Season (11)

Walnut Point Lake, Walnut Point State Fish and Wildlife Area  
Douglas County

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- |  |  |
|--|--|
| All Fish   | - 2 Pole and Line Fishing Only (1)   |
| Bluegill or Redear Sunfish (14)  | - 20 Fish (either singly or in aggregate) Daily Creel Limit, of which only 5 fish can be $\geq$ 8" |
| Channel Catfish  | - 6 Fish Daily Creel Limit   |
| Large or Smallmouth Bass   | - 12"-15" <u>Protected</u> Slot Length Limit (3)   |
| <br>Walton Park Lake, City of Litchfield<br>Montgomery 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   |
| <br>Wampum Lake, Cook County Forest Preserve District<br>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   |
| White, Black, or Hybrid Crappie (15)   | - 15 Fish Daily Creel Limit  |
| <br>Washington County Lake, Washington County Conservation Area<br>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   |
| <br>Washington Park Lagoon, Chicago Park District<br>Cook County                     |  |
| All Fish   | - 2 Pole and Line Fishing Only (1)   |
| Channel Catfish  | - 4 Fish Daily Creel Limit   |
| <br>Washington Park Pond, Springfield Park District<br>Sangamon County               |  |
| All Fish   | - 2 Pole and Line Fishing Only (1)   |

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

Channel Catfish	- 3 Fish Daily Creel Limit
Trout	- Fall Closed Season (10)
<del>Trout</del>	- Spring Closed Season (11)

Watseka City Ponds (Clements Pond, Kapers Pond and Municipal Center Pond), City of Watseka

## Iroquois County

All Fish	- 2 Pole and Line Fishing Only (1)
Channel Catfish	- 3 Fish Daily Creel Limit
White, Black, or Hybrid Crappie	- 9" Minimum Length Limit
White, Black, or Hybrid Crappie (15)(14)	- 10 Fish Daily Creel Limit
Large or Smallmouth Bass	- 15" Minimum Length Limit
Large or Smallmouth Bass (14)	- 3 Fish Daily Creel Limit

## 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

## 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
- [Large or Smallmouth Bass](#) - [15" Minimum Length Limit](#)  
- [3 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

## Whalon Lake, Forest Preserve District of Will County

## Will County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 15 Fish Daily Creel Limit
- Channel Catfish - 3 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](#) - [16" Minimum Length Limit](#)  
- [3 Fish Daily Creel Limit](#)

## White Hall City Lake, City of White Hall

## Greene County

- All Fish - 2 Pole and Line Fishing Only (1) (5)
- Channel Catfish - 6 Fish Daily Creel Limit

## Wilderness Pond, Fox Ridge State Park

## Coles County

- All Fish - 2 Pole and Line Fishing Only (1)
- Bluegill or Redear Sunfish (14) - 5 Fish Daily 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

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

- |   |  |
|---|--|
| Recreational Use Restrictions   | - All live bait > 8" must be rigged with a quick set rig (43)  |
| All Fish  | - 2 Pole and Line Fishing Only (1)   |
| <u>Bluegill or Redear Sunfish (14)</u>  | - <u>25 Fish Daily Creel Limit</u>   |
| Channel Catfish   | - 6 Fish Daily Creel Limit   |
| Large or Smallmouth Bass  | - 12-18" Protected Slot Length Limit <del>(no possession allowed within the protected slot length limit)</del> |
| Large or Smallmouth Bass (14)   | - 3 Fish Daily Creel Limit   |
| <del>Bluegill or Redear Sunfish (14)</del>                                      | <del>- 25 Fish Daily Creel Limit</del>   |
| <u>Pure or Hybrid Muskellunge</u>   | - <u>42" Minimum Length Limit</u>  |
| White, Black or Hybrid Crappie  | - 9" Minimum Length Limit  |
| White, Black or Hybrid Crappie (15)   | - 25 Fish Daily Creel Limit  |
| <del>Pure or Hybrid Muskellunge</del>   | <del>- 42" Minimum Length Limit</del>  |
| William W. Powers Conservation Area (33)  |  |
| Cook County   |  |
| <u>Trout</u>  | - <u>Fall Closed Season (10)</u>   |
|   | - <u>Spring Closed Season (11)</u>   |
| 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   |
| 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  |
| Trout   | - Fall Closed Season (10)  |
| 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)   |

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

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)
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(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 810.70 Free Fishing Days

During the period of June ~~5, 6, 7 and 8, 2015~~ 7, 8, 9, 10, 2013 and June 6, 7, 8, 9, 2014, 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 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

### Section 810.90 Hook and Line Fishing Tournament Permit

- a) A Hook and Line Fishing Tournament Permit issued by ~~fishing tournament permit from~~ the Department of Natural Resources is required. This permit is needed if the event is to be held in any Illinois lake, river or stream or any of the waters listed in Section 810.45. ~~needed if:~~

## DEPARTMENT OF NATURAL RESOURCES

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- 1) ~~Prizes are offered for tagged or marked fish and where any of the waters listed in Section 810.45 are named as a tournament site; or~~
  - 2) ~~The fishing event is conducted over a period of more than 5 days during any calendar year, and prizes with a total value in excess of \$1,000 are offered, and where any of the waters listed in Section 810.45 are named as a tournament site; or~~
  - 3) ~~Special exemption to the site specific regulations for daily creel and size limit (not to exceed the statewide statutory limits) is requested for:~~
    - A) ~~catch, hold for weigh in, and release tournaments for muskies (all waters);~~
    - B) ~~black bass catch and release tournaments, Lake Michigan, rivers and streams are included except the Mississippi, Ohio and Wabash Rivers are not eligible for permits that exempt participants from daily catch and size limits due to regulatory agreements with neighboring states;~~
    - C) ~~special catch and release tournaments for which the proceeds go towards youth education and/or a charitable event (defined as an event in which, at a minimum, 50% of all entry fees accrue to the charitable organization for which the event was created. If requested, documentation of charitable donations shall be furnished to the Department);~~
    - D) ~~national circuit series catch and release tournaments; and~~
    - E) ~~special fishing tournaments/events for which participants are children under 16, disabled persons or adults over 65.~~
- b) Definitions

"Fishing Derby" – An organized event conducted for children under the age of 16 or who are attending high school, senior citizens (65 years old and older), anglers with disabilities, or school-sanctioned groups when the principal purpose is education or enjoyment, rather than competition among anglers. Tournament Permits are not required for a fishing derby.

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED AMENDMENTS

"Fishing Tournament" – An organized competitive fishing event, other than a fishing derby, in which two or more individuals fish during a specified time period. To be considered a fishing tournament, an event must include one or more of the following factors: sponsored or promoted by an individual or organization; involves the award of trophies, prizes or other recognition for participation in the tournament; or will be conducted on a particular body of water or multiple waters.

- c) The Statewide Minimum Length Limit for Hook and Line Fishing Tournaments is 12 inches in total length for largemouth, smallmouth or spotted bass (black bass).
- d) Special Length Limit and/or Creel Limit Regulation Exemption Permits to the site-specific regulations for size and/or creel limits (not to exceed the statewide statutory limits) are allowed on identified waters listed in Section 810.45 with water restrictions of (49) consist of:
  - Lake Michigan (Illinois Portion) (49)
- e) The Statewide Creel Limit of no more than 6 largemouth, smallmouth or spotted bass (black bass) may be in possession while participating in a Hook and Line Fishing Tournament.
- f) Site-specific harvest, possession, or creel limits listed in Section 810.45 cannot be exempted or exceed the statewide harvest, possession or creel limits for any fish species.
- g) Rules for issuance of Special Length Limit Regulation Exemption Permits are as follows:
  - 1) An IDNR Hook and Line Fishing Tournament Permit for catch, hold for weigh-in and release tournaments for muskies (all waters) is permitted with no Special Length Limit Regulation Exemption Permits required. Fish must be released unharmed immediately after quick weigh-in. A summary report containing the sizes (inches), numbers of each size fish caught, length of the tournament (fishing hours) and number of fish killed during the handling process must be provided to the Division of Fisheries within 10 days. Copies of the IDNR Hook and Line Fishing Tournament Permit must be in the possession of each individual participant at all times.

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- 2) The Mississippi, Ohio and Wabash rivers are not eligible for permits that exempt participants from daily catch and size limits due to regulatory agreements with neighboring states.
  - 3) Illinois High School Association (IHSA) sanctioned catch and release tournaments will be issued Special Length Limit Regulation Exemption Permits.
- h) Requests for a Hook and Line Fishing Tournament Permit~~permit~~ shall be made on applications provided by the Department of Natural Resources, Division of Fisheries and available online on the IDNR and IFISHINGILLINOIS websites. Applications must be received not less than 30~~60~~ days prior to the first tournament date and must be completely filled out or they will be rejected.
- i) Issuance or denial of a permit shall be based upon the following criteria:
- 1) The capability of the fishery resource to absorb the tournament with minimal impact to its well-being.
  - 2) The location of the tournament, special~~catch and release~~ management zones on rivers and streams and waters with restrictive creel and length limits, identified in Section 810.45, are not eligible for permits except as noted in subsection (a) of this Section.
  - 3) The evaluation of the adverse impacts resulting from the additional fishing pressure generated by the tournament on the fish population and the targeted fish species. Consumptive Hook and Line Fishing Tournaments are not eligible for Special Length Limit Regulation Exemption Permits. The evaluation must demonstrate minimal and short-term impacts in order for the Department of Natural Resources to issue the permit. Specific items to be considered include:
    - A) biological status of the fish population, including the species sought;
    - B) length of the tournament;
    - C) number of boats and anglers participating in the tournament; and

## DEPARTMENT OF NATURAL RESOURCES

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~~D)~~ ~~for tagged fish tournaments, provisions for obtaining and tagging targeted fish species; and~~

~~DE)~~ safety of anglers and potential boater-user conflicts.

- 4) Demonstrates adequate provisions for holding, handling, and releasing caught fish. Specific criteria are:
- A) Tournament officials must be able to certify that all boats will be required to possess a livewell (except muskie fishing tournaments) measuring at least 18" long, 12" deep, and 12" wide and be fitted with a functioning aerator and water pump.
  - B) Following the weigh-in, fish must be released away from the weigh-in site and as near to the spot where the catch was made as possible by means of a common release boat or vehicle, or by individual boats. When impractical to release away from the ramp, fish shall be released into the water body~~lake~~ as quickly as possible to avoid undue stress. Protecting fish health is the most critical aspect of this subsection (~~ie~~)(4)(B).
  - C) If a common release boat or vehicle is utilized, the anglers transporting the fish to be released are exempt from the daily creel limit. A common release boat and holding tank used to transport fish for release shall be adequate to carry a tank constructed of a suitable material (aluminum or fiberglass) with smooth interior walls with no obstructions to trap or injure fish. The tank must be able to hold at least one gallon of water per pound of fish, provide adequate aeration, and maintain constant desirable temperature to sustain their well-being. The tank must have operating hatches to prevent fish from jumping out of the tank and allow quick opening and closing for introduction and removal of fish. Detailed specifications on the design and use of a fish holding tank are available upon request from the IDNR, Division of Fisheries. Individual boats and anglers returning their catches of fish back to a release site must adhere to daily creel limits. Tournament officials must be able to certify that a common release boat is being utilized for this tournament.

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## NOTICE OF PROPOSED AMENDMENTS

- D) For catch, hold for weigh-in, and release muskie tournaments, all boats must have a fish cradle (made from netting) to temporarily hold the muskie in the water while an official determines the length or weight of the fish prior to release. Muskies may not be transported to a weigh-in site.
- 5) Adequate identification of participants in fishing tournament for law enforcement purposes. Specific criteria include:
- A) Tournament officials must keep and have available on site a written record or log of daily participants (including names and boat registration numbers) for inspection by Department of Natural Resources officials.
- B) Each participant and boat must be identified in an easily recognizable manner at a distance (such as a ribbon on the trolling motor and patch on the hat or back).
- 6) Appeals to denied permits must be made in writing to the IDNR Division of Fisheries within 10 days after receipt of the denial. Any supplemental information requested must be included in the appeal.
- j~~d~~) Failure to acquire a permit required by ~~referenced in~~ subsection (a) is a petty offense and will result in denial of future applications for a Fishing Tournament Permit by that applicant, sponsor or group for a period up to 5 years.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 810.95 Bowfishing Tournament Permit and Tournament Harvest Regulations**

- a) A Bowfishing Tournament Permit from the Department of Natural Resources is required if:
- 1) The Bowfishing Tournament event is conducted in any of the waters listed in Section 810.45 or at any other public water (open to bowfishing – see Section 810.15(d)) named as a tournament site.

## DEPARTMENT OF NATURAL RESOURCES

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- 2) Special Length Limit Regulation Exemption Permits to the site-specific regulations for size limit (not to exceed the statewide statutory limits) are not allowed on identified waters listed in Section 810.45 with restrictive limits.
- A) The Mississippi, Ohio and Wabash Rivers are not eligible for permits that exempt participants from daily catch and size limits due to regulatory agreements with neighboring states.
- B) Bowfishing Tournament Harvest Limits for all waters – A daily tournament harvest of no more than 10 native fish (all species in aggregate) (no culling) applies (all fish taken must be legal to take with bowfishing methods) except in Special Fish Management Areas designated by the Department where less restrictive harvest limits may be specified in the Permit. All invasive fish (legal to take with bowfishing methods) have an unlimited take limit.
- b) Requests for a Bowfishing Tournament Permit shall be made on applications provided by the Division of Fisheries and available online on the IDNR and IFISHILLINOIS websites. Applications must be received not less than 30 days prior to the first tournament date and must be completely filled out or they will be rejected.
- c) A summary report containing the numbers of each fish species caught and the tournament fishing hours must be provided to the Division of Fisheries in Springfield within 10 days. Copies of IDNR Bowfishing Tournament Permits must be in the possession of each individual participant at all times.
- d) Issuance or denial of a permit shall be based upon the following criteria:
- 1) The capability of the fishery resource to absorb the tournament with minimal impact to its well-being, including a daily harvest limit of no more than 10 native fish (all legal to take with bowfishing methods), except in special management areas as authorized by the Department. All invasive fish (legal to take with bowfishing methods) have an unlimited take limit.

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- 2) The location of the tournament. Special management zones on rivers and streams and waters with restrictive creel and length limits identified in Section 810.45 are not eligible for permits.
- 3) The evaluation of the adverse impacts resulting from the additional fishing pressure generated by the tournament on the fish population and the targeted fish species. The evaluation must demonstrate minimal and short-term impacts in order for the Department of Natural Resources to issue the permit. Specific items to be considered include:
  - A) biological status of the fish population, including the species sought;
  - B) length of the tournament;
  - C) number of boats and anglers participating in the tournament; and
  - D) safety of anglers and potential boater-user conflicts.
- 4) Appeals of denied permits must be made in writing to the Division of Fisheries within 10 days after receipt of the denial. Any supplemental information requested must be included in the appeal.

(Source: Added at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED REPEALER

Assistant General Counsel  
Department of Public Health  
Division of Legal Services  
535 W. Jefferson St., 5<sup>th</sup> Floor  
Springfield IL 62761

217/782-2043  
e-mail: dph.rules@illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: 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 repealer was summarized: This repealer was not included on either of the two most recent Regulatory Agendas because the need for the repealer was not known at the time the latest Regulatory Agendas were drafted.

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

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED REPEALER

TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER c: LONG-TERM CARE FACILITIESPART 430  
REFERENCE FOR RULES IN ADMINISTRATIVE HEARINGS  
UNDER SECTIONS 2-110(d) AND 3-410 OF  
THE NURSING HOME CARE ACT (REPEALED)

Section	
430.10	Applicability
430.20	Definitions (Repealed)
430.30	Persons Who May Request a Hearing (Repealed)
430.40	Parties to Hearings (Repealed)
430.50	Appearance – Right to Counsel (Repealed)
430.60	Intervention (Repealed)
430.70	Request for Hearing, Notice of Hearing, Answers and Motions (Repealed)
430.80	Time and Place of the Hearing (Repealed)
430.90	Service (Repealed)
430.100	Discovery and Depositions (Repealed)
430.110	Pre-Hearing Conference (Repealed)
430.120	Conduct of Hearing (Repealed)
430.130	Burden of Proof (Repealed)
430.140	Subpoenas (Repealed)
430.150	Hearing Officer's Report and Final Decision (Repealed)
430.160	Proposal for Decision (Repealed)
430.170	Record of Proceedings (Repealed)
430.180	Miscellaneous (Repealed)

AUTHORITY: Implementing Sections 2-110(d), 3-410, and 3-801 of the Nursing Home Care Act [210 ILCS 45/2-110(d), 3-410, and 3-801].

SOURCE: Adopted and codified at 6 Ill. Reg. 14523, effective November 10, 1982; amended at 25 Ill. Reg. 7480, effective June 1, 2001; repealed at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 430.10 Applicability**

Part 100 of this Title 77, Rules of Practice and Procedure in Administrative Hearings (77 Ill.

## DEPARTMENT OF PUBLIC HEALTH

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Adm. Code 100), contains the provisions applicable to administrative hearings before the Illinois Department of Public Health authorized by:

- a) Section 2-110(d) of the Nursing Home Care Act [210 ILCS 45/2-110(d)] that gives a person refused access to a long-term care facility the right to a hearing.
- b) Section 3-410 of the Nursing Home Care Act [210 ILCS 45/3-410] that gives the resident of a long-term care facility the right to appeal the facility's decision to involuntarily transfer/discharge the resident.

**Section 430.20 Definitions (Repealed)**

**Section 430.30 Persons Who May Request a Hearing (Repealed)**

**Section 430.40 Parties to Hearings (Repealed)**

**Section 430.50 Appearance -- Right to Counsel (Repealed)**

**Section 430.60 Intervention (Repealed)**

**Section 430.70 Request for Hearing, Notice of Hearing, Answers and Motions (Repealed)**

**Section 430.80 Time and Place of the Hearing (Repealed)**

**Section 430.90 Service (Repealed)**

**Section 430.100 Discovery and Depositions (Repealed)**

**Section 430.110 Pre-Hearing Conference (Repealed)**

**Section 430.120 Conduct of Hearing (Repealed)**

**Section 430.130 Burden of Proof (Repealed)**

**Section 430.140 Subpoenas (Repealed)**

**Section 430.150 Hearing Officer's Report and Final Decision (Repealed)**

**Section 430.160 Proposal for Decision (Repealed)**

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**Section 430.170 Record of Proceedings (Repealed)**

**Section 430.180 Miscellaneous (Repealed)**

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Blood Labeling Code
- 2) Code Citation: 77 Ill. Adm. Code 460
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
460.10	Repeal
460.100	Repeal
460.110	Repeal
460.120	Repeal
460.130	Repeal
460.140	Repeal
460.150	Repeal
460.410	Repeal
460.500	Repeal
- 4) Statutory Authority: Blood Labeling Act [210 ILCS 20]
- 5) A Complete Description of the Subjects and Issues Involved: The Blood Labeling Code is being repealed because its statutory authority, the Blood Labeling Act, was repealed by PA 87-1269. Blood labeling is now regulated under the Illinois Clinical Laboratory and Blood Bank Act [210 ILCS 25].

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

The Department anticipates adoption of this repealer approximately six to nine months after publication of the Notice in the *Illinois Register*.
- 6) Published studies or reports, and sources of underlying data, used to compose this repealer: None
- 7) Will this repealer replace any emergency rule currently in effect? No
- 8) Does this repealer contain an automatic repeal date? No
- 9) Does this repealer contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED REPEALER

- 11) Statement of Statewide Policy Objectives: This repealer will not create a State mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed repealer: Interested persons may present their comments concerning this repealer within 45 days after this issue of the *Illinois Register* to:  
  
Elizabeth Paton  
Assistant General Counsel  
Department of Public Health  
Division of Legal Services  
535 W. Jefferson St., 5<sup>th</sup> Floor  
Springfield IL 62761  
  
217/782-2043  
e-mail: dph.rules@illinois.gov
- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses, small municipalities and not-for-profit corporations affected: 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 repealer was summarized: This repealer was not included on either of the two most recent Regulatory Agendas because the need for the repealer was not known at the time the latest Regulatory Agendas were drafted.

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

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER d: LABORATORIES AND BLOOD BANKS

PART 460  
BLOOD LABELING CODE (REPEALED)

SUBPART A: DEFINITIONS

Section  
460.10 Definitions

SUBPART B: CRITERIA FOR DONOR SELECTION

Section  
460.100 Identification Required  
460.110 Minimum Requirements  
460.120 Disease  
460.130 Donor Requirement Guide  
460.140 Donors and Donor Blood/Identification of Donor Blood  
460.150 Directed Blood Donations

SUBPART C: PURCHASED BLOOD

Section  
460.410 Justification and Charting Requirements for the Transfer and Administration of Purchased Blood Effective July 1, 1973

SUBPART D: HIV CONTAMINATED BLOOD

Section  
460.500 Handling and Disposal of HIV Contaminated Blood

AUTHORITY: Implementing and authorized by The Blood Labeling Act (Ill. Rev. Stat. 1985, ch. 111½, pars. 620-1 et seq.)

SOURCE: Filed September 20, 1972, effective October 1, 1972; amended at 2 Ill. Reg. 24, p. 22, effective June 6, 1978; amended at 4 Ill. Reg. 33, p. 224, effective August 6, 1980; codified at 8 Ill. Reg. 7274; amended at 10 Ill. Reg. 10697, effective June 3, 1986; amended at 12 Ill.

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Reg. 9998, effective May 27, 1988; repealed at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: DEFINITIONS

**Section 460.10 Definitions**

"Act" means "The Blood Labeling Act", approved August 18, 1972 and effective October 1, 1972 (Ill. Rev. Stat. 1981, ch. 111½, pars. 620-1 et seq.).

"Department" means the Illinois Department of Public Health.

## SUBPART B: CRITERIA FOR DONOR SELECTION

**Section 460.100 Identification Required**

Blood donations shall be accepted only from individuals who present positive identification and evidence of a fixed address. With identification established, the following rules shall be applied on the day of donation by suitably trained persons and the results shall be appropriately recorded.

**Section 460.110 Minimum Requirements**

It shall be determined that the making of the blood donation will not be detrimental to the donor. The following minimum requirements shall apply:

- a) Prospective donors with a history of chronic diseases of the heart, kidneys, lungs, liver, etc., or with a history of cancer, except minor skin cancer, abnormal bleeding tendencies, or of convulsions after infancy shall be excluded subject to evaluation by a qualified physician on the day of donation.
- b) Except for reasonable qualifying circumstances, the interval between individual donations of whole blood should be at least 8 weeks.
- c) For plasmapheresis not more than 1200 ml. of plasma to be removed in one week.
- d) Whole blood donation must be deferred for at least 48 hours after plasmapheresis.

**Section 460.120 Disease**

The donor shall be free of disease transmissible by blood transfusion as ascertained at the time of

## DEPARTMENT OF PUBLIC HEALTH

## NOTICE OF PROPOSED REPEALER

collection in accordance with the guide for donor requirements.

**Section 460.130 Donor Requirement Guide**

A guide for donor requirements follows:

- a) **General Appearance**  
The donor shall appear to be in good health and free from acute respiratory diseases.
- b) **Age**  
Blood donor shall be between the ages of 17 through 75 (up to 76<sup>th</sup> birthday) provided:
  - 1) that the donor is 17 years of age or older
  - 2) after the 76<sup>th</sup> birthday, donors may be accepted at the discretion of the blood bank director if they have specific written consent from a physician within two (2) weeks before the date of donation, and provided that they meet all other criteria for acceptability.
- c) **Temperature**  
The oral temperature shall not exceed 99.6°F. (37.5°C.).
- d) **Hemoglobin or hematocrit**  
  
The measurement of either value is acceptable.
  - 1) The hemoglobin shall be no less than 12.5 grams per 100 ml. for female donors, and no less than 13.5 grams per 100 ml. for male donors.
  - 2) The hematocrit value shall be no less than 38 percent for females, and no less than 41 percent for males.
- e) **Pulse**  
The pulse shall reveal no pathological cardiac irregularity and should be between 50 and 100 beats per minute.
- f) **Blood pressure**

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The systolic blood pressure should be between 90 and 180 mm of mercury, and the diastolic should not exceed 100 mm of mercury. Prospective donors with diastolic blood pressure readings between 100 and 110 mm of mercury and donors with abnormal differences between their systolic and diastolic pressures may be accepted only after evaluation by a qualified physician.

- g) **Pregnancy**  
Known existing pregnancy shall exclude a donor. Except for exceptional qualifying circumstances a donor shall be excluded for 6 weeks postpartum.
- h) **Dental surgery**  
Tooth extraction or other minor oral surgery during the preceding 72 hours shall exclude a donor.
- i) **Receipt of blood, blood components**  
Donors who during the preceding six months have received blood or those human blood components known to be a possible source of hepatitis shall be excluded.
- j) **Infectious diseases**  
A donor shall be free from infectious diseases known to be transmissible by blood insofar as can be determined by usual examinations.
  - 1) **Viral Hepatitis**
    - A) Donors with a history of viral hepatitis as well as those who within six months have had close contact with an individual having the disease shall be excluded.
    - B) A donor shall be excluded permanently:
      - i) If his were the only unit of blood, blood component, or derivative administered to a patient who within six months developed post/transfusion hepatitis and who received no other icterogenic blood fractions, or
      - ii) If his blood has ever been known to contain Hepatitis B antigen.
    - C) When hepatitis has developed after transfusion of blood, blood

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components, or derivatives from multiple donors, those donors who have not been previously suspected of hepatitis need not be rejected as future donors of whole blood. Each situation should be evaluated individually by the facility physician. The possible presence of the agent of viral hepatitis in donors cannot at present be detected with certainty by any available means including history, physical examination and laboratory tests (including a test for the presence of Hepatitis B antigen).

- 2) **Malaria**  
Travelers who have been in areas considered endemic for malaria by Malaria Program, Center for Disease Control, U.S. Department of Health, Education and Welfare, may be accepted as regular blood donors six months after return to the non/endemic area, providing they have been free of symptoms and have not taken antimalarial drugs. Prospective donors who have had malaria shall be deferred for three years after becoming asymptomatic and after cessation of therapy. Prospective donors who have taken anti/malarial prophylaxis or who have been military personnel in an endemic area shall be deferred for three years after cessation of therapy or after departure from the area if they have been asymptomatic in the interim. Immigrants or visitors from endemic areas may be accepted as blood donors three years after departure from the area, if they have been asymptomatic in the interim. Donations to be used for the preparation of plasma, plasma components or fractions devoid of intact red blood cells are exempted from these restrictions.
- 3) **Syphilis**  
A positive serologic test for syphilis is cause for donor rejection. Donors may be acceptable when they become seronegative provided the previous positive result was not due to a condition which would result in continued exclusion.
- 4) **Tuberculosis**  
Prospective donors with clinically active tuberculosis are unacceptable. Donors with a positive tuberculin skin test, but without other abnormality, may be accepted if they have not taken prophylactic medication during the preceding 48 hours.
- 5) **HIV Infection**

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- A) Blood and blood components which have been found reactive when tested for evidence of infection with the human immunodeficiency virus (HIV) or any other identified causative agent of AIDS shall be rejected for blood donation in accordance with Section 460.140(e).
  - B) Prospective donors who request that their blood be tested for evidence of infection with HIV shall be referred to a HIV Counseling and Testing Center designated by the Illinois Department of Public Health.
- k) Immunizations or vaccinations:
- 1) Symptom/free donors who have been immunized with toxoids, or killed viral, bacterial or rickettsial vaccines are acceptable after 24 hours. This includes tetanus, typhoid, paratyphoid, cholera, diphtheria, typhus, Rocky Mountain spotted fever, influenza, polio (Salk), plague and prophylactic rabies duck embryo vaccines.
  - 2) Smallpox: Donors are acceptable either after the scab has fallen off or two weeks after an immune reaction.
  - 3) Measles (rubeola), mumps, yellow fever, oral polio vaccine and animal serum products: Donors are acceptable two weeks after their last immunization or last antigenic dose. German measles (rubella): Donors are acceptable three months after their last injection.
  - 4) Rabies: Donors will be deferred until one year after their last injection.
- l) Donor skin  
The skin at the venipuncture site shall appear free of lesions. History of a tattoo performed any place on the body within six months of donation shall be cause for rejection.
- m) Alcohol, narcotics  
Obvious stigmata of narcotic or alcoholic habituation or intoxication shall exclude a donor.

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- n) Allergy  
Prospective donors with symptoms of bronchial asthma should be deferred.
- o) Oral medication  
History of recent drug therapy should be evaluated by a physician since the indication for such treatment may be cause for donor rejection. Exceptions to this requirement include ingestion of vitamins or oral contraceptives.
- p) Therapeutic bleedings  
Any blood withdrawn from a person for a therapeutic purpose and intended for future homologous transfusion shall be labeled to indicate the donor's disease. Therapeutic bleedings shall be performed only at the written request of a person's physician. The facility physician must decide whether he will accept the responsibility of bleeding the person in the facility. The use of this blood for transfusion purposes shall be submitted for the consideration of the physician in charge of the facility and of the physician attending the prospective recipient.
- q) Weight and amount of blood  
Donors weighing 110 lbs (50 kg) or more may ordinarily give 450 plus or minus 45 ml of blood, in addition to pilot samples which shall not exceed 30 ml. Donors weighing less than 110 lbs may be bled proportionately less in a reduced volume of anticoagulant, provided the regulations outlined in Section 450.835 are met. Prospective donations of blood exceeding the recommended amounts shall be subject to evaluation by a qualified physician.
- r) Medical discretion  
Any of the above criteria may be waived or modified by the facility physician in charge and the donor's physician, for certain medical indications related to the therapy of the donor. This waiver privilege extends to pregnancy and/or the products of the donor's conception.
- s) Fasting  
Fasting prior to blood donation is unnecessary.
- t) Before any blood is collected, all donors shall be informed that:
  - 1) Each unit of donated blood will be tested for the presence of antibodies to HIV or any other identified causative agent of AIDS.

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- A) All donors shall be informed about the following:
- i) the meaning of the HIV test results, such as the purpose, potential use, limitations of the test and test results; the use of additional confirmatory testing and the related notification procedures; and the availability of referrals for further information and counseling.
  - ii) The opportunity to refuse HIV testing. If testing is refused, then the person will not be accepted as a donor.
- B) Collection of a donor's blood is not permitted without signed written consent of the donor allowing disclosure of the test results to the donor. However, the written informed consent required by P.A. 85-677 and 85-679, effective September 21, 1987 and 77 Ill. Adm. Code 697.120 is not necessary because blood donors are specifically required by law to be tested.
- 2) Persons infected with the HIV virus are potentially infectious to persons with whom they have contact through sexual relations or the sharing of blood or blood components. Persons with increased risk (high risk) of being infected with HIV must not donate blood, except for purposes of autologous transfusion. High risk persons include the following:
- A) persons who have signs and symptoms suggestive of Acquired Immunodeficiency Syndrome (AIDS) (e.g. a combination of two or more of the following: unexpected weight loss of greater than 10% of body weight, chronic fever, chronic lymphadenopathy, night sweats or chronic diarrhea);
  - B) persons who have had sexual contact with HIV infected persons;
  - C) males who have had sexual contact with a male anytime since 1977;
  - D) persons who have immigrated from countries where heterosexual activity is thought to play a major role in transmission of HIV infection, such as Central Africa and Haiti anytime since 1977 as recognized by the Centers for Disease Control;

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- E) persons who are (were) present (past) intravenous drug users by self injection;
  - F) hemophiliacs; or
  - G) current of former sexual partners of any of the above.
- 3) Confirmed, available, test results showing evidence of HIV infection (e.g. Western blot assay or Indirect Fluorescent Antibody tests) will be disclosed in a confidential manner to the donor's physician or the donor no later than 55 days after the date of donation as described in Section 460.840(e).

**Section 460.140 Donors and Donor Blood/Identification of Donor Blood**

- a) Routine Labeling  
The following information shall appear in clear, readable letters on a label firmly attached to the container:
- 1) Name of component
  - 2) The amount of blood and the kind and amount of anticoagulant
  - 3) The serological test used for syphilis and the result.
  - 4) The required storage temperature
  - 5) The identification number
  - 6) The expiration date
  - 7) The ABO and Rh types in conspicuous lettering. Subsections (b) and (c) of this Section shall be followed.
  - 8) The results of tests for significant unexpected antibodies (see subsection (d) of this Section).
  - 9) The nonreactive results of an FDA approved test for Hepatitis B antigen.

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- 10) The name and address of the facility which conducted the tests.
- 11) The following instructions and cautions:
  - A) The requirement for administration only to recipients who have been demonstrated compatible by crossmatch.
  - B) The need for a filter.
  - C) No medication shall be added to the blood prior to or during a transfusion.
  - D) A statement of the possible presence of the agent of viral hepatitis (see Section 450.830 (c)(10)(A))
  - E) Federal law prohibits dispensing without a prescription.
  - F) Mix thoroughly before transfusion.
  - G) Do not vent plastic containers.
- b) Determination of ABO type  
ABO type shall be determined by testing the red blood cells with anti/A and anti/B serums which meet United States Food and Drug Administration (FDA) standards (21 CFR 600-680)(1986), and by testing the serum or plasma for expected antibodies with a pool of known type A (or single subtype A 1 ) and known type B cells. The blood shall not be released unless the tests are in agreement.
- c) Routine determination of Rh type  
The Rh type shall be determined with anti/Rh o (D) typing serum which meets FDA standards (21 CFR 600-680)(1986). If the blood is typed as Rh o (D) negative, it shall be tested using a technique designed to detect Rh o variants (D u). Routine testing for additional blood types is not recommended. The label shall indicate:
  - 1) Rh positive when the red cells are reactive for Rh o (D) or Rh o variants (D u).

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- 2) Rh negative when the red cells are nonreactive for Rh o (D) and Rh o variants (D u).
- d) Test for detecting antibodies
- 1) All donor blood shall be tested for both expected and unexpected antibodies. This shall be done with Reagent Red Blood Cells that meet FDA standards (21 CFR 600-680)(1986), and are intended for this use.
  - 2) Methods of testing for unexpected antibodies shall be those that will demonstrate hemolyzing, agglutinating, and coating antibodies.
  - 3) Blood in which significant unexpected antibodies have been detected should not be used unless transfused as Red Blood cells. (see Section 450.848(b))
- e) HIV Testing
- 1) All donor blood shall be tested for evidence of infection with HIV by using a test approved by the United States Food and Drug Administration (FDA) (e.g. an enzyme-linked immunosorbent assay (ELISA)). A unit of blood which is found to be reactive by two or three ELISA tests (according to the package insert – product circular) shall not be used for transfusion or for production of components for transfusion or injection. All units of blood which are found to be reactive shall be retested using a confirmatory test approved by FDA or the Department (e.g. Western blot assay or Indirect Fluorescent Antibody tests).
  - 2) In the event that blood is transfused before completion of the tests for evidence of HIV infection and if the tests are subsequently confirmed positive, the recipient's physician must be notified within 24 hours.
  - 3) A donor whose blood has yielded a positive confirmatory result (e.g. Western blot assay or Indirect Fluorescent Antibody tests) shall be notified of that test result in accordance with the following requirements in Section 450.840 (e)(4).
  - 4) Notification Requirements:

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- A) The donor shall be advised to contact the facility which conducted the testing for an appointment to discuss the results of the tests. If initial notification is made by mail, the correspondence must be general in nature (e.g. no references to specific diseases or test procedures shall be made). If the donor does not respond to the initial notification by mail, or if the donor chooses not to use such initial notification procedures, the donor shall be advised through certified mail with restricted delivery, messenger or personal visit to contact the facility which conducted the testing for an appointment to discuss the test results.
- B) The medical director of the facility which conducted the testing or the medical director's designee who is knowledgeable about HIV infection including the possible medical and psychosocial aspects of such infection shall be available for a scheduled appointment with the donor at the earliest possible date requested by the donor and shall present and explain the results of HIV testing only in a person to person interview;
- C) If the donor has not contacted the facility which conducted the testing for an appointment as described in Section 450.840 (e)(4)(A) above or if the donor has failed to follow through with the scheduled appointment, the confirmed test results(s) shall be sent to the donor by certified mail with restricted delivery, messenger or personal visit accompanied by explanatory and referral information which has been provided by the Department or equivalent information;
- D) The above-described available test results shall be released to the donor or the donor's physician no later than 55 days after the date of donation;
- E) If the donor expressly so requested in writing and provides the name and address of his or her physician, the results shall be sent to the physician by certified mail;
- F) HIV test results shall be treated as confidential and shall be disclosed as authorized in writing by the donor or as otherwise

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authorized by the AIDS Confidentiality and Testing Code, 77 Ill. Adm. Code 697.140.

- f) Serological test for syphilis  
An FDA approved serological test for syphilis shall be made on a specimen of the blood (21 CFR 600-680)(1986). The blood shall not be used for transfusion unless the test is negative. Blood may be issued in an emergency situation without performing a serological test for syphilis provided the label and the records so indicate. An emergency situation is one which requires the transfusion of blood in order to preserve life prior to the completion of the required tests. If the test is subsequently positive, the recipient's physician shall be notified.
- g) Test for Hepatitis B antigen (HB Ag)  
All donor blood shall be tested for HB Ag using reagents and technics specified by FDA (21 CFR 600-680)(1986). The unit of whole blood or blood component shall not be used for transfusion unless the test is nonreactive. In an emergency, blood may be transfused before completion of the test for Hepatitis B antigen. An emergency situation is one which requires the transfusion of blood in order to preserve life prior to the completion of the required tests. If the test is subsequently positive, the recipient's physician shall be notified. The medical director shall be responsible for notification of the donor and/or the donor's physician of a positive test for Hepatitis B antigen.
- h) Repeat testing  
Determination of the ABO and Rh types shall be repeated whenever the facility performing the compatibility test is not affiliated with the collecting facility. Discrepancies shall be resolved before issue of the blood for transfusion purposes. The other tests required by this section do not have to be repeated.
- i) Previous records  
A donor's previous record of ABO and Rh types shall not serve for identification of units of blood subsequently given by the same donor; new determinations shall be made for each collection.
- j) Retention of blood samples  
All pilot samples shall be stored at 1 to 6 degrees Centigrade for at least seven days after transfusion or expiration date of the blood. When the blood is discarded the pilot tube need not be saved.

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- k) Laboratory records  
The actual results observed with each test as well as the final interpretation shall be recorded.
- l) Control of serologic testing
  - 1) Equipment  
The temperature of water baths, heating blocks, Rh view boxes and incubators should be checked daily. Centrifuges used for serologic testing and for separation of blood components shall be calibrated periodically to determine optimum time and force required to produce desired results. (See Subpart E of this Part).
  - 2) Reagents  
All antisera and test cells of each lot of each shipment shall be evaluated periodically to demonstrate their capacity to detect the corresponding antigens and antibodies. (See Subpart K of this Part).

**Section 460.150 Directed Blood Donations**

- a) *Each blood bank licensed under the Blood Bank Act and each hospital licensed under the Hospital Licensing Act shall allow a recipient of blood to designate a donor of his choice under the following conditions:*
  - 1) *The recipient or someone on his behalf, has solicited the donors;*
  - 2) *The designated donor consents to such donation;*
  - 3) *The designated donor's blood may be obtained in sufficient time to meet the health care needs of the recipient;*
  - 4) *The designated donor is qualified to donate blood under the Criteria for Donor Selection (See Section 460.130 and 77 Ill. Adm. Code 450.830); and*
  - 5) *The blood of the donor is acceptable under the requirements of Section 460.140 and for the patient's medical needs.*
- b) *Blood donated for such designated use shall be reserved for the designated*

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*recipient; however, if it has not been used within 7 days from the day of donation, it may be used for any other medically appropriate purpose as determined by the blood bank director or hospital consistent with this Part.*

- c) This section shall not limit other procedures blood banks or hospitals may establish to enable directed donations.
- d) This Section is automatically repealed as of September 21, 1989.

## SUBPART C: PURCHASED BLOOD

**Section 460.410 Justification and Charting Requirements for the Transfer and Administration of Purchased Blood – Effective July 1, 1973**

- a) Effective July 1, 1973, "purchased" blood may be acquired and transferred for transfusion purposes in Illinois in the following instances:
  - 1) There is no potentially compatible donor available other than from an individual whose blood group and Rh type qualifies him for listing on the recognized rare donor registries.
  - 2) The attending physician explicitly directs the transfusion service to acquire purchased blood for any reason.
- b) In either of the situations described in paragraph (a)(1) above, the attending physician must comply with Section 5, para. 1 of the Act, which states:

*After July 1, 1973, no blood initially acquired by purchase may be administered by transfusion in Illinois unless:*

  - 1) *The physician in charge of the treatment of the patient to whom the blood is to be administered has directed that such purchased blood be administered to that patient, and*
  - 2) *The physician has specified in the patient's medical record his reason for such action*
- c)
  - 1) Records of transfusions administered by the utilization of "purchased"

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blood shall be recorded in separate blood bank records and available to the Department for review. This separate record shall contain the following information:

- A) Unit identification number;
  - B) Date of collection;
  - C) Blood group and Rh type;
  - D) Reason for purchase.
- 2) Neither the attending physician nor the recipient need be identified in these records.
- d) Falsification or manipulation of situations involving the utilization of purchased blood for transfusion purposes in Illinois shall imply a violation of the intent of this Act.

## SUBPART D: HIV CONTAMINATED BLOOD

**Section 460.500 Handling and Disposal of HIV Contaminated Blood**

- a) *Any blood or blood components showing exposure to HIV as evidenced by two or three reactive ELISA test results (according to the package insert – product circular) or any other identified causative agent of AIDS or originating from a patient diagnosed with AIDS or AIDS-Related Complex (ARC) as defined in 77 Ill. Adm. Code 693.20, shall be disposed of in accordance with the provisions of this Section, unless a research facility licensed by the state requests, in writing, the use of such blood for AIDS research.* (Section 3.1 of the Act.) Any such blood or human tissue shall be disposed of in accordance with Section 460.500 (b) when no longer being used for research purposes.
- 1) A research facility, for the purposes of this Section, shall mean any clinical laboratory licensed under the Clinical Laboratory Act (Ill. Rev. Stat. 1987, ch. 111½, par. 621 et seq.), any blood bank licensed under the Illinois Blood Bank Act (Ill. Rev. Stat. 1987, ch. 111½, par. 601-101 et seq.) or any hospital licensed under the Hospital Licensing Act (Ill. Rev. Stat. 1987, ch. 111½, par. 142 et seq.).

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- 2) *Any person delivering such blood or blood components to research facilities pursuant to such a request shall file with the Department a report which shall include at least the following information:*
  - A) *a copy of the request for blood or blood components;*
  - B) *the quantity of blood or blood components delivered;*
  - C) *the name and location of the research facility to which the blood or blood components was delivered; and*
  - D) *the date and time of delivery. (Section 620-3.1 of the Act.)*
  
- b) Any such blood or blood components or any materials or paraphernalia exposed to or contaminated by such blood or blood components shall be disposed of in accordance with the following provisions:
  - 1) Cultures and specimens to be discarded, and all other potentially infectious materials, shall be completely incinerated or sterilized or sealed in order to render the materials innocuous before disposal or removal from the premises.
  - 2) The incineration of materials shall be done in accordance with the requirements of the Illinois Environmental Protection Agency concerning the operation of an incinerator. (35 Ill. Adm. Code 700).
  - 3) The sterilization of materials shall be done by autoclaving the materials in accordance with the manufacturer's recommendations, and the effectiveness of the autoclave shall be verified and documented at least weekly with a biological spore assay containing *B. stearothermophilus*.
  - 4) The disposal or removal of materials outside of the facility shall be done in the following manner:
    - A) Incinerated or sterilized materials shall be disposed of through routine waste disposal methods without precautions against possible contamination.

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- B) Materials which have not been incinerated or sterilized shall be disposed of by a waste hauler with a proper permit from the Illinois Environmental Protection Agency. (35 Ill. Adm. Code 809). The materials which have not been sterilized must be sealed, transported and stored in biohazard containers. These containers shall be marked "Biohazard", bear the universal biohazard symbol, and be orange, orange and black or red. The containers shall be rigid and puncture resistant such as a secondary metal or plastic can with a lid that can be opened by a step-on-pedal. These containers shall be lined with one or two high density polyethylene or polypropylene plastic bags with a total thickness of at least 2.5 mil. or equivalent material. The containers which are marked "Biohazard" shall be sealed before being removed from the laboratory.

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- 1) Heading of the Part: Structural Pest Control Code
- 2) Code Citation: 77 Ill. Adm. Code 830
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
830.10	Amendment
830.240	Amendment
830.270	Amendment
830.410	Amendment
830.710	Amendment
830.820	Amendment
830.1000	Amendment
- 4) Statutory Authority: Structural Pest Control Act [225 ILCS 235]
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking clarifies language pertinent to violations being calculated on a per-day basis; transfers the violation of operating without a license from a Type A to Type B fine schedule, and transfers failure to provide information upon request from a Type C to Type B fine. The rulemaking also requires pest control companies to retain employee training records until the employee is no longer employed or becomes certified. The service records of certified technicians will no longer require the review of another certified technician, and the rule provides means by which certified technicians review electronic (non-paper) records of uncertified technicians. The rule requires the estimated amount of pesticide recorded on service records to be accurate to within 10 percent of the actual amount of pesticide applied. Pest control companies will be required to provide a copy of the service record (required by the statute) upon request of the owner, manager or tenant of the property serviced. Accurate diagrams will be required to be a part of service records for services in which termiticide is applied.

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

The Department anticipates adoption of this rulemaking approximately six to nine months after publication of the Notice in the *Illinois Register*.
- 6) Published studies or reports, and sources of underlying data used to compose this rulemaking: None

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- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this rulemaking within 45 days after this issue of the *Illinois Register* to:
- Elizabeth Paton  
Division of Legal Services  
Illinois Department of Public Health  
535 W. Jefferson St., 5th floor  
Springfield IL 62761
- 217/782-2043  
e-mail: dph.rules@illinois.gov
- 13) Initial Regulatory Flexibility Analysis: This rulemakings may have an impact on small businesses. Any small business commenting on this rulemaking shall indicate their status as such in their comments.
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Structural pest control companies
- B) Reporting, bookkeeping or other procedures required for compliance: The rulemaking amends and clarifies existing service record-keeping procedures.
- C) Types of professional skills necessary for compliance: None additional to present requirements
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2015

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NOTICE OF PROPOSED AMENDMENTS

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

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TITLE 77: PUBLIC HEALTH  
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH  
SUBCHAPTER 0: PEST CONTROLPART 830  
STRUCTURAL PEST CONTROL CODE

## SUBPART A: GENERAL PROVISIONS

Section	
830.10	Definitions
830.20	Referenced Materials

## SUBPART B: LICENSURE AND CERTIFICATION REQUIREMENTS

Section	
830.100	License Application for Commercial Structural Pest Control Business Location
830.110	Registration Application for Non-Commercial Structural Pest Control Location
830.120	Application for Examination as a Certified Structural Pest Control Technician
830.130	Re-examination Applications
830.140	Application of Certified Technicians for Examination in Other Sub-categories
830.150	Processing (Repealed)
830.160	Approved Applications (Repealed)
830.170	Disapproved Applications (Repealed)
830.180	License and Registration Renewals
830.190	Change of Business Ownership
830.200	Certification Renewals
830.210	Late Filing Charge
830.220	Non-renewal of Technician Certificates
830.230	Certified Technician at Each Location
830.240	Change of Certified <a href="#">Structural Pest Control</a> Technician at Place of Employment
830.250	Certificates of Insurance
830.260	Insurance Coverage
830.270	Supervision of a Non-certified Technician
830.280	Inspections and Investigations (Repealed)
830.290	Classification of Pesticides
830.300	Application for Certification in Illinois as a Structural Pest Control Technician by Reciprocity
830.310	Display of License, Registration and Certification

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830.315 Procedures for Certification as a Structural Pest Control Technician in Wood Products Pest Control (Repealed)

## SUBPART C: EXAMINATIONS

## Section

830.400 General Provisions  
830.410 Examinations  
830.420 Examination Schedules (Repealed)  
830.430 Grades  
830.440 Notification of Examination Results  
830.450 Confidentiality of Examination Scores  
830.460 Examinee's Review of Examination (Repealed)  
830.470 Applicant Unable to Attend Scheduled Examination

## SUBPART D: PEST CONTROL COURSES

## Section

830.500 Application  
830.510 Application (Repealed)  
830.520 Instructors  
830.530 Pest Control Course Description  
830.540 Record of Completion  
830.550 Pest Control Course Evaluation  
830.560 Approval (Repealed)  
830.570 Disapproval of an Application or Recision of Approval (Repealed)

## SUBPART E: PEST CONTROL TRAINING SEMINARS (RECERTIFICATION)

## Section

830.600 Application  
830.610 Application (Repealed)  
830.620 Instructors  
830.630 Pest Control Seminars  
830.640 Record of Completion  
830.650 Pest Control Seminar Evaluation  
830.660 Approval (Repealed)  
830.670 Disapproval of an Application or Recision of Approval (Repealed)

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## SUBPART F: HEARINGS AND ADMINISTRATIVE FINES

Section	
830.700	Hearings
830.710	Administrative Fines

## SUBPART G: SAFE PESTICIDE STORAGE AND HANDLING

Section	
830.800	General Safety Precautions
830.810	Misuse of Pesticides
830.820	Records
830.830	Pesticide Storage Area
830.840	Service Vehicles
830.850	Pesticide Storage Practices
830.860	Orders to Stop Sale, Stop Use, Seize or Regulate Removal
830.870	Hazardous Incident Notification and Abatement

## SUBPART H: BIRD CONTROL REQUIREMENTS

Section	
830.880	Avicide Permit Requirements (Repealed)
830.885	Denial or Revocation of Avicide Permits (Repealed)
830.890	Bird Control Monitoring and Reporting Requirements (Repealed)
830.900	Bird Control Training Requirements (Repealed)

## SUBPART I: GROUNDWATER PROTECTION

Section	
830.1000	Scope and Applicability
830.1100	Protection of Potable Water Supplies

## SUBPART J: INTEGRATED PEST MANAGEMENT COURSE REQUIREMENTS

Section	
830.2000	Application
830.2100	Instructors
830.2200	Integrated Pest Management Course Content
830.2300	Integrated Pest Management Course Evaluation

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830.2400	Record of Completion
830.2500	Alternative Methods of Training
830.ILLUSTRATION A	Warning Sign – Pesticide Treatment & Ventilation
830.ILLUSTRATION B	Restricted Use Pesticide Sign
830.TABLE A	Schedule of Administrative Fines

**AUTHORITY:** Implementing and authorized by the Structural Pest Control Act [225 ILCS 235], Illinois Pesticide Act [415 ILCS 60] and Sections 3.2 and 14.6 of the Environmental Protection Act [415 ILCS 5/3.2 and 14.6].

**SOURCE:** Adopted at 2 Ill. Reg. 19, p. 159, effective May 3, 1978; codified at 8 Ill. Reg. 18492; emergency amendment at 10 Ill. Reg. 17812, effective September 28, 1986, for a maximum of 150 days; emergency amendment expired on February 24, 1987; amended at 11 Ill. Reg. 7736, effective April 15, 1987; amended at 13 Ill. Reg. 2090, effective February 3, 1989; emergency amendments at 14 Ill. Reg. 1036, effective December 22, 1989, for a maximum of 150 days; emergency amendment expired on May 21, 1990; amended at 14 Ill. Reg. 12889, effective August 1, 1990; amended at 16 Ill. Reg. 11612, effective July 6, 1992; amended at 18 Ill. Reg. 14404, effective September 15, 1994; amended at 21 Ill. Reg. 15010, effective November 10, 1997; amended at 23 Ill. Reg. 5620, effective May 1, 1999; amended at 25 Ill. Reg. 8303, effective June 25, 2001; amended at 37 Ill. Reg. 3288, effective March 1, 2013; amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

SUBPART A: GENERAL PROVISIONS**Section 830.10 Definitions**

In addition to the definitions contained in the Structural Pest Control Act ~~[225 ILCS 235]~~, the following definitions, ~~when used herein~~, shall apply:

"Act" means the Structural Pest Control Act ~~[225 ILCS 235]~~.

"Active ingredient" means any ingredient ~~that~~which will prevent, destroy, repel, control or mitigate a pest.

"Applicant" means any person making an application for a license, registration, examination or certification.

"Back flow preventer or vacuum breaker device" means a device, approved by the

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Illinois Plumbing Code, ~~(77 Ill. Adm. Code 890)~~ used to prevent backflow or backsiphonage of contaminated water or liquid into a water supply system.

"College or university course in related field" means three semester hours or four quarter hours of a college course in biological sciences, physics or chemistry.

"Community Water System" means a public water system ~~that~~<sup>which</sup> serves at least 15 service connections used by residents or regularly serves at least 25 residents for at least 60 days per year. (Section 9(a)(1) of the Illinois Groundwater Protection Act ~~[415 ILCS 55/9(a)(1)]~~)

"Crack and crevice treatment" means the application of small amounts of a pesticide directly into a crack, crevice, expansion joint, between different elements of construction, between equipment and floors, or into an opening that leads into voids such as hollow walls, equipment legs and bases, conduits, motor housings, junction or switch boxes, where insects may be present.

"Department" means the Illinois Department of Public Health.

"Director" means the Director of the Illinois Department of Public Health or his or her designee.

"Existing storage unit" means a storage unit that was in operation or for which ~~there was commencement of~~ construction began on or before the effective date of a minimum setback zone, maximum setback zone, or regulated recharge ~~area~~<sup>regulation</sup> affecting the storage unit.

~~"FIFRA" means the Federal Insecticide, Fungicide and Rodenticide Act.~~

"File a renewal application" means the process of completing the renewal form and submitting it to the Department along with the applicable renewal fee as set forth in Section 9 of the Act. ~~Evidence shall be and evidence~~ either attached to the renewal form or on file with the Department ~~that indicates~~<sup>which would indicate</sup> that the license, certification or registration renewal requirements of Sections 4(e) and 6 of the Act and Sections 830.180 and 830.200 ~~of this Part~~ have been met.

"Food area" means an area where food is handled, received, packaged, held, processed, prepared, or served.

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"Groundwater" means underground water ~~that~~~~which~~ occurs within the saturated zone and geologic materials where the fluid pressure in the pore space is equal to or greater than atmospheric pressure. (Section 3(g) of the Illinois Groundwater Protection Act ~~[415 ILCS 55/3(g)]~~)

"Insurance company authorized to transact business" means an insurance company ~~that~~~~which~~ has been issued a Certificate of Authority by the Director of the Department of Insurance.

"Licensee" means any person who has a valid commercial structural pest control business license.

"Method" means any action or procedure used to determine the presence or absence of a pest.

"Pest control course" means an educational program ~~that~~~~which~~ addresses the basic theoretical or practical knowledge of pesticides and their application, approved by the Department pursuant to Subpart D ~~of this Part~~, and is equivalent to six months ~~of~~ experience for original certification.

"Pest control specialist" means a person who has a degree from a recognized college or university in one or more fields related to structural pest control ~~and~~/or pesticides or has a specialized area of interest pertaining to chemical manufacturing ~~and~~/or research, chemistry, entomology, or environmental sanitation and engineering.

"Pest control training seminar" means a recertification training program ~~that~~~~which~~ provides the technical and legal aspects of present structural pest control technology, approved by the Department pursuant to Subpart E ~~of this Part~~.

"Potable" means generally fit for human consumption in accordance with accepted water supply principles and practices. (Section 3(h) of the Illinois Groundwater Protection Act ~~[415 ILCS 55/3(h)]~~)

"Private Water System" means any supply ~~that~~~~which~~ provides water for drinking, culinary, and sanitary purposes and serves an owner-occupied single family dwelling. (Section 9(a)(5) of the Illinois Groundwater Protection Act ~~[415 ILCS 55/9(a)(5)]~~)

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"Public Water System" means a system for the provision to the public of piped water for human consumption, if the system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. The term "public water system" includes any collection, treatment, storage or distribution facilities under control of the operator of ~~the~~ system and used primarily in connection with ~~the~~ system and any collection or pretreatment storage facilities not under ~~the operator's~~ control ~~that~~ are used primarily in connection with ~~the~~ system. (Section 9(a)(6) of the Illinois Groundwater Protection Act ~~[415 ILCS 55/9(a)(6)]~~)

"Purchasing group" means a purchaser of group insurance ~~that~~ group has registered with the Director of the Department of Insurance.

"Recognized college or university" means an educational institution ~~that~~ has been recognized or approved by the Board of Higher Education, or equivalent, in the State in which it is located; ~~and~~ or an educational institution accredited by a regional accrediting association recognized by the Council on Post Secondary Accreditation. In either instance, the college or university must be authorized to confer a degree in the fields of Biological Sciences, Entomology, Zoology; or related fields.

"Registrant" means any person who has a valid non-commercial structural pest control registration.

"Regulated Recharge Area" means a compact geographic area, as determined by the ~~Illinois Pollution Control~~ ~~Illinois Pollution Control~~ Board, the geology of which renders a potable resource groundwater particularly susceptible to contamination. (Section 3(j) of the Illinois Groundwater Protection Act ~~[415 ILCS 55/3(j)]~~)

"Risk retention group" means an insurance company incorporated and licensed in one of the states of the United States and registered with the Director of the Department of Insurance.

"Secondary containment structure" means any structure used to contain liquid pesticides and prevent runoff or leaching into the groundwater.

"Service container" means any non-food container ~~used~~ ~~utilized to~~ temporarily to

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hold, store or transport a pesticide concentrate or registered ready-to-use product other than the original labeled container provided by the manufacturer, the measuring device or the application device.

"Setback zone" means a geographic area established under the Environmental Protection Act ~~that~~[\[415 ILCS 5\]](#) ~~which~~, for the purposes of Subpart I ~~of this Part~~, contains a potable water supply well and a storage unit, having a continuous boundary within which certain prohibitions or regulations for groundwater protection are applicable.

"Signal word" means a word or phrase found prominently displayed on the pesticide label ~~that~~[which](#) offers an indication of the toxicity and potential danger of a pesticide.

"Storage unit" means an area, structure, or any other mechanism used to store or accumulate pesticides for commercial application purposes.

"To use any registered pesticide in a manner inconsistent with its labeling" means to use any registered pesticide in a manner not permitted by the labeling, except that the term shall not include:

applying a pesticide at any dosage, concentration, or frequency less than that specified on the labeling, unless the labeling specifically prohibits deviation from the specified dosage, concentration or frequency;

applying a pesticide against any target pest not specified on the labeling if the application is to the crop, animal, or site specified on the labeling, unless the Administrator of the [US Environmental Protection Agency \(USEPA\)](#) has required that the labeling specifically state that the pesticide may be used only for the pests specified on the labeling after the Administrator of the USEPA has determined that the use of the pesticide against other pests would cause [an](#) unreasonable adverse effect on the environment;

employing any method of application not prohibited by the labeling unless the labeling specifically states that the product may be applied only by the methods specified on the labeling;

any use of a pesticide in ~~compliance~~[conformance](#) with Section 5, 18, or 24

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of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) ~~(7 USC 136(ee))~~; or

any use of a pesticide in a manner that the Administrator of the USEPA determines to be consistent with the purpose of FIFRA.

"Treatment period" means the period of time necessary for a room or area to remain closed to unauthorized individuals ~~in order~~ to allow an effective treatment and subsequent drying or settling of the pesticide in accordance with label directions or, in ~~the their~~ absence of label directions, with; manufacturer's recommendations.

~~"USEPA" means the United States Environmental Protection Agency.~~

"Water well" means any excavation, except a monitoring well, that is drilled, cored, bored, washed, driven, dug, jetted or otherwise constructed when the intended use of ~~the such~~ excavation is for the location, diversion, artificial recharge, or acquisition of groundwater, but the term does not include an excavation made to obtain or prospect oil, natural gas, minerals or products of mining; or quarrying or inserting media to re-pressure an oil- or natural gas-bearing formation; or for storing petroleum, natural gas or other products; or for observation or any other purpose in connection with developing or operating a gas storage project.

"Work Site" means and includes any location at which pesticides are handled, mixed, stored, or applied.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART B: LICENSURE AND CERTIFICATION REQUIREMENTS

**Section 830.240 Change of Certified Structural Pest Control Technician at Place of Employment**

- a) Each Illinois certified structural pest control technician shall ~~be required to~~ notify the Department in writing within 15 days ~~after of~~ any change in home address or employment. The notification shall also include the date of employment termination at the previous business location, if applicable. A new structural pest control technician certificate will be issued with the technician's new home

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address, provided that all copies of the old certificate are submitted to the Department along with the appropriate fee specified in Section 9(a~~f~~) of the Act.

- b) When a licensee or registrant loses the services of the only certified structural pest control technician employed at the business location, the licensee or registrant shall notify the Department in writing within seven~~7~~ days after~~of~~ the certified technician's departure. In addition:
- 1) All commercial structural pest control business operations shall cease effective the date of the certified structural pest control technician's departure and shall not resume until a replacement technician has been employed;
  - 2) All non-commercial structural pest control businesses using~~utilizing~~ restricted pesticides shall cease application with restricted pesticides effective the date of the certified structural pest control technician's departure and shall not resume until a replacement technician has been employed; and
  - 3) The licensee or registrant shall notify the Department in writing within seven~~7~~ days after another certified structural pest control technician certified in accordance with Section 5 of the Act and this Part has been employed at the business location. The~~Said~~ notification shall also list the certified structural pest control technician's starting date of employment.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 830.270 Supervision of a Non-certified Technician**

- a) Each non-certified technician using any pesticide under the Act for commercial structural pest control shall be under the supervision of a certified structural pest control technician employed at the business location, who shall be responsible for the non-certified technician's pest control activities.
- b) Each non-certified technician using any restricted pesticide under the~~this~~ Act for non-commercial structural pest control shall be under the supervision of a certified structural pest control technician employed at the business location, whose~~he~~ shall be responsible for the non-certified technician's pest control activities.

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- c) Any technician providing supervision for the use of restricted pesticides must be certified in the subcategory for which the technician is providing supervision.
- d) The physical presence of the supervising certified structural pest control technician is required in the immediate area of the work site ~~when~~:
- 1) When required by the pesticide labeling; or ~~if 2)~~ the non-certified technician has not had the minimum on-the-job training with a supervising certified structural pest control technician. At a minimum, on-the-job training requires at least two ~~previous~~-supervised uses of ~~each the same~~ type of a pesticide applied at each type of a similar work site as verified by records kept in accordance with Section 830.820 ~~of this Part~~; and
  - 2) ~~In~~ other situations ~~where~~ required by the Act or this Part.
- e) If the physical presence of the supervising certified structural pest control technician is not required at the work site as specified in subsection Section 830.270(d) above, then:
- 1) ~~A~~ copy of the label for the pesticide used shall be available for immediate review by the non-certified technician; ~~and~~
  - 2) ~~The~~ supervising certified structural pest control technician ~~shall~~ must be able to have direct voice contact, or immediate voice contact by telephone or radio, with the non-certified technician at all times during the application; and
  - 3) ~~The~~ supervising certified structural pest control technician shall be able to be physically on the work site within one hour ~~if needed should the need arise~~.
- f) ~~If the~~ In instances where labeling instructions on the pesticide label provide more stringent requirements regarding direct supervision than those listed in this Section above, the more stringent requirements shall be followed.
- g) In all cases of supervision, the certified structural pest control technician shall give the non-certified technician any site- or pesticide-specific instructions necessary to prevent the misuse of a pesticide.

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(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART C: EXAMINATIONS

**Section 830.410 Examinations**

- a) Examinations for certification as structural pest control technicians are divided into two classifications: General Standards Examination (General Use Pesticides) and Sub-category Examinations (Restricted Use Pesticides).
- b) General Standards (General Use Pesticides). All applicants shall take the~~The~~ general standards examination. The examination will~~shall be written by all applicants and shall~~ test each applicant's general knowledge in the following areas: label and labeling comprehension; safe handling, storage and disposal of pesticides; environmental awareness; types of equipment; application techniques; pests and pesticide formulations; protective clothing and equipment; symptoms of pesticide poisoning; and Illinois laws and regulations related to structural pest control. Individuals who successfully pass the general standards examination shall be entitled to use or oversee the use of any general use pesticide in accordance with the Act or this Part, provided that~~providing~~ the individual meets the requirements of Section 4 of the Act.
- c) Sub-category Examinations (Restricted Use Pesticides). Any individual who satisfactorily passes the general standards examination and meets the requirements ~~as set forth~~ in Section 5B of the Act may take a sub-category examination. The individual shall~~must~~ satisfactorily complete~~be examined in~~ at least one ~~(1)~~ of the eight ~~(8)~~ sub-category examinations listed in subsections~~subsections (c)(4)(A) through (H) of this subsection~~ with a minimum score of 70 percent before the applicant will be awarded a technician's~~technicians's~~ certificate to use or oversee the use of restricted pesticides within the appropriate sub-category.
  - 1) Any person using or overseeing the use of restricted pesticides while performing commercial structural pest control shall be examined in each sub-category listed in subsections (4)(A) through (D) and (H) ~~of this subsection~~ for which the said person performs structural pest control.
  - 2) Any person using or overseeing the use of restricted pesticides while

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engaging in non-commercial structural pest control shall be examined in one of the sub-categories listed in ~~subsections (c)(4)(A) through (H) of this subsection~~ subsections (c)(4)(E) through (G) for which ~~the said~~ person performs structural pest control on behalf of the registrant.

- 3) ~~A person who is~~ Persons who are examined in ~~the~~ sub-categories listed in subsections (c)(4)(E) through (G) ~~"E" through "G" of this Section~~ shall not engage in commercial structural pest control using restricted use pesticides unless he or she is ~~they are~~ examined in one or more of the sub-categories listed in subsections ~~(c)(4)(A) through (D) of this subsection~~ (c)(4)(A) through (D) and ~~has~~ have complied with the licensure requirements for commercial structural pest control locations ~~as found~~ in the Act and this Part.
- 4) The sub-category examinations for restricted pesticides are as follows:
  - A) Insects, Rodents and Other Pests – includes the use or supervision of the use of restricted pesticides other than fumigants; for the prevention and control of:
    - (i) insects, mites, ticks and other related pests, but does not include termites and other wood destroying organisms; ~~and~~
    - (ii) rats and mice; and
    - (iii) upon consent and permit from the Illinois Department of Conservation, protected mammals (bats, squirrels, skunks, etc.) and other protected animals (snakes, etc.).
  - B) Termites and Other Wood-Destroying Organisms – includes the use or supervision of the use of restricted pesticides other than fumigants; in, on or under a structure, for the prevention or control of termites and other wood-destroying organisms.
  - C) Birds – includes the use or supervision of the use of restricted pesticides for the prevention and control of pest birds such as ~~the~~ English house sparrows, pigeons and starlings in, on or around structures.
  - D) Fumigation – includes the use or supervision of the use of

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restricted fumigants for the control of pests in commercial and non-commercial pest control locations, including, but not limited to, rail cars, trucks, ships, airplanes, docks and warehouses, and involves general, spot, tarpaulin chamber, vehicle and in-transit fumigation.

- E) Food Processing, Manufacturing and Storage – includes the use or supervision of the use of restricted pesticides, excluding fumigants, for the prevention and control of insect and rodent pests associated with the manufacturing, processing, packaging or holding of food products for ultimate consumption by man or animals ~~when~~ ~~where~~ ~~the~~ ~~such~~ products are not served or offered for sale directly to the ultimate consumer.
- F) Institutional and Multi-unit Residential Housing – includes the use or supervision of the use of restricted pesticides excluding fumigants for the prevention and control of insect (excluding termites and other wood destroying organisms) and rodent pests in, on or around nursing homes, hospitals, public housing facilities, state institutions and similar structures.
- G) Public Health Pest Control – includes State, ~~federal~~ ~~Federal~~ or other ~~government~~ ~~governmental~~ employees using or supervising the use of restricted pesticides in public health programs for the prevention and control of pests having medical and public health importance other than mosquitoes.
- H) Wood Products Pest Control – includes the use of restricted use pesticides (i.e., creosote, pentachlorophenol and inorganic arsenical formulations) to control or prevent wood degradation by wood-destroying organisms, which include, but are not limited to, insects, and the fungi or bacteria ~~that~~ ~~which~~ cause surface molding, surface staining, sap staining, brown rot, white rot, dry rot and soft rot. Certification in this sub-category is limited to those individuals who work in non-commercial wood treatment plants, or for commercial businesses whose function is to treat existing structures or structural components.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## SUBPART F: HEARINGS AND ADMINISTRATIVE FINES

**Section 830.710 Administrative Fines**

- a) The Department is authorized to assess administrative civil fines against a licensee, registrant, certified [structural pest control](#) technician, public school, licensed day care center or other person for violations of the Act or this Part. ~~Fines~~[These fines](#) may be assessed in addition to, or in lieu of, license, registration, or certification suspensions and revocations.
- b) The amount of a fine shall be determined in accordance with the Schedule of Administrative Civil Fines in Table A and the following criteria:
  - 1) A violation, for the purposes of this Section, will be considered to mean a finding of violation of a Section of the Act or this Part by a court of competent jurisdiction in this or any other state, or by the Director in a Final Order issued pursuant to the Act, or by a notice of warning issued in accordance with Section 14 of the Act.
  - 2) For purposes of determining a second violation, an initial violation means the first violation of a particular Section of the Act or this Part within the previous three years. [Each day in which the same violation exists shall constitute a separate violation.](#)
  - 3) Each location shall be considered separately with regard to violation determinations under this Part.
  - 4) A Type A violation is any one of the following:
    - A) Failure to observe the general safety precautions of Section 830.800.
    - B) Failure to abide by any stop sale or stop use order issued under Section 830.860.
    - C) Failure to notify the Department of any incident or accident involving pesticides as required in Section 830.870.

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- D) Use of a pesticide in a manner inconsistent with its labeling directions (Section 830.810).
- E) Performing a pesticide application or inspection in a faulty, careless, or negligent manner (Section 13(d) of the Act).
- ~~F) Performing structural pest control in violation of the license and registration requirements of Section 4(a) or 4(b) of the Act.~~
- ~~FG)~~ Performing structural pest control in violation of the certification requirements of Sections 4(c) and 5 of the Act and Sections 830.230 and 830.270.
- ~~GH)~~ Performing structural pest control in violation of an order issued by the Director ~~or designee~~ (Sections 10(f), 13(a) and 14 of the Act).
- ~~HI)~~ Failure to use methods or materials suitable for structural pest control (Section 13(c) of the Act).
- ~~IJ)~~ *Performing structural pest control utilizing or authorizing the use or sale of pesticides ~~that~~ which are in violation of the FIFRA or the Illinois Pesticide Act.* (Section 13(i) of the Act)
- ~~JK)~~ Failure to notify employees and parents and guardians of students of a public school or licensed day care center two business days before a pesticide application as specified in Section 10.3 of the Act.
- 5) A Type B violation is any one of the following:
- A) Failure to cease pest control operations when ~~there is an interruption in~~ insurance coverage is interrupted (Section 830.260(d)).
- B) Making or reporting false, misleading, or fraudulent information. (See Section 13(c) of the Act.)
- C) *Fraudulent advertising or solicitations relating to structural pest control.* (Section 13(f) of the Act)

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- D) Allowing a license, permit, registration or certification to be used by another person, in violation of Sections 4(f) and 6(b) of the Act.
  - E) Using the certification of a structural pest control technician to secure or maintain a license or registration when that individual is not actively employed at the business location, in violation of Section 6(b) of the Act
  - F) *Aiding or abetting a person to evade any provision of the Act.* (Section 13(g) of the Act)
  - G) *Impersonating any federal, State, county, or city official.* (Section 13(h) of the Act)
  - H) Failure to allow the Department to perform inspections and investigations in accordance with Section 10(g) and (h) of the Act.
  - I) Failure to comply with a written notice issued in accordance with Section 830.860.
  - J) Performing structural pest control in violation of the license and registration requirements of Section 4(a) or 4(b) of the Act.
  - K) Failure to provide information to the Department upon request in accordance with Section 13(e) of the Act.
- 6) A Type C violation is any one of the following:
- A) Failure to observe the pesticide storage requirements of Section 830.830.
  - B) Failure to observe the service vehicle requirements of Section 830.840.
  - C) Failure to observe the pesticide storage practices of Section 830.850.
  - D) Failure to establish and maintain insurance in accordance with

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Section 9 of the Act and Sections 830.250 and 830.260 and excluding subsection (b)(5)(A) ~~of this Section.~~

- E) Failure to establish and maintain records of pesticide applications in accordance with Section 830.820.
- F) Failure of a licensee or registrant to provide written notification to the Department concerning the loss of the licensee's or registrant's only certified structural pest control technician and subsequent shutdown in accordance with Section 8 of the Act and Section 830.240(b).
- G) Failure of a certified structural pest control technician to provide written notification to the Department in accordance with Section 830.240(a).
- H) Failure to renew a license or registration in accordance with Section 4(e) of the Act and Section 830.180.
- I) Failure to renew a structural pest control technician certification in accordance with Section 6 of the Act and Section 830.200.
- J) Failure to notify the Department of a change in business ownership in accordance with Section 830.190.
- K) Failure to perform the notification and license replacement procedures in accordance with Section 4(d) of the Act when there is a change in business location.
- ~~L) Failure to provide information to the Department upon request in accordance with Section 13(e) of the Act.~~
- LM) Failure to display or provide a current license, registration and certification in accordance with Section 830.310.
- MN) Failure to observe the groundwater protection requirements in accordance with Subpart I ~~of this Part.~~
- NO) Failure to follow and observe the integrated pest management

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requirements of Section 10.2 of the Act.

O) Failure to provide copies of applicable service records to a property's owner, manager or tenant as specified in Section 830.820(f).

- c) Any penalty not paid within 60 days after notice from the Department ~~will~~shall be submitted to the Attorney General's Office for collection. Failure to pay a penalty shall also be grounds for suspension or revocation of a license, permit, registration, or certification.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART G: SAFE PESTICIDE STORAGE AND HANDLING

**Section 830.820 Records**

- a) Each commercial structural pest control business location shall ~~be required to~~ keep records of all pesticide applications for a minimum period of two years. On-the-job training records, in accordance with Section 830.270, shall be kept for as long as the employee is employed or until the employee becomes certified.
- b) Each non-commercial structural pest control business location shall ~~be required to~~ keep records of all restricted pesticide applications at the location for a minimum period of two years. On-the-job training records, in accordance with Section 830.270, shall be kept for as long as the employee is employed or until the employee becomes certified.
- c) The certified structural pest control technician responsible for using pesticides, or overseeing the use of pesticides by non-certified personnel, shall provide ~~documentation~~written verification (i.e., ~~name, signature and~~ certification number and dates of service) of review ~~offer~~ all pesticide records for services performed by uncertified technicians to determine compliance with this Section.
- d) Records of restricted pesticide usage shall be kept separate from those pertaining to general pesticide usage, and both shall include the following:
- 1) Name and address of customer or site of application;

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- 2) Name of technician applying the pesticide;
- 3) Date and time of the application;
- 4) Target pest or purpose for the application;
- 5) Pesticide use recorded in the following manner:
  - A) Brand or common name;
  - B) USEPA Registration Number;
  - C) Percentage of active ingredient in the finished product; and
  - D) Estimates accurate to within 10 percent~~An estimate~~ of the amount of each~~the~~ finished product used;:-
- 6) For termite control treatments, a diagram showing foundation types and accurate dimensions of all portions of the structures being treated.
- e) All records except those for the week prior to the inspection shall be kept at the business location and be available for inspection by the Department in accordance with the Act, this Part and the Electronic Commerce Security Act.
- f) Structural pest control businesses shall provide copies of service records upon request of a serviced property's current owner, manager or tenant.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART I: GROUNDWATER PROTECTION

**Section 830.1000 Scope and Applicability**

- a) This Subpart shall apply to commercial structural pest control business locations that have pesticide storage units located as specified in subsection (a)(1), (2) or (3) ~~of this Section~~ and have certified their intent in writing to the Department to be subject to ~~the provisions of~~ Section 14.6 of the Environmental Protection Act ~~[415 ILCS 5/14.6]~~ for regulation by the Department in accordance with this Part. ~~Certification for businesses that have pesticide storage units meeting the~~

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~~following specifications shall be submitted to the Department by February 1, 1998, or within 90 days after the effective date of an ordinance or regulation establishing or expanding a maximum setback zone or regulated recharge area, pursuant to Section 14.3 or 17.3 of the Environmental Protection Act:~~

- 1) A storage unit located within a potable water supply well setback zone;
- 2) An existing storage unit located within a community water supply well regulated recharge area not to exceed 2,500 feet from the wellhead; or
- 3) A new storage unit located within a community water supply well regulated recharge area, unless prohibited by the Illinois Pollution Control Board.

b) ~~Certification for businesses that have pesticide storage units located as described in subsection (a)(1), (2) or (3) shall be submitted to the Department within 90 days after the effective date of an ordinance or regulation establishing a maximum setback zone or regulated recharge area, pursuant to Section 14.3 or 17.3 of the Environmental Protection Act.~~

cb) Commercial structural pest control business locations that have storage units located as specified in subsection (a)(1), (2) or (3) ~~of this Section~~ but have not certified their intent in writing to the Department to be subject to ~~the provisions of~~ Section 14.6 of the Environmental Protection Act shall be subject to Sections the provisions of Section 14.4 and 14.5 of the Environmental Protection Act ~~[415 ILCS 5/14.4 and 14.5]~~ and ~~the regulations promulgated by the~~ Illinois Pollution Control Board rules at 35 Ill. Adm. Code 615, 616 and 670 (Existing Activities in a Setback Zone or Regulated Recharge Area, New Activities in a Setback Zone or Regulated Recharge Area, or Minimal Hazard Certification) ~~(and administered by the Illinois Environmental Protection Agency), or the regulations promulgated by the Illinois Department of Agriculture rules at 8 Ill. Adm. Code 257 (Cooperative Groundwater Protection Program) Agriculture at 8 Ill. Adm. Code 257.~~

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Charter Schools
- 2) Code Citation: 23 Ill. Adm. Code 650
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
650.30	Amendment
650.35	New Section
650.50	Amendment
650.70	Amendment
650.100	Amendment
- 4) Statutory Authority: 105 ILCS 5/Art. 27A
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking responds to two recently enacted Public Acts, as described below.

PA 98-783, effective January 1, 2015, adds Section 27A-10.10 to the School Code, which addresses the procedures for the disposition of unspent public funds and other property and assets at the time that a charter school closes. The new law is identical to the requirements set forth at Section 650.70(b); therefore, the rule is being modified to cross-reference the law rather than repeat the statutory requirements. The law will have no effect on agency practice as the rules have been in place since 2012.

PA 98-1048, effective August 25, 2014, amended Section 27A-6(e) of the School Code regarding material revisions to a certified charter school contract. Previously, the law required the State Board to certify any proposed material revision "as being consistent with the provisions" of the Charter Schools Law before the revision could take effect. Under the revised statute, material revisions may go into effect immediately upon agreement by both parties to the charter contract. If either or both parties to the charter contract have a concern that a proposed material revision may run afoul of the Charter Schools Law, however, they may request that the State Board review the revision and certify its compliance with the Charter Schools Law before it may go into effect. Proposed modifications in Section 650.50 reflect this new process and provide detail about the timing and content of submissions. Further changes in Section 650.50 remove from that Section discussion of the State Board's certification of charter renewal agreements. Section 650.30 currently outlines the process for the State Board's certifying a charter school renewal. Moreover, since the processes for certifying renewals and for certifying material revisions differ, mention of renewals in Section 650.50 is confusing and unnecessary.

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

New Section 650.35 provides a process for the State Charter School Commission to submit to the State Board of Education, for certification, reports regarding the Commission's approval of charter school applications either on appeal from a local school board's denial of the application or through a referendum process. The new Section acknowledges in rule that any charter application approved by the Commission must be certified by the State Board before it can take effect and states the requirements for obtaining certification. Additionally, Section 650.35 addresses reports of renewals and of denials, revocations or non-renewals.

Finally, a more general email address for the State Charter School Commission is being provided in Sections 650.30 and 650.100.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a State mandate.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days after the publication of this Notice to:

Shelley Helton  
Agency Rules Coordinator  
Illinois State Board of Education  
100 North First Street, S-493  
Springfield IL 62777-0001

217/782-5270  
rules@isbe.net

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 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 2015

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

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER I: STATE BOARD OF EDUCATION

## SUBCHAPTER 0: MISCELLANEOUS

## PART 650

## CHARTER SCHOOLS

## SUBPART A: GENERAL PROVISIONS

## Section

650.10	Definitions
650.20	Purpose

## SUBPART B: ACTIONS OF THE STATE BOARD OF EDUCATION

## Section

650.30	Submission to the State Board of Education: <a href="#">Local Boards of Education</a>
<a href="#">650.35</a>	<a href="#">Submission to the State Board of Education: Commission</a>
650.40	Review by the State Superintendent of Education of Local or Commission Approvals
650.50	Revision <del>and Renewal</del> of <a href="#">Certified</a> Charters
650.55	Biennial Reporting Requirements
650.60	Appeal of Local School Board Decisions (Repealed)
650.65	Monitoring of Charter Authorizers by the State Board of Education; Corrective Action
650.70	Procedures for Closing a Charter School

## SUBPART C: ACTIONS OF THE STATE CHARTER SCHOOL COMMISSION

## Section

650.100	Appeals to, and Requests for Consideration by, the Commission
650.110	Review of Appeals and Requests for Consideration; Decision

650.APPENDIX A Principles and Standards for Authorizing Charter Schools

AUTHORITY: Implementing and authorized by Article 27A of the School Code [105 ILCS 5/Art. 27A].

## STATE BOARD OF EDUCATION

## NOTICE OF PROPOSED AMENDMENTS

SOURCE: Emergency rules adopted at 20 Ill. Reg. 6329, effective April 23, 1996, for a maximum of 150 days; emergency expired; emergency amendment at 20 Ill. Reg. 8677, effective June 25, 1996, for a maximum of 150 days; new Part adopted at 20 Ill. Reg. 15284, effective November 15, 1996; emergency amendments at 22 Ill. Reg. 1479, effective January 1, 1998, for a maximum of 150 days; emergency expired; emergency amendment at 22 Ill. Reg. 5104, effective February 27, 1998, for a maximum of 150 days; emergency expired; amended at 22 Ill. Reg. 16455, effective September 3, 1998; amended at 36 Ill. Reg. 14801, effective September 20, 2012; amended at 38 Ill. Reg. 21916, effective November 3, 2014; amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART B: ACTIONS OF THE STATE BOARD OF EDUCATION

**Section 650.30 Submission to the State Board of Education: Local Boards of Education**

Local boards of education shall submit a final report to the State Board of Education as to the action by the local boards of education with regard to an application for, ~~revision of~~, renewal of, or revocation of a charter. A copy of the report shall be provided to the applicant or charter holder at the same time that the report is submitted to the State Board of Education. Reports shall be submitted as follows.

- a) The local board of education shall submit the report to the State Board of Education either by electronic mail or U.S. mail to the address in subsection (e) not later than seven days after the date of the public meeting at which the board acted on the charter request.
  - 1) For reports submitted by U.S. mail, the report must bear a postmark date of not later than seven days following the meeting date.
  - 2) In case of separate public meetings by each school board involved, the seven days shall begin when the last school board votes on the matter.
- b) Section 27A-6 of the School Code provides that a *proposed contract to open a new charter school or to renew the charter of an existing charter school* ~~between the governing body of a proposed charter school and the local school board~~ must be submitted to and certified by the State Board before it can take effect.
  - 1) Reports of approved applications or renewals shall consist of the charter school proposal voted upon by each of the local boards of education authorizing the charter school and the contractual agreement.

## STATE BOARD OF EDUCATION

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- 2) The report also shall be accompanied by each of the forms, to be supplied by the State Superintendent of Education, listed in this subsection ~~(b)(2)(b)(4)~~. Reports lacking one or more of these documents shall be considered incomplete and shall not be reviewed for certification until all required items have been submitted.
- A) A form attesting to the local board of education's compliance with all of the procedural requirements and application components set forth in Article 27A of the School Code. The form and the proposed contractual agreement shall be signed by the president of each local school board that is a party to the application and the appropriate officers of the charter school governing body.
- B) A budget narrative and financial schedule for the term of the charter.
- C) A plan for the provision of special education services to students with disabilities enrolled in the charter school that aligns to the requirements of Article 14 of the School Code [105 ILCS 5/Art. 14] and 23 Ill. Adm. Code 226 (Special Education), and which, for approved applications, shall at least include, but not be limited to, an explanation of how parents of students with disabilities will be informed of their students' eligibility to participate in the charter school lottery held pursuant to Section 27A-4(h) of the School Code and how the charter school will identify students who may be eligible to receive special education services at the charter school.
- D) A plan for the provision of educational services for English learners that aligns to the requirements of Article 14C of the School Code [105 ILCS 5/Art. 14C] and 23 Ill. Adm. Code 228 (Transitional Bilingual Education).
- 2) ~~Reports of approved revisions shall consist of the revised contractual agreement. The report also shall be accompanied by the form specified in subsection (b)(1)(A) and may include the forms specified in subsection (b)(1)(B) or (b)(1)(C), as applicable to the revisions being made.~~

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- c) Reports of denials, revocations or non-renewals shall consist of the charter proposal or current charter contract voted upon by each of the local boards of education; a copy of each board's resolution setting forth the board's action and its reasons for the action; a notice to the applicant or charter holder to the effect that a denial, revocation or non-renewal of a charter school application or [contract revision](#) may be appealed to the Commission within 30 days from the date that the school board voted to deny the application or revoke or not renew a contract; and any other documents upon which the board relied in denying the current proposal or revoking or not renewing the contract.
- d) Each submission under subsection (b) or (c) also shall include a certification of publication and a copy of the printed notice of the public meeting for each local board of education involved, as required by Section 27A-8(d) of the School Code.
- e) Reports shall be submitted via electronic submission to [charter@isbe.net](mailto:charter@isbe.net) or by certified mail, return receipt requested, addressed to:

Illinois State Board of Education  
Charter Schools  
100 West Randolph Street  
Suite 14-300  
Chicago, Illinois 60601

- f) Reports and other documentation pertaining to denials, revocations or non-renewals also shall be submitted to the Commission within the timeframe set forth in subsection (a) via electronic submission to [state.charter.commission@illinois.gov](mailto:state.charter.commission@illinois.gov) ~~[Jeanne.Nowaczewski@Illinois.gov](mailto:Jeanne.Nowaczewski@Illinois.gov)~~ or by certified mail, return receipt requested, addressed to:

State Charter School Commission  
Michael A. Bilandic Building  
160 North LaSalle Street, 6<sup>th</sup> Floor  
Chicago, Illinois 60601

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**[Section 650.35 Submission to the State Board of Education: Commission](#)**

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- a) Section 27A-9(f) of the School Code provides that, in the event that the Commission on appeal reverses a local board's decision or if a charter school is approved by referendum, the Commission shall act as the authorized chartering entity for the charter school. The State Board shall determine whether the charter proposal approved by the Commission is consistent with the provisions of Article 27A of the School Code and, if the approved proposal complies, certify the proposal.
- 1) The Commission shall submit a final report to the State Board of Education, in the manner set forth in Section 650.30(a), as to any decision to reverse, on appeal, a local school board's determination with respect to a charter application or renewal, or to approve a charter school proposal established by referendum.
- 2) Reports of a reversal on appeal or approval of charters established by referendum shall contain the charter school proposal and the contractual agreement. The report also shall be accompanied by each of the forms listed in Section 650.30(b). Forms that require signature shall be signed by the executive director of the Commission and the appropriate officers of the charter school governing body.
- b) The Commission also shall submit reports of renewal of its charters in the manner set forth in Section 650.30(a). The report shall be accompanied by each of the forms listed in Section 650.30(b). Forms that require signature shall be signed by the executive director of the Commission and the appropriate officers of the charter school governing body.
- c) Reports of denials, revocations or non-renewals shall consist of the charter proposal or current charter contract voted upon by the Commission; a copy of the Commission's resolution setting forth its action and the reasons for the action; and any other documents upon which the Commission relied in denying the current proposal or revoking or not renewing the contract.

(Source: Added at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 650.50 Revision ~~and Renewal~~ of Certified Charters**

~~No material revision to a previously certified contract or a renewal shall be effective unless and until the State Superintendent certifies that the revision or renewal is consistent with the~~

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~~provisions of Article 27A (Section 27A-6(e) of the School Code). Proposed revisions or renewals of a charter shall be submitted to the State Board of Education in the manner set forth in this Part.~~

- a) A material revision to a previously certified contract may go into effect immediately upon approval of both the authorizer and the governing body of the charter school. Should either the authorizer or the governing body of the charter school request in writing that the State Superintendent certify the material revision as being consistent with the provisions of Article 27A, the material revision shall not take effect unless and until the State Superintendent so certifies. (Section 27A-6(e) of the School Code)
  - 1) A request for the State Superintendent to certify a material revision shall consist of the revised contractual agreement, any other materials that describe the need for the material revision, and an explanation from the local authorizer and/or charter school governing body as to any legal concerns raised by the material revision.
  - 2) The request also shall be accompanied by the forms specified in Section 650.30(b)(2)(A) and may include the forms specified in Section 650.30(b)(2)(B), (b)(2)(C) or (b)(2)(D), as applicable to the proposed revision.
- b) A request for certification of a proposed revision shall be submitted to the State Board of Education in the manner set forth in Section 650.30(e). Within 30 days after receiving the request for certification, the State Superintendent shall either:
  - 1) Certify that the proposed revision is consistent with the provisions of Article 27A of the School Code; or
  - 2) Request additional information as may be needed to render a decision.
- c)a) The following revisions to a certified contract or a renewal are considered material for purposes of this Section. Any proposed revision not listed in this subsection (c)-(a), except those set forth in subsection (d)(b) of this Section, should be presumed material and shall be subject to the requirements of this Section submitted to the State Board for certification before it may take effect.

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- 1) Enrollment growth beyond 20 percent or expansion beyond the grade levels listed in the certified charter.
- 2) Transferring the charter to another non-profit entity.
- 3) Altering the mission of the charter or the targeted student population.
- 4) Employing or terminating a management company.
- 5) Any change to the charter with respect to the National School Lunch Program (7 CFR 210.10 (2012)).
- 6) Any change to the charter with respect to the provision of student transportation.

~~d)~~ The following revisions to a certified contract are not considered material for purposes of this Section.

- 1) Bylaws.
- 2) Relocation.
- 3) The name of the charter school.
- 4) The articles of incorporation.
- 5) Class sizes as stated in the application.
- 6) Length of school day and/or academic year.
- 7) Curriculum changes.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_).

**Section 650.70 Procedures for Closing a Charter School**

The governing body of a charter school that is closing, whether voluntarily or involuntarily, shall be subject to the requirements of this Section.

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- a) Required Notices
- 1) Except in the case of an emergency, when the health, safety or education of the charter school's students is at risk, any notice of a charter school's closing required under subsection (a)(2) shall be provided:
    - A) at least 60 days before the end of the school year in which the closure will take place for a charter school that is closing involuntarily (i.e., has had its charter revoked or not renewed); or
    - B) at least 60 days before the scheduled closing date for a charter school that is voluntarily closing.
  - 2) The governing body or its designee shall provide notice of the charter school's closure:
    - A) to the charter school's employees, including the date of closure;
    - B) to the parents or guardians of the students attending the school and to the superintendent of each school district in which any of the charter school's students reside, including:
      - i) the date of closure; and
      - ii) the procedures the parents should follow in order to continue their children's education within the public schools;
    - C) to the entity that authorized the charter school and to the State Superintendent of Education, submitted by certified mail, return receipt requested, and including:
      - i) the date of closure;
      - ii) the name, address, and telephone number of the person who will be responsible for making arrangements for the closure; and

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- iii) copies of the notices required by subsections (a)(2)(A) and (a)(2)(B) of this Section.
- b) Disposition of Assets
- Any unspent public funds and other property and assets of the charter school shall be disposed of in the manner set forth in Section 27A-10.10 of the School Code.
- 1) ~~When a charter school is authorized by one or more local boards of education, the governing body or its designee shall refund to the chartering entity or entities all unspent public funds. The charter school's other assets shall be dissolved under the provisions of the charter application and contract. If the contract is silent or ambiguous as to the disposition of any of the school's assets, all assets of the charter school purchased with public funds shall be returned to the school district or districts from which the charter school draws enrollment, at no cost to the receiving district or districts, subject to each district's acceptance of the asset. Any unspent public funds or other assets received by the charter school directly from any State or federal agency shall be refunded to or revert back to that State or federal agency, respectively.~~
  - 2) ~~When a charter school is authorized by the Commission, the governing body or its designee shall refund all unspent public funds to the State Board of Education. The charter school's other assets shall be dissolved under the provisions of the charter application and contract. If the contract is silent or ambiguous as to the disposition of any of the school's assets, all assets of the charter school purchased with public funds shall be returned to the school district or districts from which the charter school draws its enrollment, at no cost to the receiving district or districts, subject to each district's acceptance of the asset. Any unspent public funds or other assets provided by a State agency other than the State Board of Education or by a federal agency shall be refunded to or revert back to that State or federal agency, respectively.~~
- c) Student Records
- The governing body or its designee shall transfer its students' permanent and temporary records (see 23 Ill. Adm. Code 375.10; Definitions) to the school's chartering entity or entities, as set forth in 23 Ill. Adm. Code 375.75 (Public and Nonpublic Schools: Transmission of Records for Transfer Students), except that,

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if the Commission is the chartering entity, each student's permanent record shall be transferred to his or her district of residence.

d) Other Records

The governing body or its designee shall prepare all the school's records for transfer to the chartering entity or entities. These records shall include, but need not be limited to:

- 1) the minutes of the meetings of the governing body;
- 2) the school's policy manual;
- 3) the manuals setting forth the school's administrative, accounting, and personnel-related procedures;
- 4) all personnel files, including service records and information regarding teachers' certification;
- 5) all teachers' schedules;
- 6) all inventory records for fixed assets (i.e., tangible property used in operating the charter school);
- 7) bank statements, including any canceled checks returned by the financial institution;
- 8) corporate credit card statements and invoices;
- 9) accounting reports, budgets, journals, ledgers, and registers;
- 10) annual financial reports prepared by independent auditors;
- 11) all agreements, contracts, and records of arrangements, including any exhibits, amendments, or other supporting documentation;
- 12) all Internal Revenue Service forms used and any supporting documentation;

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- 13) all Teachers' Retirement System forms used and any supporting documentation;
  - 14) purchase requisitions and purchase vouchers, including supporting documentation such as vendors' invoices, store receipts, or travel itineraries;
  - 15) vouchers for reimbursement of staff expenses, including travel, with any supporting documentation; and
  - 16) all electronic files containing financial records pertaining to the school.
- e) Requirements for Inventory Records  
For each fixed asset of the charter school (i.e., land, buildings, machinery, equipment, furniture, and fixtures), the inventory record shall include the following information:
- 1) a description of the fixed asset;
  - 2) a manufacturer's serial number, model number, federal or national stock number, or other identifying number, if applicable;
  - 3) an indication as to whether local, State, and/or federal funds were used to acquire the asset, along with information from which the percentage of State and/or federal participation can be calculated;
  - 4) whether title to the asset vests in the charter school, an agency of State government, or the federal government;
  - 5) the acquisition date (or the date received, if the asset was furnished by a donor) and cost;
  - 6) the location and condition of the fixed asset and the date as of which this information was last reported (e.g., the date of the last physical inventory taken by representatives of the charter school);
  - 7) information as to the ultimate disposition of the fixed asset, including the date of disposal and sale price, or, when the charter school has

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compensated a State or federal agency for its share in the asset, the method used to determine the current fair market value.

- f) Final Financial Accountability
- 1) The governing body or its designee shall cause a final audit of the charter school to be performed by an independent auditor after all the school's assets have been liquidated and its accounts payable have been settled. The governing body or its designee shall provide a copy of the audit report to the chartering entity.
  - 2) If the governing body has been unable to liquidate all the school's accounts payable, the governing body or its designee shall inform the chartering entity or entities of any outstanding obligations. The chartering entity shall not, however, be responsible for any obligation of a charter school not specified in the charter agreement.
  - 3) The governing body shall designate an individual who will complete any expenditure reports or other fiscal documentation that may be required by the State Board of Education.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_).

## SUBPART C: ACTIONS OF THE STATE CHARTER SCHOOL COMMISSION

**Section 650.100 Appeals to, and Requests for Consideration by, the Commission**

- a) An applicant for a charter or a charter holder may appeal to the Commission a local school board report that denies, revokes or refuses to renew a charter. An applicant for a charter also may submit its proposal to the Commission for consideration in situations in which the local school board fails to act on the proposal within a timely manner. (See Section 27A-8(d) and (e) of the School Code.) Any appeal or request for consideration shall be submitted to the Commission no later than 30 days after:
- 1) the date that the school board voted to deny the application; or
  - 2) the date by which the school board was to, but did not, hold a public meeting (see Section 27A-8(d) of the School Code); or

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- 3) the date by which the school board was to, but did not, vote on the charter request (see Section 27A-8(e) of the School Code).
- b) The appeal or request for consideration must be submitted electronically to the Commission at [state.charter.commission@illinois.gov](mailto:state.charter.commission@illinois.gov) ~~[Jeanne.Nowaczewski@Illinois.gov](mailto:Jeanne.Nowaczewski@Illinois.gov)~~, with a copy sent by certified mail or electronic mail to the school board.
- c) Appeals of School Board Decisions to Deny, Revoke or not Renew a Charter  
The applicant, to the extent possible, must state the reasons why the decision of the school board should be reversed.
- d) Consideration of Requests Due to Local Inaction
  - 1) The applicant shall state the reasons why the proposal should be granted.
  - 2) The applicant shall list the date the charter school proposal was submitted to the school board for consideration and, if a public meeting was held in accordance with Section 27A-8(c) of the School Code, the date of the public meeting and a statement that the school board failed to vote on the request within 30 days after the meeting being held.
- e) The parties shall submit to the Commission any additional information that the Commission determines is necessary to decide the appeal or consider a request submitted due to the local board's inaction.
- f) Any appeal or request for consideration not submitted within the applicable deadline specified in subsection (a) ~~of this Section~~ shall not be considered, and the Commission shall provide notification to the applicant to this effect.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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## NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Procurement by the State Board of Education
- 2) Code Citation: 44 Ill. Adm. Code 1105
- 3) 

<u>Section Numbers</u> :	<u>Proposed Action</u> :
1105.5	Repeal
1105.10	Repeal
1105.20	Repeal
1105.30	Repeal
- 4) Statutory Authority: 30 ILCS 500/1-30(a)
- 5) A Complete Description of the Subjects and Issues Involved: With the 1998 enactment of the Illinois Procurement Code, the State Board of Education has had procurement authority independent from Central Management Services (CMS), which has responsibility for procurements conducted by executive offices under the Office of the Governor. The State Board of Education was directed by the Joint Committee on Administrative Rules in 1998 to adopt rules implementing the new Procurement Code. At that time, JCAR's Executive Director outlined two options for ISBE: (i) Adopt rules naming the Chief Procurement Officer (CPO) for the Board, or naming the CMS's CPO as ISBE's Chief Procurement Officer, and then cross-referencing CMS rules in their entirety; or (ii) develop totally separate rules. The State Board chose to develop totally separate rules a year later. Although these rules did not substantively differ from the procurement rules adopted by CMS, they did name the State Superintendent as ISBE's CPO.

In 2005, the State Board conducted a comprehensive review of its rules and, as a result, repealed its procurement rules and adopted Part 1105. Part 1105 incorporated by reference the procurement standards of CMS. Part 1105 also named the State Superintendent as the agency's CPO and directed the State Superintendent to appoint one or more State Purchasing Officers, as may be needed. By incorporating CMS's procurement rules, Part 1105 provided regulations that were more consistent with the Procurement Code's structure and intent. Additionally, relying on CMS's rules saved both staff and the Board the time and effort necessary to continually adopt amendments to the agency's procurement rules that reflect statutory changes made to the Procurement Code.

Subsequent changes in the Procurement Code have required staff to re-examine the need for the agency to retain Part 1105. In particular, recent legislation (PA 96-795 and PA

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96-920, both effective July 1, 2010) moved responsibility for procurement of state agencies from CMS to the jurisdiction of the Chief Procurement Officer for General Services. Under the law, the Chief Procurement Officer for General Services and the Executive Ethics Commission have the authority to appoint state purchasing officers and procurement compliance monitors for state agencies. As a result of the legislative changes, the Chief Procurement Officer for General Services took the position that ISBE falls under that Office's jurisdiction. The agency, however, maintained that the State Board is a "constitutional" officer (rather than a state administrative office under the Governor) and would be exempt from the requirements in the Procurement Code regarding the appointment of a CPO.

In late December 2012, a representative of the Attorney General's office issued an unofficial opinion in response to a joint request from the State Board and the Executive Ethics Commission as to whether ISBE is a constitutional officer and, therefore, exempt from the requirements in the Procurement Code regarding the appointment of a CPO. The Attorney General's office found that the State Board is not a "constitutional officer" for purposes of the Procurement Code and, therefore, is not exempt. Rather than having the State Superintendent of Education serve as the agency's CPO, the State Board's CPO is now the Chief Procurement Officer for General Services who, along with the Executive Ethics Commission, has authority to appoint both the State Board's state purchasing officer and procurement compliance monitor. This action nullifies the provisions of Part 1105, thereby necessitating its repeal.

- 6) Published studies or reports, and sources of underlying data, used to compose this repealer: None
- 7) Will this repealer replace any emergency rule currently in effect? No
- 8) Does this repealer contain an automatic repeal date? No
- 9) Does this repealer contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This repealer will not create or enlarge a State mandate.

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## NOTICE OF PROPOSED REPEALER

- 12) Time, Place and Manner in which interested persons may comment on this proposed repealer: Written comments may be submitted within 45 days after the publication of this Notice to:

Shelley Helton  
Agency Rules Coordinator  
Illinois State Board of Education  
100 North First Street, S-493  
Springfield IL 62777-0001

217/782-5270  
rules@isbe.net

- 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 repealer was summarized: January 2015

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

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## NOTICE OF PROPOSED REPEALER

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT  
AND PROPERTY MANAGEMENT  
SUBTITLE B: SUPPLEMENTAL PROCUREMENT RULES  
CHAPTER XIII: STATE BOARD OF EDUCATION

## PART 1105

PROCUREMENT BY THE STATE BOARD OF EDUCATION (REPEALED)

## Section

1105.5	Policy
1105.10	Interpretation of References
1105.20	Delegation of Procurement Authority
1105.30	Avoidance of Duplication

AUTHORITY: Implementing the Illinois Procurement Code [30 ILCS 500] and authorized by Section 1-30(a) of that Code.

SOURCE: Adopted at 29 Ill. Reg.18122, effective October 19, 2005; repealed at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 1105.5 Policy**

All procurements by the Illinois State Board of Education shall be undertaken in accordance with statute and the rules of the Illinois Department of Central Management Services for Standard Procurement (see 44 Ill. Adm. Code 1). In accordance with Section 1-15.15 of the Illinois Procurement Code [30 ILCS 500/1-15.15], the Chief Procurement Officer for the State Board of Education shall be the State Superintendent of Education.

**Section 1105.10 Interpretation of References**

All references in 44 Ill. Adm. Code 1 to the "Chief Procurement Officer" or "CPO" shall be deemed references to the State Superintendent of Education or his or her designee. All references 44 Ill. Adm. Code 1 to the "State" or a "State agency" shall be deemed to refer to the State Board of Education.

**Section 1105.20 Delegation of Procurement Authority**

The State Superintendent of Education may appoint one or more Board employees as State Purchasing Officers (SPO). The State Superintendent of Education may delegate to any SPO

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authority to conduct specific procurements or classes of procurements for the State Board of Education. The State Superintendent of Education and each SPO may appoint designees from among Board employees to assist in the performance of their respective duties and responsibilities. Each delegation shall be in writing and shall specify:

- a) the activity or function authorized;
- b) any limits or restrictions on the exercise of the delegated authority;
- c) whether the authority may be further delegated;
- d) the duration of the delegation; and
- e) any reporting requirements.

**Section 1105.30 Avoidance of Duplication**

To avoid duplication of activity, the State Superintendent of Education shall rely upon the actions of the Director of the Department of Central Management Services for the following activities and requirements of 44 Ill. Adm. Code 1:

- a) The announcement of changes in the Consumer Price Index and recalculation of small purchase maximums under 44 Ill. Adm. Code 1.2020(a)(3);
- b) The maintenance of a list of vendors interested in doing business with the State under 44 Ill. Adm. Code 1.2044;
- c) The prequalification of vendors under 44 Ill. Adm. Code 1.2045 and the maintenance of a list of such vendors;
- d) The maintenance of a list of states with in-state preferences under 44 Ill. Adm. Code 1.4510;
- e) The designation of supplies and services available from the Department of Corrections under 44 Ill. Adm. Code 1.4530(a) and the determination of preferences for such supplies and services under 44 Ill. Adm. Code 1.2043(b);

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- f) All activities of the CPO with respect to items purchased or manufactured by persons with disabilities in State use sheltered workshops under 44 Ill. Adm. Code 1.4535(b);
- g) All activities of the CPO with respect to small business set-asides under 44 Ill. Adm. Code 1.4545; and
- h) All activities of the CPO with respect to contracting with businesses owned or controlled by minorities, females, or persons with disabilities under 44 Ill. Adm. Code 1.4570.

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- 1) Heading of Part: Campaign Financing
- 2) Code Citation: 26 Ill. Adm. Code 100
- 3) 

<u>Sections Numbers:</u>	<u>Proposed Action:</u>
100.10	Amendment
100.20	Amendment
100.40	Amendment
100.60	Amendment
100.70	Amendment
100.75	Amendment
100.85	Amendment
100.120	Amendment
100.125	Amendment
100.150	Amendment
100.175	Amendment
100.180	Amendment
100.185	Amendment
100.Table A	Amendment
100.Table B	Amendment
- 4) Statutory Authority: Implements Section 1A-8 (9) of the Illinois Election Code (10 ILCS 5/12A) and is authorized to adopt rulemaking by that Section
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking establishes procedures to implement the provisions of PA 97-766 that made numerous changes to the Illinois Campaign Finance Act. Specifically, this rulemaking implements the provisions of PA 97-766 that established a fifth type of political committee, the Independent Expenditure committee, which may accept unlimited contributions but may only make independent expenditures. In addition, this rulemaking clarifies the election cycle for candidates running in the Consolidated Primary and Consolidated Elections; establishes procedures for political committees that support candidates running for multiple offices and for former public officials and deceased candidates/public officials. This rulemaking also makes clearer the circumstances under which a Political Party committee may receive contributions in connection with a primary election and establishes additional procedures that the Board must follow when assessing civil penalties against committees that exceed the statutory contribution limits. This rulemaking establishes additional procedures related to self-funding candidates and Independent Expenditure committees in terms of their exemption from the contribution

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limits. Lastly, this rulemaking corrects the inconsistency between candidate committees supporting candidates running in the General election and those candidates running in the Consolidated Election. With regard to the rulemaking pertaining to Business Entities and their prohibited contributions, these proposed amendments establish additional duties on the chief procurement officer of agencies responsible awarding contracts to those entities.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does the rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this Notice to:  
  
Ken Menzel, General Counsel  
Illinois State Board of Elections  
2329 S MacArthur Blvd.  
Springfield IL 62708  
  
217/782-4141  
kmenzel@elections.il.gov
- 13) Initial Regulatory Flexibility Analysis:
  - A) Types of small businesses affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance: None

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- C) Types of professional skills necessary for compliance: Accounting, Bookkeeping or legal experience if appearing before the board.
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent agendas because: at the time the Regulatory Agenda was required to be filed, this rulemaking was not anticipated.

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

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## TITLE 26: ELECTIONS

## CHAPTER I: STATE BOARD OF ELECTIONS

## PART 100

## CAMPAIGN FINANCING

Section	
100.10	Definitions
100.20	Official Forms
100.30	Forwarding of Documents (Repealed)
100.40	Vacancies in Office – Custody of Records
100.50	Multiple Filings by State and Local Committees (Repealed)
100.60	Filing Option for a Federal Political Committee
100.70	Reports of Contributions and Expenditures
100.75	Limitation on Campaign Contributions
100.80	Report Forms
100.85	Independent Expenditures
100.90	Provision Circumvention
100.100	Proof of Identification; Application for Inspection and Copying (Repealed)
100.110	Loans by One Political Committee to Another
100.120	Receipt of Campaign Contributions
100.125	Receipt by Mail of Quarterly Reports of Campaign Contributions and Expenditures
100.130	Reporting by Certain Nonprofit Organizations (Repealed)
100.140	Prohibited Contributions – State Property
100.150	Electronic Filing of Reports
100.160	Good Faith
100.170	Sponsoring Entity
100.175	Audit Findings for Political Committees
100.180	Business Entity Registration Procedures
100.185	Assessment of Civil Penalties
100.APPENDIX A	Contributions Allowed Per Election Cycle
100.TABLE A	Contribution Limits Per Election Cycle
100.TABLE B	Election Cycles

AUTHORITY: Implementing Article 9 of the Election Code [10 ILCS 5/Art. 9] and authorized by Section 9-15(3) of the Election Code [10 ILCS 5/9-15(3)].

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SOURCE: Amended at 5 Ill. Reg. 1337, effective January 30, 1981; amended at 5 Ill. Reg. 12115, effective October 26, 1981; codified at 6 Ill. Reg. 7211; amended at 7 Ill. Reg. 225, effective December 16, 1982; amended at 14 Ill. Reg. 10824, effective June 22, 1990; amended at 16 Ill. Reg. 6982, effective April 21, 1992; amended at 18 Ill. Reg. 14707, effective September 9, 1994; amended at 21 Ill. Reg. 10044, effective July 21, 1997; emergency amendment at 23 Ill. Reg. 719, effective January 4, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 6796, effective May 24, 1999; emergency amendment at 24 Ill. Reg. 13039, effective August 9, 2000, for a maximum of 150 days; emergency expired January 5, 2001; amended at 24 Ill. Reg. 14214, effective September 11, 2000; amended at 29 Ill. Reg. 18785, effective November 7, 2005; amended at 30 Ill. Reg. 10261, effective June 1, 2006; amended at 30 Ill. Reg. 17496, effective November 3, 2006; amended at 31 Ill. Reg. 7142, effective May 1, 2007; emergency amendment at 33 Ill. Reg. 332, effective January 1, 2009, for a maximum of 150 days; emergency expired May 30, 2009; emergency amendment at 33 Ill. Reg. 9809, effective June 29, 2009, for a maximum of 150 days; emergency expired November 25, 2009; amended at 34 Ill. Reg. 274, effective December 15, 2009; amended at 34 Ill. Reg. 10521, effective July 9, 2010; amended at 35 Ill. Reg. 2295, effective February 4, 2011; amended at 35 Ill. Reg. 12973, effective July 19, 2011; amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 100.10 Definitions**

## a) General Definitions

"Article 9" means Article 9 of the Election Code (campaign disclosures, contributions and expenditures).

"Board" means the Illinois State Board of Elections.

"Election Code" or "Code" means 10 ILCS 5.

"File", "Filed" or "Filing" means:

The statement, report or document being filed is in apparent and substantial conformity with the requirements of the Election Code. Apparent and substantial conformity requires that the filing contain the following:

The signature of the person making the filing;

Completion of all applicable sections of the report; and

## STATE BOARD OF ELECTIONS

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Attachment of all appropriate schedules.

Inadvertent error or omission of a de minimus nature in the completion of a report, statement or document shall not be deemed to be a "willful failure to file or a willful filing of false or incomplete information" under [Code Section 9-26-of the Election Code](#).

"Immediate Family" means the spouse, parent or child of the public official, candidate or any other person referred to in this Part. A parent shall include a stepparent or adoptive parent. A child shall mean a biological, adopted or stepchild.

"Labor Union" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and that exists for the purpose, in whole or in part, of bargaining with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work.

"Public Office" means, among other things, an elective office. The term includes the political party offices of state central, county, ward, township and precinct committeeman.

"Signature" or "Signed", as used in Article 9 and this Part, includes electronic signatures attached and made a part of electronic records submitted to the State Board of Elections pursuant to [Code Section 9-28-of the Election Code](#).

"Submit" or "Submitting", as used in [Code Section 9-11-of the Election Code](#), means actually filing a report with the Board through the following methods:

uploading a report electronically or, if accomplished at a Board office or with the assistance of Board staff, the committee representative is present and/or authorizing the report filing;

using the U.S. Postal Service, overnight delivery, or any other delivery service;

hand delivering a report to the Board; or

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faxing a Schedule A-1 to the Board.

With the exception of the chairman or the treasurer, the person submitting the report on behalf of the committee must list himself or herself as having submitted the report.

- b) Definitions Interpreting Specific Sections of the Election Code
  - 1) Assets
    - A) Reference: This definition of assets interprets or applies to [Code Section 9-5](#) ~~of the Election Code~~.
    - B) An asset is an item of property, other than cash or services, of any kind, tangible or intangible, that has either a fair market or salvage value in excess of \$150.
  - 2) Candidate
    - A) Reference: This subsection (b)(2) interprets or applies to [Code Section 9-1.3](#) ~~of the Election Code~~.
    - B) "Candidate", as that term is defined in [Code Section 9-1.3](#) ~~of the Election Code~~, shall include, but not be limited to:
      - i) A person who circulates or authorizes the circulation of nominating petitions on his or her behalf for public office;
      - ii) An individual who receives contributions or makes expenditures or gives consent for any other person to receive contributions or make expenditures for the purpose of bringing about his or her nomination for election or re-election to any office;
      - iii) Any judicial incumbent who qualifies for retention.
  - 3) Contributions and Anything of Value
    - A) Reference: This subsection (b)(3) interprets or applies [Code](#)

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Sections 9-1.4, 9-1.5, ~~9-1.6~~, 9-1.8, ~~9-1.9, 9-1.10~~, 9-1.12, 9-1.14 and 9-1.15 ~~of the Election Code [10 ILCS 5/9-1.4, 9-1.5, 9-1.6, 9-1.8, 9-1.9, 9-1.10, 9-1.12, 9-1.14 and 9-1.15]~~.

- B) The term "anything of value", as used in Code Sections 9-1.4, 9-1.5 and 9-1.12 ~~of the Election Code~~, means any item, thing, service or goods, regardless of whether valued in monetary terms according to ascertainable market value.
- C) "Anything of value" that does not have an ascertainable market value may be reported by describing the item, thing, service or goods contributed; however, nothing in this subsection (b)(3) relieves a committee or a contributor of the duty to provide as accurate an assessment of value as possible.
- D) Interest, other investment income, earnings or proceeds, and refunds and returns shall not be reported as a contribution, but shall be reported as a receipt according to this subsection (b)(3). For purposes of reporting campaign receipts and expenses, income from investments shall be included as receipts during the reporting period they are actually received. The gross purchase price of each investment shall be reported as an expenditure at time of purchase. Net proceeds from the sale of an investment shall be reported as a receipt. During the period investments are held, they shall be identified by name and quantity of security or instrument on each quarterly report during the period. The value of each instrument as of the day the reporting period closes shall be included for each asset held as an investment.
- E) In addition to the items expressly excluded in the Election Code, the terms "anything of value" and "contribution" shall not be deemed to include:
- i) Any unreimbursed payments for travel or living expenses related to travel made by an individual who volunteers services on behalf of a candidate or political committee;
  - ii) Any news story, commentary, endorsement or editorial of any broadcasting station, newspaper, magazine or other

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periodical publication;

- iii) Any publication by a membership association or corporation to its officers, employees, members, stockholders, or members of the immediate families of these persons, so long as the membership association or corporation is not organized primarily for the purpose of influencing the nomination for election, election, or retention of any candidate, or supporting or opposing any question or questions of public policy;
  - iv) The occasional use of real property of a person or whoever, as defined in [Code](#) Section 9-1.6 ~~of the Election Code~~, and as defined in Section ~~100.10(b)(4)~~[100.10\(g\)](#) ~~of this Part~~, for the purpose of conveying information to officers, employees, members or stockholders of an association or a corporation, and the immediate families of these persons, including but not limited to the use of the premises for the purpose of a candidate communicating directly with officers, employees, members or stockholders and the immediate families of these persons;
  - v) Unrealized appreciation or loss of value of investments during the period they are held.
- F) A loan of money from a bank, credit union, or other financial institution to a candidate or public official, or his or her political committee, shall not be listed as a contribution from that institution. However, the loan must still be reported on political committees' quarterly reports. Security for a loan, if provided by a person other than the candidate or the candidate's political committee, does qualify as a contribution and shall be reported as having come from the person who provided it.
- G) Independent expenditures are not contributions, as that term is defined in [Code](#) Section 9-1.4 ~~of the Election Code~~. Independent expenditures are those made for the purpose of electioneering communication, as that term is defined in [Code](#) Section 9-1.14, or that expressly advocates the election, nomination or defeat of a

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public official or candidate or for or against any question of public policy to be submitted to the voters and that is not made in cooperation, concert or consultation with, or at the request or suggestion of, the public official or candidate. Communications that expressly advocate the election, nomination or defeat of a public official or candidate or for or against any question of public policy to be submitted to the voters are those that unequivocally state in the communication that the public official or candidate ought to be elected, nominated or defeated or the question of public policy ought to be approved or defeated. These communications typically contain the terms "vote for", "elect" or, in the case of expressly advocating the defeat of a candidate, "vote against", "vote no", "defeat", etc.

- H) "Clearly identifiable candidate" means the candidate's name (first name and surname) but does not necessarily have to include the candidate's middle name or middle initial. A clearly identifiable candidate can also be one that is described in such a way as to exclude any other candidate so as to leave no doubt in the mind of the person being communicated to as to whom the communication is referring. For example: "The Democratic Party's candidate for Mayor", "Congressman Jones", or "the former Republican candidate for Congressman who was defeated at the most recent General Election". A clearly identifiable candidate can also be described by use of a photograph or other visual image or likeness.
- I) A communication by a corporation, a limited liability company, or an association to its members or stockholders and executive or administrative personnel, or the immediate families of these persons, is not a contribution. For purposes of this Part, a corporation is one that is registered with the Business Services Division of the Illinois Secretary of State or is similarly registered with any other state in compliance with that state's laws or that operates as or holds itself out as a corporation so that it would be required to register with the Illinois Secretary of State, regardless if it has taken affirmative action to so register. For purposes of this Part, an association is defined broadly to include any group of persons or entities that have a common purpose and that have an organizational structure with an existing membership roster and

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governing by-laws or other similar rules. An association includes those that are both for-profit and not-for-profit (however the entity does not necessarily have to be organized under the laws of this or any other state) and includes a labor union as that term is defined in subsection (a).

- J) A voter registration campaign or other Get Out The Vote (GOTV) activity is not deemed to be "anything of value" or a "contribution", so long as the campaign or activity makes no mention of any clearly identified candidate, public question, political party, group or combination of these entities.
- 4) Person or Whoever
- A) Reference: This subsection (b)(4) interprets or applies [Code Section 9-1.6](#) ~~of the Election Code~~.
- B) The terms "other organizations" and "groups of persons" as defined in [Code Section 9-1.6](#) ~~of the Election Code~~ shall include, but not be limited to, all corporations, labor unions, trade associations or other such groups, religious organizations, fraternal societies, luncheon and dinner organizations, etc.
- 5) Political Committee
- A) Reference: This subsection (b)(5) interprets or applies [Code Sections 9-1.8 and 9-1.9](#) ~~of the Election Code~~.
- B) A person or whoever, as defined in [Code Section 9-1.6](#) ~~of the Election Code~~ and in subsection (b)(4) [of this Section](#), does not qualify as a political committee pursuant to Article 9 of the Election Code by simply making a contribution from his or her personal income or profits, regardless of the amount of the donations. If an entity, other than a natural person, makes an [independent](#) expenditure or expenditures in aggregate within a 12 month period in excess of \$3,000 supporting or opposing public officials or candidates, then the entity qualifies as a political committee.

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- C) If a person or whoever solicits or receives funds for political purposes, he or she would, in fact, become a political committee and would have to comply with all provisions of Article 9 ~~of the Election Code~~. The provisions of this subsection (b)(5) shall not apply to those persons who accept contributions from at least 5 individuals as provided in Code Section 9-6 ~~of the Code~~.
- D) Political committees shall include candidate committees, political party committees, political action committees, ~~and~~ ballot initiative committees and independent expenditure committees, as those terms are defined in Code Section 9-1.8 ~~of the Election Code~~. Candidates who form a new political party under Code Section 10-2 ~~of the Code~~ by running a full slate may collectively form a political party committee to support their candidacy or each candidate may individually form a candidate committee ~~committees~~. Groups of candidates who run as either independents under Code Section 10-3 ~~of the Code~~, or as non-partisan candidates by virtue of the office being non-partisan pursuant to statute, may collectively form a political action committee to support their candidacy, or each candidate may individually form a candidate committee. In no case may a candidate form both a candidate committee and a political action committee to support his or her own candidacy ~~or may individually form a candidate committee~~. Candidates of established political parties may collectively form a political action committee to support their candidacy or each candidate may individually form a candidate committee. Candidates who exercise the option of forming a political action committee may not include the names of any of the candidates in the name of the political action committee. A political action committee must, however, include the name of the office that the candidates are seeking and the name of the political subdivision or unit of local government to which the office pertains. In all cases except political party committees, political committees are limited to those that accept contributions or make expenditures or independent expenditures in an aggregate amount exceeding ~~\$5,00~~\$3,000 on behalf of or in opposition to candidates, or, in the case of a ballot initiative committee, in support of or opposition to questions of public policy.

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- i) Political Party Committees referred to in [Code](#) Section 9-1.8(c)~~-of the Election Code~~ include "legislative caucus committees" and are defined as caucuses that are established by either 5 or more members of the same caucus in the Senate or 10 or more members of the same caucus in the House of Representatives. These committees shall include any caucus declared by its membership to be a caucus. If the number of caucus members of a given caucus committee decreases below the designated threshold (5 Senate/10 House members), the caucus committee shall become a political action committee, as that term is defined in [Code](#) Section 9-1.8~~-of the Code~~, and be subject to the contribution limits pertaining to political action committees established in [Code](#) Section ~~9-8.5(d)~~~~9-8.6(d)~~, unless the caucus committee either fills the vacancy or dissolves within 5 business days after the date the vacancy occurred.
- ii) [A committee formed by a ward or township committeeman of a political party shall be designated as a political party committee. Pursuant to Code Section 7-8\(b\), only ward committeemen in the City of Chicago and township committeemen in Cook County qualify for this designation. Nothing in this subsection \(b\)\(5\)\(D\)\(ii\) shall be construed to limit the ability of a ward or township committeeman to form a candidate committee in support of his or her own candidacy.](#)
- iii) For purposes of [Code](#) Section 9-1.9~~-of the Code~~, a judicial candidate running for retention subsequent to his or her first retention candidacy following the candidate's election shall be subject to the election cycle established in [Code](#) Section 9-1.9(3), except that the period shall begin on January 1 following the candidate's retention (as opposed to his or her election) and extending to the day the candidate files his or her next declaration to seek retention and the period beginning after that day and extending to December 31 following the candidate's retention election. This judicial retention election cycle is subject to the fundraising restrictions contained in Canon 7 of Rule 67 of the Rules of

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the Illinois Supreme Court (committees established to support judicial candidates may not solicit contributions more than 1 year preceding the election in which the candidate is seeking judicial office or retention thereto, and no later than 90 days following such election).

iviii) Any corporation, labor organization, political committee or association that acts as a conduit in facilitating the delivery of dues, levies or similar assessments to a political action committee as provided in Code Section 9-8.5(i) ~~of the Code~~ shall not be considered to be a political action committee within the meaning of the disclosure and regulation requirements of Article 9IX of the Code.

viiv) These election cycles apply regardless of whether the candidate only appears on either the consolidated primary ballot or the consolidated election ballot. For purposes of Code Section 9-1.9(4) ~~of the Code~~, the election cycle for a candidate political committee organized to support a candidate to be nominated or elected at a consolidated primary election or elected at a consolidated election, or municipal or runoff election in cities of 1,000,000 or more population occurring on the date of the regularly scheduled consolidated primary or consolidated election, shall run from:

- the period beginning July 1 following the consolidated election for which the candidate seeks ~~nomination or~~ election and ending on the day of the next consolidated primary election for that office; or
- the period beginning the day after ~~the~~ consolidated primary election for the office to which the candidate seeks nomination or election and through June 30 following ~~the~~ consolidated election held that year.

vi) If a candidate political committee established for multiple offices elected at different elections changes its election cycle pursuant to Code Section 9-2(b), the committee shall

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be subject to the new election cycle established under Code Section 9-1.9 and to the contribution limits for the new election cycle contained in Code Section 9-8.5(b). Contributions received by the committee prior to the date of the establishment of the new election cycle will be counted towards the contribution limit for each contributor, with the following exception: the contributions shall not be considered to have been received in excess of contribution limits if the limit was exceeded solely because of the establishment of the new election cycle. However, for the remainder of the new election cycle, the committee would be considered to have received the maximum allowable contribution from that contributor for that election cycle and would be prohibited from receiving any additional contributions from that contributor during the remainder of the new election cycle.

- E) If an entity forming a political action committee under Code Section 9-2(d) is not a clearly identifiable trust, partnership, committee, association, corporation or other organization, but rather a group of persons lacking any formal organizational structure, the name of the political committee shall include the name (first and last) of the person or persons responsible for its formation or its continuing operation. This Section shall not apply to established party candidates who collectively form a PAC to support their candidacies pursuant to subsection (b)(5)(D).
- F) The name of a ballot initiative committee must include a brief description of the question or questions and whether the committee is organized to support or oppose the question or questions. The name shall not exceed 70 characters (based on U.S. Post Office restrictions applicable to mailing labels) and shall include keywords that would provide a reasonable person with a general understanding of the subject matter of the question or questions and whether the committee was formed to support or oppose the question or questions.
- G) A candidate political committee of a former officeholder or supporting a now deceased candidate or officeholder may, subject

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to the applicable contribution limits, maintain the committee as a candidate committee, close the committee and dispose of any remaining funds as indicated on its D-1 Statement of Organization, or convert the committee to a political action committee by filing an amended D-1 Statement of Organization amending the committee type, as well as the name, purpose of the committee, and any other information that has changed. ~~A political committee that fails to make the designation required by Section 9-2 of the Code on or before December 31, 2010 may be subject to a complaint filed by the Board or a third party. The complaint shall be filed under the provisions of Sections 9-20 and 9-21 of the Code.~~

- 6) Statement of Organization
- A) Reference: This subsection (b)(6) interprets Code Section 9-3 ~~of the Election Code~~.
- B) A committee officer must, in filling out the Form D-1, use the name that appears on his or her birth certificate, baptismal record, voter's registration card, statement of candidacy or nominating petition, or any other name by which the officer is commonly known in the community in which the officer resides. Aliases created for the purpose of filing under Article 9 of the Election Code may not be used.
- C) The ~~prohibitions~~ prohibition contained in Code Section 9-3(d)(iii) and (d-5)(iii) of the Election Code against making contributions from a ballot initiative committee or an independent expenditure committee to a candidate or candidates for nomination for election, election or retention to public office shall not include refunds of contributions to the candidate so long as the refund does not exceed the amount the candidate originally contributed. Nothing in Code Section 9-3(d)(i) prohibits an independent expenditure committee from making expenditures on its own behalf and for its own benefit, provided that the expenditures are not made in connection, consultation or concert with, or at the request or suggestion of, any other political committee, public official or candidate, or the agent or agents of the committee, public official

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or candidate.

- D) For the purpose of this subsection (b)(6), the term "person" contained in the definition of "sponsoring entity" shall not include a political committee. The term "sponsoring entity" is defined in Section 100.170.
- E) A complaint for willfully filing a false or incomplete Statement of Organization shall be subject to the provisions of Code Sections 9-20 and 9-21 ~~of the Code~~.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.20 Official Forms**

- a) Reference: This Section interprets or applies Code Sections 9.75, 9-10(a) and 9-15(1) ~~of the Election Code~~.
- b) Political committees are required to use only the official forms or copies of official forms and appropriate schedules approved by the State Board of Elections when filing any disclosure reports, except as otherwise permitted under Section 100.80. Alternative methods of reporting are prohibited unless prior written approval has been received by the political committee from the State Board of Elections. Prior written approval will be given based on the compatibility of alternative methods with the Board's present system.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.40 Vacancies in Office – Custody of Records**

Reference: This Section interprets or applies Code Sections 9-39-2, 9-5, 9-7, 9-10, 9-13 and 9-15 ~~of the Election Code~~.

- a) Death  
Upon the death of the treasurer of a committee, the candidate or, if the candidate is unable or unwilling to act, the remaining officers of the committee shall appoint a new treasurer and amend the Statement of Organization (Form D-1) within 10 days after the date of death of the treasurer. In the event there is no candidate or remaining officers of the committee, the person or persons who succeed to the

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interests of the committee in its funds shall be responsible for filing all appropriate reports until such time as new officers are chosen or the committee terminates.

- b) **Removal from Office**  
In the case of a single candidate related committee whose officers were originally named by the candidate, the candidate shall have the right to remove any and all officers of his or her committee, provided the removal be done in writing and that the candidate comply with all requirements of the Act in the absence of officers for the candidate related committee. If a candidate removes from office any or all officers of the committee, all records related to the committee shall be maintained by the candidate. If former officers request, the candidate shall allow them access to records and provide reasonable opportunity to make copies.
- c) **Resignation**  
If the treasurer and all other officers resign and no new officers are appointed, the former treasurer and officers or, in the case of candidate related committees, the candidate shall be responsible for terminating the committee. When an individual vacates the position of treasurer, he or she shall verify the accuracy of his or her records to the succeeding treasurer. The succeeding treasurer shall not be held responsible for the veracity or accuracy of the records of the predecessors.
- d) **Inability to Sign**  
All reports shall be verified, dated and signed by either the treasurer of the political committee making the statement or the candidate on whose behalf the statement is made. However, should it be impossible for the political committee to obtain the signature of the treasurer or candidate prior to the filing deadline, then another may sign for the treasurer, provided that the treasurer submits a letter within 30 days after the filing indicating that the substituted signature is authorized and the treasurer accepts responsibility as if he or she had signed. The substituted signature shall read, "treasurer's name, by name of person signing". If the treasurer failed to submit a letter within 30 days, then the report filed shall be considered a nonfiling.
- e) **All reports, original reports, and other campaign documents required to be kept by a political committee under Article 9 of the Election Code remain the property of the political committee. No chairman, treasurer or candidate shall have any proprietary or possessory interest in the documents in derogation of the rights of the committee itself.**

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- f) If any political committee changes any officers, all records, statements and reports in the possession of the outgoing officers shall be transferred within 10 days following the change to the person or persons newly responsible for the maintenance of those records and/or the filing of reports.
- g) If any outgoing officer fails to turn over the records in his or her care to a successor, in accord with this Section, or if any officer attempts to withhold records from other officers of the committee, the committee chairman, the treasurer, or the candidate may file a complaint before the Board requesting a turnover order.
- h) A committee that fails to preserve the records and accounts required by [Code](#) Section 9-7-~~of the Election Code~~ or by this Part for the periods required by statute or rule may be required to reconstruct its records and accounts if doing so is necessary to the audit of its records. If a committee is required to reconstruct its records, it must pay all of the costs and charges, including bank or accountants fees, for the reconstruction of the records.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.60 Filing Option for a Federal Political Committee**

- a) Reference: This Section interprets or applies [Code](#) Section 9-15-~~of the Election Code~~.
- b) Any "person" or "whoever", as defined by [Code](#) Section 9-1.6-~~of the Election Code~~, qualifying as a political committee under Article 9 of the Election Code and filing Federal Election Commission reports may choose to comply with the provisions of Article 9-~~of the Election Code~~ by so indicating on a Statement of Organization (Form D-1) filed with the State Board of Elections.
- c) A political committee may choose to file reports pursuant to this Section, either by amendment or for the first time, by stating on Part 5 of the Statement of Organization (Form D-1) the following: "Campaign financing reports will be filed pursuant to Section 100.60, Campaign Financing Regulations, State Board of Elections."
- d) Pursuant to the state filing waiver program (2 USC 439), a federal political

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committee also qualifying as a political committee under Article 9 ~~of the Election Code~~ shall not file a copy of all Federal Election Commission reports with the State Board of Elections.

- e) A political committee filing reports pursuant to this Section that makes an independent expenditure of \$1,000 or more supporting or opposing a candidate for State or local office in Illinois during the 30 day period before an election must notify the State Board of Elections, in writing, within 5 business days after making the independent expenditure. The notification shall contain the information required in Code Section 9-11(c).
- f) This Section shall not authorize any person to receive or expend in Illinois an anonymous contribution on behalf of or in opposition to a candidate covered by Article 9 or in support of or in opposition to a question of public policy.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.70 Reports of Contributions and Expenditures**

- a) Reference: This Section interprets or applies Code Sections 9-6, 9-10 and 9-11 ~~of the Election Code~~.
- b) All contributions, as that term is defined in Code Section 9-1.4 ~~of the Election Code~~, of \$1,000 or more, including loans and in-kind contributions, must be reported to the State Board of Elections on a Schedule A-1 within 5 business days after receipt, except that, if the contribution is received within 30 days prior to an election, the contribution must be reported on a Schedule A-1 within 2 business days after receipt. ~~In order to determine whether the report shall be filed within 2 business days rather than 5 business days after receipt, any contribution of \$1,000 or more that is received within 30 days prior to an election shall be reported within 2 business days.~~ The requirement to file a Schedule A-1 Report ~~within~~ with 2 business days shall only apply to ~~those~~ committees organized to support or oppose candidates, public officials or a public question that is on the ballot at that election, committees that spend an aggregate amount in excess of \$500 on a public official or officials, candidate or candidates, or a question or questions of public policy ~~public question~~ that is on the ballot at that election, or committees organized to support or oppose a candidates who has filed a declaration of intent to be a write-in candidate at that election.

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- c) An expenditure to a payee who is in whole or in part only a conduit for payment to another, such as a political consultant, ~~or a credit card issuer~~ or Paypal, must include by way of detail or separate entry the amount of funds passing to each vendor, business entity or person ~~receiving to receive~~ funds from the payment, together with the reason for each disbursement and the beneficiary of the disbursement. This provision shall not apply to a political consulting firm or political consultant, campaign worker, volunteer or political operative, etc., if the amount paid to that entity is less than \$3,000 in aggregate during the quarterly reporting period. Nothing in this Section shall be construed to impose a reporting obligation on any person not otherwise required to report under Article 9 of the Election Code or to require the itemization of expenditures not otherwise required to be itemized under Article 9.
- d) Quarterly and A-1 Reports
- 1) Every active political committee must file quarterly reports, as required by Code Section 9-10(b) ~~of the Election Code~~.
  - 2) Every active political committee must file Schedule A-1 reports, as required by Code Section 9-10(c) ~~of the Election Code~~ when a contribution of \$1,000 or more from a single source is received ~~within a single quarterly reporting period~~.
- A) The reports must be filed within 2 business days after receipt if the contribution is received within 30 days prior to an election and:
- i) The political committee is, by the terms of its Form D-1 Statement of Organization, organized to support or oppose a candidate or a public question on the ballot at the next election; or
  - ii) The political committee makes expenditures in excess of \$500, including expenditures for in-kind contributions and electioneering communications, or for independent expenditures, made on behalf of or in opposition to any candidate or public question on the ballot at an election.
- B) All other A-1 reports must be filed within 5 business days after receipt.

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- e) A committee that, having determined that it will not participate in an election, subsequently makes an expenditure or an independent expenditure in excess of \$500 or expends or has expended an aggregate amount in excess of \$500 on behalf of or in opposition to a candidate or candidates or on behalf of a question or questions of public policy that will appear on the ballot at the next election shall, beginning with the date of that expenditure, report contributions of \$1,000 or more received, as defined in Code Section 9-10(d)~~of the Election Code, by the chairman, treasurer or candidate,~~ within 30 days prior to the election, within 2 business days after receipt by that person.
- f) The authorization of persons to collect contributions on behalf of a political committee (see Code Section 9-6(a)~~of the Election Code~~) shall be in writing; shall state that the person is empowered to accept contributions on behalf of the committee; and shall include the signature of the officer or candidate granting the authorization. The authorization shall be provided to the person prior to acceptance of any contributions on behalf of the committee.
- g) Pursuant to Code Section 9-11(f), a political committee is required to provide a description of the amended information on each amended quarterly report. The description must be sufficiently specific to alert a reasonable person as to what has been amended, but does not have to individually address each item that has been amended, added or deleted.
- h) When determining the timeliness of any report, a filing received after 11:59:59 pm on the last actual business day of its required filing period shall be considered late. "Business day" means any day in which the office of the State Board of Elections is open to the public for a minimum of 7 hours.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.75 Limitation on Campaign Contributions**

Political committees are limited in the amount of contributions that they can accept. Appendix A, Table A lists the 54 types of political committees (Candidate, Political Party, Political Action, ~~and~~ Ballot Initiative and Independent Expenditure Committees) and the specific contribution limitations applicable to each. Appendix A, Table B lists the election cycles for Candidate Committees (subdivided according to the office sought), Political Party Committees, Political Action Committees, ~~and~~ Ballot Initiative Committees and Independent Expenditure Committees.

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~~A political party committee that does not intend to make contributions to candidates to be nominated at a general primary election or consolidated primary election may file a Statement of Nonparticipation for the specified primary election with the Board. The Statement shall be filed with the Board no earlier than July 1 immediately prior to the first day candidates may begin circulating nominating petitions and ending on the day before the date candidates may begin circulating nominating petitions for that primary election. The Statement shall include a verification signed by the chairperson and the treasurer of the committee and shall state that:~~

- ~~a) The committee will not make contributions or coordinated expenditures in support of or opposition to a candidate or candidates to be nominated at the specified general primary election or consolidated primary election.~~
- ~~b) The political party committee may accept unlimited contributions from candidate political committees and political party committees, provided that the political party committee accepting the contributions does not make contributions to a candidate or candidates to be nominated at the primary election.~~
- ~~c) Failure to abide by the requirements of subsections (a) and (b) shall deem the political party committee to be in violation of Article 9 and subject to a fine of no more than 150% of the total contributions and/or coordinated expenditures made by the committee in violation of that Article.~~
- a) A candidate political committee formed by a candidate who seeks nomination at a general primary election or a consolidated primary election is subject to limitations as to what amount it may receive in contributions from a political party committee during a primary election cycle. For this purpose, the primary election cycle begins with the day the candidate may begin circulating petitions and ends on the day of the primary election.
- b) Political committees on file with the FEC that file pursuant to Section 100.60 may not make contributions to other political committees that are on file with the State Board of Elections exceeding the limits set forth in Code Section 9-8.5, except as provided in Code Section 9-8.5(c).
- ~~c~~d) For political committees referred to in Code Section 9-1.8 (candidate, political party and political action), any contribution or transfer received in violation of Code Section 9-8.5(a) through (d) shall be disposed of within 30~~15~~ days after being sent notice from the Board by:

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- 1) Returning the amount of the contribution or transfer that exceed the contribution limit, or an amount equal to that amount~~the contribution or transfer~~, to the contributor or transferor; or
  - 2) Donating the amount of the contribution or transfer that exceeds the contribution limit, or an amount equal to that amount~~the contribution or transfer~~, to a charitable organization.
- de) If a political committee is determined to have received a contribution or transfer in violation of Code Section 9-8.5(a) through (d), the Board shall send, by first class mail, a notice to the committee and its officers of the apparent violation. The notice shall identify the contributions at issue, along with the committee's options under Code Section 9-8.5(j) and subsection (c) of this Section for disposing of the contributions (returning the amount to the contributor or donating the amount to a charity), and informing the committee that whatever disposal action it takes must be completed within 30 days after the date on the notice.
- e) If a political committee fails to dispose of the contribution or transfer as provided in subsection (~~cd~~):
- 1) The amount of the contribution or transfer that exceeds the contribution limit shall escheat to the State's General Revenue Fund within 30 days after the expiration of the 30~~45~~ day period provided in subsection (~~cd~~); and
  - 2) The political committee shall be deemed to be in violation of this Section and be subject to a civil penalty not to exceed 150% of the ~~total~~-amount of the contribution that exceeds the contribution limit.
- f) When considering the amount of the civil penalty to be imposed, the Board will consider all relevant factors, including, but not limited to, the following:
- 1) Whether in the Board's opinion the violation was committed inadvertently, negligently, knowingly or intentionally;
  - 2) Whether any attempt was made by the committee to return the contribution or transfer; and

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- 3) Past violations of ~~Code Section 9-8.5~~~~Article 9 of the Election Code~~. Past violations of any committee composed of one or more of the same officers, or for the same purpose or for the support of the candidacy of the same person, irrespective of office, as the committee currently being assessed a civil penalty shall be considered relevant factors when considering the amount of the civil penalty to be imposed.
- g) When a contribution is determined to have been received by a political committee in violation of Section 9-8.5(a) through (d) and it is further determined that the committee has not taken the remedial action required by Code Section 9-8.5(j) and subsection (c) of this Section, the Board will send, by first class mail, notice of violation to the chairman and the treasurer of each political committee, and by certified mail to the address of the committee, together with an order assessing a civil penalty calculated in accord with this subsection (g). ~~The notice of violation and order shall also be sent to any candidate listed by name on that committee's Statement of Organization.~~ The notice of violation shall state that the Board has assessed a civil penalty that will be final unless the committee shows cause as to why the penalty should not be assessed. The provisions of 26 Ill. Adm. Code 125.425 relating to procedures to appeal civil penalty assessments shall apply to penalties assessed under this Section.
- h) For purposes of adjusting the amounts of contribution limitations under Code Section 9-8.5(g)~~of the Election Code~~, the Board will base the adjustments on the Consumer Price Index for All Urban Consumers – US City Average (Not Seasonally Adjusted), as provided by the United States Department of Labor. Adjustments shall be calculated:
- 1) On January 1, or the first business day following January 1, of each odd-numbered year, whichever comes first;
  - 2) As a percent change, rounded to the nearest tenth, in the index point level of the 24 month period immediately preceding the most current month for which data is available. The change will then be applied to the existing contribution limits as of December 31 of the year immediately preceding the adjustment and rounded to the nearest \$100.
- i) For purposes of Code Section 9-8.5(b), an election cycle ending on the date of the consolidated primary election shall end on that date even if no consolidated primary election is held in that jurisdiction. The election cycle for the

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consolidated election shall begin on the day after the date of the consolidated primary election, even if no consolidated primary election is held in that jurisdiction. The election cycle for the consolidated election shall begin on the day after the date of the consolidated primary election and end on June 30 of that year even if the candidate was only on the ballot at the consolidated primary election and not on the ballot at the consolidated election.

j) For purposes of Code Section 9-8.5(h):

- 1) Contributions~~contributions~~ or loans from a public official or a candidate, or a public official's or candidate's immediate family, to the public official's or candidate's political committee shall not be subject to the contribution limits found in Section 9-8.5.
- 2) "Candidate for the same office" shall be determined by candidate petition filings. Prior to the actual filing of petitions for a particular office, a candidate for that office wishing to receive official notice of a Self-Funding Notification from the Board must inform the Board in writing of his or her intention to seek nomination or election to the office in question.

k) For purposes of Code Section 9-8.5:

- 1) Candidates running together for the offices of Governor and Lieutenant Governor shall be considered to be candidates for the same office, so that the removal of the contribution limits for candidates for one office shall also be applied to candidates for the other office. An expenditure made by a candidate on behalf of his or her own candidacy for one office shall not be deemed an in-kind contribution to that candidate's running mate, regardless of whether the expenditure is for the benefit of both candidates.
- 2) In an election in which there are no more than two candidates on the ballot for a particular office, any combination of independent expenditures made by a single entity either supporting or opposing any candidate in the election or that office shall be considered in aggregate towards the calculation of whether the threshold allowing candidates to accept contributions in excess of the limits imposed by Code Section 9-8.5(b) has been reached.

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- l) For purposes of reporting of contributions, a contribution made via a check or other similar written instrument with more than one individual's name imprinted on it, but containing only one signature, shall be reported as coming solely from the signer, unless the instrument is accompanied by a written statement, signed by each individual making the contribution, declaring that the contribution was meant to be given by each of the undersigned individuals and declaring the amount of the contribution to be attributed to each of the individuals.
- m) For purposes of determining contribution limits under Code Section 9-8.5, the term "corporation, labor union or association" shall include any "business entity" organized as either for profit or not for profit, and shall include, but not be limited to, a partnership, sole proprietorship, limited liability company or partnership.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.85 Independent Expenditures**

- a) When determining whether a natural person making an independent expenditure or expenditures has exceeded the \$3,000 threshold triggering the requirement to file a written disclosure with the Board, the phrase "a public official or candidate" shall also include a slate of candidates. An independent expenditure made by a natural person shall be reported if the expenditure exceeds \$3,000, regardless of how many public officials or candidates are supported or opposed by the expenditure. The report shall list the total amount expended and the names of all the public officials and candidates covered by the expenditure. The natural person shall not prorate the amount of the expenditure based on the number of covered public officials or candidates.
- b) An expenditure or expenditures in excess of \$3,000 made by an entity supporting or opposing a public official or candidate shall cause that entity to establish as a political committee regardless of how many public officials or candidates are supported or opposed by the expenditure. The entity shall not prorate the amount of the expenditure based on the number of covered public officials or candidates when determining whether it has to organize as a political committee.
- c) After the filing of the initial written disclosure, a natural person has a continuing obligation to report, within 2 business days, any independent expenditure mad prior to the election~~each time an additional independent expenditure in excess of \$150 is made~~ in support of or in opposition to the public official or candidate, in \$1,000

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~~increments, on~~ an additional written disclosure ~~shall be filed within 2 business days, until the natural person has not made any independent expenditures in support of or opposition to that public official or candidate for a period of 12 months.~~

- d) The written disclosure must include:
- 1) If a natural person, the name, address, occupation and each employer of the natural person.
  - 2) The name and address of the public official, candidate, or each candidate listed on the slate of candidates.
  - 3) The date and amount of each independent expenditure.
  - 4) The nature/description of each independent expenditure.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.120 Receipt of Campaign Contributions**

- a) Every person or political committee that contributes goods or services to a committee shall provide to the treasurer of the political committee, within 5 business days after making the contribution, a detailed account of the contribution, including the name and address of the person or political committee making the contribution; a description and the market value of the goods or services; and the date on which the contribution was made. The ascertainable market value of goods and services assigned by the contributor or, if the contributor fails to provide the information to the recipient committee, by the recipient committee, shall be prima facie correct unless rebutted by clear and convincing evidence.
- b) An entity defined by ~~Code Section 9-1.6 of the Election Code~~ or a political committee as defined by ~~Code Section Sections 9-1.8 of the Election Code~~ shall acknowledge, to the donor, receipt of any notice it receives under subsection (a). No committee shall retain an in-kind contribution it has knowingly received unless it also receives the information from the contributor required by subsection (a) unless return of the contribution is impossible. If the contributor does not comply with subsection (a) and if the in-kind contribution cannot be returned, the

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beneficiary political committee shall nonetheless have the responsibility to report the in-kind contributions or expenditures from the contributor if it actually knows or reasonably should have known from the facts available to it that an in-kind contribution had been made in its behalf.

- c) A monetary contribution is any contribution other than a gift of goods or services. The receipt date of the contribution is determined as follows:
- 1) A monetary contribution to a political committee is deemed to have been received on the date the contribution was deposited in a bank, financial institution or other repository of funds for the committee.
  - 2) If not deposited into a bank, financial institution or other repository of funds, a monetary contribution is deemed to have been received as follows:
    - A) A cash contribution that is not deposited into a bank, financial institution or other repository of funds is deemed to be received on the date that the cash is given to any employee or agent of the committee.
    - B) A contribution in the form of a business check, personal check, money order, or cashier's check that is not deposited into a bank, financial institution, or other repository of funds is deemed to be received on the date the check is cashed and the cash becomes available to the committee. A contribution by credit card or other implement used for processing a monetary contribution that was deposited in a bank, financial institution or other repository of funds for the committee is deemed to be received on the date the committee received notice of the deposit.
- d) A contribution of goods or services (in-kind contributions) possession of which is not actually obtained by the recipient committee is deemed received on the date the public official, candidate or political committee received the notification of contribution of goods or services as required under [Code](#) Section 9-6(b) ~~of the Election Code~~ and subsection (a) of this Section. If no notification has been received, the in-kind contribution is deemed received on the date the candidate, chairman or treasurer of the recipient committee, or the public official, obtains knowledge of the in-kind contribution, [including its value](#). A contribution of

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goods actually received by the committee is deemed to be made on the date the goods are transferred to the possession of the recipient. A contribution of services is deemed to be made on the date the services are actually performed.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.125 Receipt by Mail of Quarterly Reports of Campaign Contributions and Expenditures**

- a) Quarterly reports of campaign contributions and expenditures must be received by the Board within the filing periods set forth in [Code Section 9-10](#) ~~of the Election Code~~. Subject to subsections (b) and (c) of this Section, if the reports are filed by mail and received by the Board after the filing deadline, they shall be considered delinquent and subject to penalties as provided in [Code Section 9-10](#) and 26 Ill. Adm. Code 125.425. However, pursuant to [Code Section 9-10\(b\)](#), if the envelope containing the reports bears a postmark showing that the envelope was mailed at least 72 hours prior to the due date, the reports shall be considered timely filed, regardless of when received in the office of the State Board of Elections.
- b) If the envelope containing the quarterly report is not received by the Board, the envelope is received but does not have a postmark printed by the United States Postal Service, or if the postmark is illegible, the report will either be deemed to have not been received or be deemed to have been received on the date the envelope officially arrives in the office of the State Board of Elections. However, if the political committee is assessed a civil penalty for failing to file or delinquent filing the report and, as part of the committee's appeal of the civil penalty assessment, it is alleged by the treasurer, chairman or candidate on a signed and notarized affidavit verifying that the report was mailed more than 72 hours prior to the filing deadline, and this is the first time the committee has made this claim as part of its appeal, the presumptive date of receipt will be rebutted by the testimony contained in the affidavit and the report will be deemed to have been timely received.
- c) When the committee raises the defense described in subsection (b) as part of its appeal for any subsequent civil penalty assessments, the appeal affidavit shall be accompanied by a certificate issued by the United States Postal Service showing the date on which the envelope was deposited with the United States Postal Service. The Board shall not consider this defense as valid in the absence of the certificate.

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- d) ~~When a political committee raises the defense described in subsection (b) at any time after an appeal has been granted pursuant to subsection (b), that defense will be denied without consideration by the Board unless a certificate, issued by the United States Postal Service, verifying the date upon which the transmitting envelope was deposited with the United States Postal Service, is attached to the appeal affidavit. If the certificate is attached to the appeal affidavit, the Board will hear and determine the appeal as it deems appropriate.~~

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.150 Electronic Filing of Reports**

- a) The State Board of Elections will make ~~electronic filing software~~ available to committees required to report electronically under Code Section 9-28 ~~of the Election Code~~.
- b) Once a committee exceeds the threshold that requires it to report electronically, it must continue to report electronically until it dissolves, whether or not its accumulation, receipts or expenditures fall beneath the levels set by statute for mandatory electronic filing.
- c) Once a committee is required to file its reports electronically under Code Section 9-28, it must continue to file all reports electronically, except as follows:
- 1) A paper report shall be considered a timely filing if it is received by the Board on or before the filing deadline, provided that it covers the initial reporting period during which the mandatory electronic filing threshold is exceeded and that the report is filed electronically within 30 days after receipt of notice from the Board that this report was required to have been filed electronically. If the report is not filed electronically within this 30 day period, it shall be considered as never having been filed and the civil penalties mandated by 26 Ill. Adm. Code 125.425 will accrue from the date of the filing deadline.
  - 2) A paper report shall be considered a non-filing if the committee has previously received the notification referred to in subsection (c)(1). If the report is not filed electronically by the filing deadline, it shall be considered as having never been filed and the civil penalties mandated by

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26 Ill. Adm. Code 125.425 will accrue until such time as it is filed electronically.

- 3) A paper report shall be considered a timely filing if at least one previous report was required to have been filed electronically and the committee had never been notified by the Board that it was required to electronically file its reports, provided that the report is filed electronically within 30 days after the notification referred to in subsection (c)(1). If the report is not filed electronically within this 30 day period, it shall be considered as never having been filed and the civil penalties mandated by 26 Ill. Adm. Code 125.425 will accrue from the date of the filing deadline.
- 4) A paper report shall be considered a timely filing if it is received on or before the filing deadline and the committee has never exceeded the \$10,000 threshold requiring the electronic filing of its reports, regardless of whether the committee filed previous reports electronically.
- 5) If a committee is assessed a civil penalty for delinquently filing a report ~~required to be filed~~ electronically and, in the course of its appeal, raises the defense that computer related issues (~~including, but not limited to, software, firewalls, system failures~~) prohibited the timely filing of an electronic report, the Board may consider that defense when determining the final outcome of the appeal.
- 6) The electronic filing requirement established in this Section shall not apply to Reports of Independent Expenditures required to be filed by natural persons pursuant to Code Section 9-8.6, as those persons are not necessarily political committees.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.175 Audit Findings for Political Committees**

- a) The Board may order a political committee to conduct an audit of its financial records based upon criteria outlined in Code Section 9-13(b) ~~of the Election Code~~. These criteria are limited to a situation in which:
  - 1) there is a discrepancy between the committee's ending and beginning balances contained in 2 or more successive reports;

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- 2) there is a failure to account for a previous investment or loan in a subsequent report or reports; and
  - 3) there is a willful pattern of nonreconciliation of contributions received from or expenditures made from one political committee to another political committee, such that the reported amounts of the one committee do not correspond with the reported amounts of the other committee.
- b) Conditions Precedent to Requirement for an Audit [Pursuant to Code Section 9-13\(b\)](#)
- 1) Prior to ordering an audit [pursuant to subsection \(a\)](#), the Board will send to the committee address, the committee chairman, the committee treasurer, and any candidate designated on the Form D-1 Statement of Organization as being supported by the committee a notice in the form of a pre-audit letter stating that the Board intends to order the committee to conduct an audit based upon reasons outlined in the letter.
  - 2) Prior to conducting an audit [pursuant to subsection \(a\)](#), the committee will be afforded an opportunity for a closed preliminary hearing to give reasons why the committee should not be ordered to conduct an audit, and the committee will be given an opportunity to correct the deficiencies or omissions that gave rise to the issuance of the pre-audit letter. At the conclusion of the closed preliminary hearing, a recommendation will be issued stating whether grounds exist to order the audit.
  - 3) If, after the closed preliminary hearing, the Board determines that there are insufficient grounds upon which to order an audit, no further action will be taken.
  - 4) If, after the closed preliminary hearing, the Board determines that there are sufficient grounds upon which to order an audit, the committee will be ordered to conduct an audit as provided in [Code Section 9-13](#) ~~of the Election Code~~.
  - 5) The procedures contained in 26 Ill. Adm. Code 125, Subparts A and B shall apply to the closed preliminary hearing to the extent that they are not inconsistent with the provisions of [Code Section 9-13](#).

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- c) Selection of Committees for ~~Random Audit~~Auditing
- 1) In each calendar year, the Board shall randomly select no more than 3% of the registered political committees to conduct an audit. No later than December 31 of the year preceding the selection, the Board will decide, based on staff recommendations, what percentage of political committees will be selected for audits in the year of the selection. The selection:
    - A) shall be made no later than the first business day in ~~May~~February; and
    - B) shall be made from all political committees on file with the Board whose status is active at the time of the random selection.
  - 2) The method of selection shall be the same method that the Board uses to select the 5% of the total number of precincts in a given election authority jurisdiction for the purposes of conducting a post-election retabulation as provided in Code Sections 24A-15, 24B-15 and 24C-15 ~~of the Election Code~~. Once a committee has been selected to conduct an audit based on the random selection provided in subsection (c)(1), the Board shall send to the committee address, the committee chairman, the committee treasurer, and any candidate designated on the Form D-1 as being supported by this committee, a notice that the committee has been selected to conduct an audit. The provisions in subsection (b) relating to the closed preliminary hearing shall not apply to committees that have been randomly selected to conduct an audit; however, the committee may be excused from conducting an audit pursuant to subsection (h).
- d) Auditor
- 1) A political committee that has been ordered to conduct an audit pursuant to ~~this Section~~subsection (a) shall hire an entity qualified to perform the audit, i.e., a licensed certified public accountant (CPA) or other person qualified to perform an audit. The auditor shall:
    - A) have the proper training and experience to perform a financial analysis of campaign finance committees. ~~The~~Such training may be the result of possession of a CPA license, possession of a degree

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in accounting from an accredited accounting or business school and/or experience as an accountant gained from past employment; ~~and~~

B) not have contributed to the political committee during the 4 year period immediately preceding the order of the audit; ~~and-~~

C) not be a current officer, a previous officer, or otherwise affiliated with the committee.

2) If the person selected by the committee to perform an audit is not a CPA, the committee shall, prior to the person conducting the audit, submit to the Board for approval the person selected. The committee shall include with the submission any information regarding the qualifications of the person to perform an audit that would inform the Board of the qualifications. The committee may appear before the Board to argue the selected person's qualifications. The Board shall provide written notice to the committee stating whether the selected person is approved and, if not approved, the reasons for denial of approval. If the Board does not approve of the person selected, the committee shall, within 10 business days after the date of the nonapproval notice, select another person to conduct the audit and submit that person for Board approval in accordance with this subsection (d).

e) Any audit ordered by the Board shall include and cover all financial records required to be maintained by the committee as provided in Code Section 9-7-~~of the Election Code~~. The audit shall be conducted in such a way as to ensure compliance with the contribution limitations set forth in Code Section 9-8.5 and the reporting requirements set forth in Code Sections 9-3 and 9-10. The records shall include any and all financial records in the possession or under the control of the committee or the financial institution in which the committee's funds are held, including, but not limited to:

- 1) Bank statements;
- 2) Deposit slips;
- 3) Internal registers or ledgers; and

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- 4) Records maintained and stored in any type of electronic medium.
- f) The audit shall only cover the 2 year period immediately preceding the order of the audit or the period of time since the committee was last ordered to conduct an audit, whichever is shorter. However, if any portion of these time periods covers a time in which the contribution limits provision of Article 9 of the Election Code was not in effect, those limits shall not be included in the scope of the audit.
- g) If the Board determines that the committee is in violation of [Code](#) Sections 9-3, 9-8.5 or 9-10, it may assess a penalty for non-compliance consistent with the penalty provisions contained in those Sections and 26 Ill. Adm. Code 125.425. However, no additional penalty shall be imposed by the Board for any violation found as a result of a Board ordered audit if the Committee has previously been assessed a penalty for that violation.
- h) [Excusal](#)~~Excused~~ from [Random Audit](#)~~Audit~~
- 1) Any political committee, other than a state central committee or a county central committee, ordered by the Board to conduct [a random](#)~~an~~ audit whose chairman, treasurer or candidate on whose behalf the committee was formed, that states under oath, in a signed and notarized affidavit, that the committee lacks the financial means to hire a CPA or other qualified person may, in lieu of conducting an audit, dissolve as a political committee and file a final report with the Board within [60 calendar](#)~~10~~ [business](#) days following the date of the notice of audit. The committee must remain dissolved for a period of at least 4 years.
  - 2) If the committee fails to dissolve within [60 calendar](#)~~10~~ [business](#) days after the date of the notice of audit, the Board staff shall contact the committee ~~within 2 business days~~ and inform it that the option of excusing itself from conducting an audit will not be available to the committee unless it dissolves within [30 calendar](#)~~5~~ [business](#) days after ~~notification being informed~~. If the committee does not dissolve within the [30 calendar](#)~~5~~ [business](#) days, the committee shall be required to conduct the audit under the provisions of [Code](#) Section 9-13 ~~of the Code~~ and Section 100.175 of this Part.
  - 3) In order to be excused from conducting [a random](#)~~an~~ audit, the committee must have a funds balance that does not exceed the cost of hiring a CPA or

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other qualified person, ~~based on the fee~~ cost being typical for the county in which the committee is located. The committee must submit with its affidavit a written cost estimate from at least one CPA or other qualified person located in the county in which the chairman, treasurer or candidate resides. The provisions of subsection (d) pertaining to restrictions on CPAs or other qualified persons chosen to conduct an audit shall also apply to the CPA or other qualified person whose fee is used as a basis to determine the financial ability of the committee to pay the cost of a CPA or other qualified person.

- 4) If a political committee dissolves as a result of its financial inability to conduct an audit, as provided in subsection (h)(1), and then reactivates during the 4 year period it was required to remain dissolved, as a condition of its reactivation, within 60 days after reactivation, the committee must conduct an audit covering the 2 year period immediately prior to the committee's dissolution.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.180 Business Entity Registration Procedures**

- a) This Section and Section 100.185 are adopted to comply with Public Act 95-971, as amended by Public ~~Acts Act~~ 96-848, ~~97-411~~ and ~~97-895~~. Any business entity whose existing State contracts, whose bids and proposals on State contracts or whose bids and proposals on State contracts combined with the business entity's existing State contracts in aggregate annually total more than \$50,000 shall register with SBEL in accordance with ~~Code~~ Section 9-35 ~~of the Election Code~~ ~~[10 ILCS 5/9-35]~~. Those business entities that wish to submit a bid or proposal on a State contract must register with SBEL prior to submitting their bid or proposal. SBEL will provide a certificate of registration upon successful completion of the registration process.
- b) Definitions
  - 1) For purposes of this Section, the terms "business entity", "contract", "State contract", "contract with a State agency", "State agency", "affiliated entity", "affiliated person", and "executive employee" shall have the meanings ascribed to those terms in Section 50-37 of the Illinois Procurement Code [30 ILCS 500/50-37] (Procurement Code).

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- 2) The term "annually", as used in Section 20-160 of the Procurement Code, when referring to the aggregation of State contracts, shall mean the calendar year in which the contracts are bid on or awarded.
  - 3) Unless otherwise indicated, any time frame involving a certain number of days shall refer to business days. Business days shall be those days in which the office of SBEL is open to the public for a minimum of 7 hours.
  - 4) The term "political committee" shall mean any political committee required to file as such under the provisions of Article 9 of the Election Code (campaign disclosure law), regardless of whether the committee has filed a Statement of Organization pursuant to [Code](#) Section 9-3 ~~of the Election Code~~.
  - 5) The term "minor child" shall mean any affiliated person who has not attained 18 years of age as of the time of registration of the business entity with which the person is affiliated.
- c) Business entities shall register on a secure website provided by SBEL by first creating an on-line account. SBEL will verify the authenticity of that account at the time of registration.
  - d) Registration Procedures
    - 1) The following information must be supplied at the time of, and for the purpose of listing in, the registration:
      - A) The name and address of the business entity. The address shall be the office designated by the entity as its principal office or its headquarters.
      - B) The name and address of each affiliated entity of the business entity, including a description of the affiliation. The address shall be that of the principal office or headquarters of the affiliated entity.
      - C) The name and address of each affiliated person of the business entity, including a description of the affiliation. (Every affiliated

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person or persons within a business entity that is required to register electronically must be listed on the registration form. If there are no affiliated persons, the person whose position within the business entity comes closest to meeting the definition of affiliated person shall be listed on the registration form. The electronic registration system will not accept a blank entry where a name is required.) The name and address of a minor child who must be disclosed on the business entity's registration by virtue of the fact that such person falls under the definition of affiliated person shall not be posted on the SBEL website.

- D) The Federal Employer Identification Number (FEIN), if the business has obtained such a number. If the business does not have a FEIN, an Illinois Business Tax Number (IBT) must be provided. If the business has neither of these numbers, it must provide an identifying number unique to that business that is capable of verification by SBEL. A sole proprietorship may use a social security number as a unique identifier if it does not have a FEIN or an IBT.
- 2) Registration shall be accomplished in one of the two following methods:
    - A) A web-based program through which information may be entered, saved and transmitted upon completion. Changes may be made by accessing the program, making the changes, and submitting those changes to SBEL via the program contained on SBEL's website.
    - B) A format, provided by SBEL, designed specifically for large business entities through which data may be submitted in lieu of completion of the web-based option. Though this method is geared toward larger business entities, any business entity may choose to use this method.
- e) The Board shall provide a certificate of registration to the business entity upon registration and upon any change of information submitted by the entity. The certificate shall be electronic and accessible to the business entity through the SBEL website and shall be password protected.

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- 1) Any business entity required to register under Section 20-160 of the Procurement Code shall provide a copy of the registration certificate, by first class mail, e-mail or hand delivery within 10 days after registration, to each affiliated entity and each affiliated person listed by the registrant.
- 2) Any business entity required to register under Section 20-160 of the Procurement Code shall provide a copy of the registration certificate, by first class mail, e-mail or hand delivery within 10 days after the addition of any affiliated entity or affiliated person whose identity is required to be disclosed, to that affiliated person or entity. The delivery of the registration certificate to a minor child who is an affiliated person shall be accomplished by providing it as described in this Section to either parent or the legal guardian of the minor child. The business entity shall document in writing the date of submission of the certificate of registration to the appropriate entities and persons.
- 3) Any business entity required to register under Section 20-160 of the Procurement Code shall notify each political committee to which it makes a contribution, in writing at the time of the contribution, that the business entity is registered with SBEL under Section 20-160. The business entity shall document in writing the date of submission of the notice of registration to the appropriate political committee. A copy of the certificate of registration may serve as the required written notice.
- 4) Any affiliated entity or affiliated person of a business entity required to register under Section 20-160 of the Procurement Code shall notify each political committee to which it makes a contribution that it is affiliated with a business entity registered with SBEL under Section 20-160 and the business entity with which it is affiliated. The notification shall be in writing and shall occur at the time the contribution is made to the committee. The affiliated entities or persons shall document in writing the date of submission of the notice of registration to the appropriate political committee. A copy of the certificate of registration may serve as the required written notice.
- 5) In the determination of a complaint alleging a failure to comply with any notification requirement contained in this subsection (e), the failure of a party responsible for providing the required notification to submit written

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documentation of compliance shall create a rebuttable presumption of noncompliance against that party.

- f) Pursuant to [Section 30 ILCS 500/20-160 of the Procurement Code](#), each bid submitted to and every contract executed by the State on or after January 1, 2009 shall contain:
- 1) A certification by the bidder or contractor that either:
    - A) the bidder or contractor is not required to register as a business entity with SBEL pursuant to this Section; or
    - B) the bidder or contractor has registered as a business entity with SBEL and acknowledges a continuing duty to update the registration; and
  - 2) A statement that the contract is voidable under Section 50-60 of the Procurement Code as a result of the bidder's or contractor's failure to comply with Section 20-160 of the Procurement Code.
- g) A business entity whose aggregate bids and proposals on State contracts annually total more than \$50,000, or whose aggregate bids and proposals on State contracts combined with the business entity's aggregate annual total value of State contracts exceed \$50,000, has a continuing duty to ensure that the registration is accurate during the period beginning on the date of registration and ending on the day after the contract is awarded. Any change of information, including but not limited to changes in affiliated entities or affiliated persons, must be reported to SBEL within 5 business days following the change or no later than a day before the contract is awarded, whichever date is earlier (see Section 100.185(a)).
- h) A business entity whose contracts with State agencies, in the aggregate, annually total more than \$50,000 has a continuing duty to ensure that the registration is accurate for the duration of the term of office of the incumbent officeholder awarding the contract or for a period of 2 years following the expiration or termination of the contract, whichever is longer.
- 1) Any change in information, including but not limited to changes in affiliated entities or affiliated persons, shall be reported to SBEL on a

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quarterly basis within 10 business days following the final day of January, April, July and October of each year (see Section 100.185(c)).

- 2) If a business entity required to register under Section 20-160(d) of the Procurement Code has a pending bid or proposal on a State contract, then any change in information shall be reported to SBEL within 5 business days or no later than a day before the contract is awarded, whichever date is earlier (see Section 100.185(c)).
- i) Pursuant to Section 30 ILCS 500/20-160 of the Procurement Code, as to any bid or proposal for a contract with a State agency, the Chief Procurement Officer shall verify that the business entity is required to register and is in compliance with the registration requirements as of the date the bid or proposal is submitted, a copy of the business entity's certificate of registration must accompany any bid or proposal for a contract with a State agency by a business entity required to register. The chief procurement officer of the State agency shall not accept a bid or proposal unless:
  - 1) the business entity is in compliance with the registration requirements as of the date the bid or proposal is submitted~~the certificate of registration is submitted to the agency with the bid or proposal;~~ or
  - 2) a statement that the bidder or contractor is not required to register as a business entity with SBEL is submitted to the agency with the bid or proposal.
- j) A registration, and any changes to a registration, must include the business entity's verification of accuracy.
- k) The requirements of this Section apply regardless of the method of source selection used in awarding the contract.
- l) ~~SBEL will keep and maintain the paper registrations filed in accordance with P.A. 95-1038 and the emergency rules enacted by SBEL in its principal office in Springfield for a period of 3 years following the creation of the electronic registration system on August 1, 2009. The public may view these paper registration submissions of business entities at SBEL's principal office in Springfield during normal business hours. Copies of registrations of business entities submitted to SBEL shall also be available for public inspection at SBEL's~~

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~~principal office in Springfield. The searchable database provided for in Section 9-35 of the Election Code shall be accessible to the public at all times following its creation.~~

## m) Inactive Status

- 1) The provisions of this subsection apply to a business entity required to register with SBEL under Section 20-160 of the Procurement Code, that had an existing contract or had bid on a contract within the time periods set out in subsection (h), and that had a duty to maintain the accuracy of its registration. A business entity that has registered with SBEL may change its status to "inactive" provided that:
  - A) the entity bid on a contract the value of which exceeded the \$50,000 qualifying threshold, but was not awarded that contract;
  - B) the entity had a combination of bids and contracts that exceeded the \$50,000 qualifying threshold; however, the entity was not awarded the contract and/or the two year period following the expiration of the contract has lapsed or the term of office of the officeholder responsible for awarding the contract has concluded;  
~~or~~
  - C) the entity ~~had~~has contracts exceeding the \$50,000 qualifying threshold; however, the two year period following the expiration of the contract has lapsed or the term of office of the officeholder responsible for awarding the contract has concluded.
  - D) the entity was not required to register as a business entity but did so anyway, provided that the reason for the registration was not to qualify for use of the Illinois Procurement Gateway (IPG) offered by the Chief Procurement Officer – General Services. The entity may not change its status to "inactive" until its registration through the IPG has expired.
- 2) Nothing in this Section shall affect the duty of a business entity to update its registration when required to do so, nor remove the entity from the prohibition against making contributions to the officeholder responsible for awarding the contract.

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- 3) This "inactive" designation shall be determined by the business entity. The Board shall provide a form in an electronic format accessible on the SBEL website for the entity to indicate that it is currently in inactive status. The form shall include the name and address of the entity; the contract or bid that created the obligation to register with ~~the SBEL, a~~ as well as the agency or office that was responsible for awarding the contract, or, if the entity was not required to register with ~~the SBEL~~, a designation that registration was not required; and the beginning date on which the obligation to update the entity's registration relative to each contract or bid no longer existed. The form shall be signed by the Chief Executive Officer of the business entity or his/her designee, or a person who serves in that capacity, indicating that the signatory verifies that the entity qualifies to be in inactive status based on the criteria contained in [this](#) subsection (~~1m~~).
- 4) In the event a business entity that had previously declared its inactive status on the form prescribed by subsection (~~1m~~)(3) submits a bid for a State contract whose value ~~exceeds~~ \$50,000, the entity shall rescind its inactive status prior to submitting a bid, shall update its registration so that the information required by [Code](#) Section 9-35(b)(1), (2) and (3) ~~of the Election Code~~ is current. In addition, the entity shall abide by the contribution prohibitions contained in Section 50-37(b) and (c) of the Procurement Code. The rescinding of an entity's inactive status shall be on an electronic form accessible on the SBEL website.
- ~~m~~) The complaint provisions contained in [Code](#) Sections 9-20 through 9-22 ~~of the Election Code~~ shall apply to complaints filed alleging a violation of this Section.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 100.185 Assessment of Civil Penalties**

- a) The provisions of [Code](#) Sections 9-20 through 9-24 ~~of the Election Code~~ relating to complaints for violations of Article 9 of the Election Code shall apply to complaints for violations of Section 9-35(c) (failure to re-register electronically within 60 days following the establishment of the electronic registration system), [Code](#) Section 9-35(d) (failure to notify affiliated persons and entities of a business entity that the business entity is registered with the Board) and [Section 9-35](#)(e)

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(the intentional, willful or material failure to disclose required registration information and failure to update a registration), except that the complaint shall be directed to the registered agent of the business entity or its chief executive officer. In addition, the provision of [Code](#) Section 9-21 pertaining to the 60 day period prior to an election shall not apply to complaints filed under this Section. Willful or intentional failure to disclose material information on a business entity's registration shall subject that entity to a civil penalty assessed by the Board not to exceed \$5,000 per occurrence. If the Board determines that a business entity has intentionally, willfully or materially failed to disclose required information on its registration, it shall refer that determination to the chief procurement officer of the agency or agencies that accepted a bid or entered into a contract with that business. Failure to provide notice under [Code](#) Section 9-35(d) is a business offense, the penalty for which shall not to exceed \$1,001.

- b) The provisions of 26 Ill. Adm. Code 125, Subparts A, B and C shall apply to complaints filed against business entities.
- c) Failure to update a registration as required by Section 20-160(d) and (e) of the Procurement Code and Section 100.180(i)(1) and (2) of this Part (any change in information must be reported to SBEL within 10 business days following the last day of the quarterly period or within 5 business days following that change or no later than a day before the contract is awarded, whichever date is earlier), will result in a \$1,000 per day penalty for each day the information remains unreported. For purposes of this Section, the information required to be updated is the information required of a business entity under [Code](#) Section 9-35(b) ~~of the Election Code~~, including name and address of the business entity and any affiliated person or entity. ~~In the event a request is made to view a paper based Illinois Business Registration prior to its release to the requestor, SBEL will redact any information pertaining to minor children that is included on the paper based registration.~~
- d) Any penalty assessed against a business entity by SBEL for violation of [Code](#) Section 9-35 ~~of the Election Code~~ shall be paid within 30 days after the assessment of the penalty. The 30 day period shall commence on the date the letter is sent by SBEL to the business entity assessing the penalty. Any assessed penalty that remains unpaid more than 30 days after the issuance of the final order assessing the penalty shall be posted on the SBEL website, indicating the name of the business entity owing the penalty and stating that the penalty remains unpaid.

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(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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**Section 100.APPENDIX A Contributions Allowed Per Election Cycle****Section 100.TABLE A Contribution Limits Per Election Cycle**

- a) CANDIDATE POLITICAL COMMITTEE
- 1) ~~\$5,300~~\$5,000 from an individual
  - 2) ~~\$10,500~~\$10,000 from a corporation, labor organization or association
  - 3) ~~\$52,600~~\$50,000 from a candidate political committee or political action committee
  - 4) No limits from political party committee except during an election cycle in which the candidate seeks nomination at a primary election
  - 5) During an election cycle in which the candidate seeks nomination at a primary election, a political party committee may contribute:
    - A) ~~\$210,500~~\$200,000 to a candidate for statewide office
    - B) ~~\$131,600~~\$125,000 to a candidate for Senate, Supreme or Appellate Court in Cook County, county-wide office in Cook County
    - C) ~~\$78,900~~\$75,000 to a candidate for House of Representatives, Supreme or Appellate Court outside of Cook County, county-wide office outside of Cook County, and local candidates within Cook County
    - D) ~~\$52,600~~\$50,000 to any other candidate
- b) POLITICAL PARTY COMMITTEE
- 1) ~~\$10,500~~\$10,000 from an individual
  - 2) ~~\$21,100~~\$20,000 from a corporation, labor organization or association
  - 3) ~~\$52,600~~\$50,000 from a political action committee

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- 4) No transfers permitted between legislative caucus committees
  - 5) ~~Primary Election Only (petition circulation through election)~~
    - A) ~~\$50,000 from a candidate political committee~~
    - B) ~~\$50,000 from another political party committee~~
  - 5C) ~~A~~ Not applicable if political party committee is not participating in election; a political party committee may accept contributions in any amount from a candidate committee or political party committee if the political party committee receiving the contribution filed a statement of nonparticipation in the primary
  - 6) No limits on transfers between a State political committee and a federal political committee
- c) POLITICAL ACTION COMMITTEE
- 1) ~~\$10,500~~\$10,000 from an individual
  - 2) ~~\$21,100~~\$20,000 from a corporation, labor organization, political party committee or association
  - 3) ~~\$52,600~~\$50,000 from a political action committee or candidate political committee
- d) BALLOT INITIATIVE COMMITTEE
- No limits from any source – cannot contribute to any other type of committee
- e) INDEPENDENT EXPENDITURE COMMITTEE
- No limits from any source – cannot make direct contributions or coordinated expenditures.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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**Section 100.APPENDIX A Contributions Allowed Per Election Cycle****Section 100.TABLE B Election Cycles**

- a) CANDIDATE POLITICAL COMMITTEE
  - 1) Support candidate to be elected at a general primary election or general election
    - A) Beginning January 1 following a general election for office to which candidate seeks nomination or election and ending on day of general primary election for that office, or
    - B) Beginning day after a general primary election for the office to which the candidate seeks nomination or election and through December 31 following the general election
  - 2) Support candidate for General Assembly
    - A) Beginning January 1 following a general election and ending on day of next general primary election, or
    - B) Beginning day after a general primary election and ending on December 31 following a general election (2 year)
  - 3) Support candidate for retention
    - A) Beginning January 1 following general election when candidate was elected through day candidate files declaration of intent to seek retention, or
    - B) Beginning day after candidate files declaration of intent to seek retention through December 31 following retention election
  - 4) Support candidate to be elected at consolidated primary election or consolidated election (also applies to candidates in municipal or runoff elections in cities of 1,000,000 or more population, occurring on the dates of the regularly scheduled consolidated primary election or consolidated election)

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- A) Beginning July 1 following the consolidated election for the office to which the candidate seeks election and ending on the day of the next consolidated primary election for that office, or
- B) Beginning the day after the consolidated primary election for the office to which the candidate seeks nomination or election and ending on June 30 following the consolidated election held that year
- b) POLITICAL PARTY COMMITTEE
- Beginning January 1 and ending on December 31 of each calendar year (1 calendar year)
- c) POLITICAL ACTION COMMITTEE
- Beginning January 1 and ending on December 31 of each calendar year (1 calendar year)
- d) BALLOT INITIATIVE COMMITTEE
- Beginning January 1 and ending on December 31 of each calendar year (1 calendar year)
- e) INDEPENDENT EXPENDITURE COMMITTEE
- Beginning January 1 and ending on December 31 of each calendar year (1 calendar year)

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of Part: Practice and Procedure
- 2) Code Citation: 26 Ill. Adm. Code 125
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
125.20	Amendment
125.40	Amendment
125.110	Amendment
125.252	Amendment
125.425	Amendment
125.430	Amendment
125.440	Amendment
- 4) Statutory Authority: Section 1A-8(9) of the Illinois Election Code [10 ILCS 5/12A]
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking establishes penalties to be assessed against Independent Expenditure committees that make impermissible direct contributions and expenditures consistent with the provisions set forth in PA 97-766; makes technical changes to the notice provisions of Board assessed penalties and third party complaints; and allows documents and motions to be filed by email, if agreed to by all parties.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this Notice to:

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Ken Menzel, General Counsel  
Illinois State Board of Elections  
2329 S. MacArthur Blvd.  
Springfield IL 62708

217/782-4141  
kmenzel@elections.il.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses affected: None
  - B) Reporting, bookkeeping or other procedures required for compliance:  
Accounting, bookkeeping or legal experience if appearing before the board.
  - C) Types of professional skills necessary for compliance: Accounting, bookkeeping or legal experience if appearing before the board.
- 14) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the two most recent Agendas because at the time the Regulatory Agenda was required to be filed, this rulemaking was not anticipated.

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

## STATE BOARD OF ELECTIONS

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 26: ELECTIONS

## CHAPTER I: STATE BOARD OF ELECTIONS

## PART 125

## PRACTICE AND PROCEDURE

## SUBPART A: DEFINITION AND GENERAL PROVISIONS

## Section

125.5	Applicability
125.10	Definitions
125.15	Board Offices and Business Hours
125.20	Documents Pertaining to Hearings
125.30	Form of Documents
125.40	Service of Documents
125.50	Computation of Time
125.55	Time of Notices
125.60	Appearances
125.70	Non-Legal Assistance
125.75	Parties
125.80	Answer
125.90	Qualifications of Hearing Officer
125.95	Authority of Hearing Officer
125.100	Disqualification of Hearing Officer
125.110	Motions
125.115	Consolidation and Severance of Claims: Additional Parties
125.120	Amendments
125.130	Intervention
125.135	Pre-hearing Conferences
125.140	Settlement Pursuant to Conference
125.150	Record of Conferences
125.160	Continuances
125.170	Order of Proceedings
125.175	Failure of Party to Appear
125.180	Evidence
125.185	Official Notice
125.190	Examination of Adverse Party or Agent
125.192	Participation by Board Members and Staff
125.195	Hostile Witnesses

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- 125.197 Admission of Business Records in Evidence  
125.199 Compelling Appearance at Hearing

## SUBPART B: CLOSED PRELIMINARY HEARINGS

- Section  
125.210 Applicability  
125.220 Commencement of Proceeding  
125.230 Form of Complaint  
125.235 Board Members as Complainants  
125.240 Service of Complaint  
125.245 Appointment of Hearing Officer – Order of Closed Preliminary Hearing  
125.250 Time of Preliminary Hearing (Repealed)  
125.252 Scope of Preliminary Hearing – Procedures – Evidence  
125.253 Responsibilities of the General Counsel  
125.254 Stipulated Settlement  
125.255 Transcript of Preliminary Hearing (Repealed)  
125.260 Report of Hearing Examiner (Repealed)  
125.262 Board Determination  
125.265 Judicial Review  
125.270 Record of Preliminary Hearing on Appeal Administrative Review  
125.272 Order of Public Hearing  
125.275 Time and Conduct of Public Hearing (Repealed)

## SUBPART C: PUBLIC ADJUDICATIVE HEARINGS

- Section  
125.310 Applicability  
125.320 Initiation of Hearing  
125.330 Appointment of Hearing Officer  
125.340 Notice of Hearing  
125.350 Discovery Procedures  
125.360 Subpoenas  
125.370 Transcript of Proceedings  
125.380 Official Record  
125.390 Briefs and Oral Argument

## SUBPART D: FINAL ORDERS

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Section	
125.410	Hearing Officer's Report
125.420	Order of the Board; Civil Penalties
125.425	Civil Penalty Assessments
125.430	Enforcement Actions in the Circuit Court
125.440	Reconsideration
125.445	Public Database of Founded Complaints

SUBPART E: INVESTIGATIONS, INQUIRIES AND HEARINGS  
PURSUANT TO SECTION 9-18

Section	
125.510	Applicability (Repealed)
125.520	Staff Review and Enforcement of Reporting Requirements
125.530	Compliance Conference
125.540	Staff Initiated Complaint (Repealed)
125.550	Investigations, Inquiries or Hearings

SUBPART F: RULEMAKING AND NON-ADJUDICATIVE HEARINGS

Section	
125.610	Applicability
125.620	Adoption of Rules
125.630	Rulemaking Hearings
125.640	Notice of Hearing
125.650	Conduct of the Hearing
125.660	Examination of Witness
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125.680	Report of Hearing

SUBPART G: ADVISORY OPINIONS

Section	
125.710	Advisory Opinions
125.720	Reconsideration of Advisory Opinions
125.730	Public Availability of Advisory Opinion
125.740	Conflict Between this Part and the IAPA

SUBPART H: MISCELLANEOUS PROVISIONS

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Section	
125.810	Ex Parte Communications
125.820	Effective Date (Repealed)
125.830	Interpretation
125.840	Severability

**AUTHORITY:** Implementing and authorized by Sections 1A-8(9), 9-15(3), 9-21 and 9-23 of the Election Code [10 ILCS 5/1A-8(9), 9-15(3), 9-21 and 9-23].

**SOURCE:** Adopted at 5 Ill. Reg. 12115, effective October 26, 1981; amended at 7 Ill. Reg. 230, effective December 16, 1982; amended at 7 Ill. Reg. 239, effective December 16, 1982; amended at 7 Ill. Reg. 15803 and 15810, effective November 9, 1983; codified at 8 Ill. Reg. 3278; amended at 9 Ill. Reg. 4050, effective March 14, 1985; amended at 14 Ill. Reg. 10832, effective June 22, 1990; amended at 16 Ill. Reg. 6986, effective April 21, 1992; amended at 19 Ill. Reg. 6546, effective May 1, 1995; emergency amendment at 23 Ill. Reg. 1122, effective January 7, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 6807, effective May 24, 1999; amended at 24 Ill. Reg. 14203, effective September 11, 2000; emergency amendment at 28 Ill. Reg. 1408, effective January 5, 2004, for a maximum of 150 days; emergency expired June 2, 2004; amended at 29 Ill. Reg. 18796, effective November 7, 2005; amended at 30 Ill. Reg. 6337, effective April 3, 2006; amended at 30 Ill. Reg. 10266, effective June 1, 2006; amended at 31 Ill. Reg. 16738, effective December 14, 2007; amended at 35 Ill. Reg. 2351, effective February 4, 2011; amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART A: DEFINITIONS AND GENERAL PROVISIONS

**Section 125.20 Documents Pertaining to Hearings**

- a) All documents, including but not limited to complaints, notices and motions, permitted or required to be filed with the Board in connection with any proceeding before the Board shall be filed with the office of the General Counsel.
- b) All documents permitted or required to be filed with the office of the General Counsel may be filed either:
  - 1) by personal delivery to the Board's principal office located in Springfield, Illinois or the Board's permanent branch office located in Chicago, Illinois; ~~or~~

## STATE BOARD OF ELECTIONS

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- 2) by mail, postage prepaid with the United States Postal Service, addressed to the General Counsel at the Board's principal office or permanent branch office in Chicago; or-
  - 3) by e-mail, if agreed to by all parties.
- c) All documents filed by mail shall be deemed filed as of the date and time the documents are actually received by the office of the General Counsel. If that office customarily and regularly utilizes a time-date stamp for the recording of the receipt of documents, the time and date stamp impression affixed to any filed document shall be prima facie evidence that the document was filed on the date and at the time shown by the stamp.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 125.40 Service of Documents**

Except as provided in Section 125.240, whenever this Part requires any document to be served upon a party or other person, service shall be complete when the document is served by abode service as provided in the Civil Practice Law [735 ILCS 5/2-203(a)], in person upon the party or his or her attorney or designated representative, or deposited for mailing with the United States Postal Service, postage prepaid, registered or certified, addressed to the party at his or her last known address, or by e-mail, if agreed to by all parties.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 125.110 Motions**

- a) Unless made orally on the record during a hearing, or unless the Hearing Officer directs otherwise, motions shall be in writing and accompanied by any affidavits or other matters relied upon. The original copy of all motions shall be served upon the Hearing Officer and copies shall be served upon all other parties to the proceeding and the General Counsel. In addition, motions may also be submitted by e-mail, if agreed to by all parties.
- b) A party may file a response in support of or in opposition to a motion within such time as the Hearing Officer directs. If no response is filed, the parties shall not be deemed to have waived objections to the motion. Service of a response shall be the same as provided in subsection (a).

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- c) No oral argument will be heard on a motion unless the Hearing Officer directs otherwise.
- d) The Hearing Officer shall rule upon all motions, except that he or she shall have no authority to make a recommendation to the Board to dismiss or decide a hearing on the merits, without granting all parties to the proceeding a right to be heard and to establish a record.
- e) Unless otherwise ordered by the Board, the filing of a motion shall not stay the proceeding or extend the time for the performance of any act.
- f) A party may participate in the proceedings without waiving any jurisdictional objection.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART B: CLOSED PRELIMINARY HEARINGS

**Section 125.252 Scope of Preliminary Hearing – Procedures – Evidence**

The closed preliminary hearing is not an adjudication, but shall be an inquiry to elicit evidence on whether the complaint was filed on justifiable grounds and has some basis in fact and law.

- a) The closed preliminary hearing shall be conducted by the Hearing Officer.
- b) Minutes of the closed preliminary hearing shall be kept by the Board staff and signed by the Hearing Officer. A party may record the proceedings by employing his or her own court reporter or otherwise recording the hearing. Minutes of the closed preliminary hearing shall be made available to any party upon request.
- c) The closed preliminary hearing need not be strictly adversarial in nature.
  - 1) Any person offering evidence, written or oral, shall affirm to the Hearing Officer that his or her evidence is true to the best of his or her information and belief;
  - 2) Evidence may be submitted in narrative form;

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- 3) The Hearing Officer shall not be bound to follow rules of evidence acceptable in an Illinois court of record, but may admit and rely upon for his or her recommendation evidence or information of a type commonly relied upon by reasonably prudent men in the conduct of their affairs, as provided by Section 10-40(a) of the Illinois Administrative Procedure Act [5 ILCS 100/10-40(a)];
  - 4) The complainant bears the burden of introducing evidence or information sufficient under subsection (c)(3) for the Board to conclude that the complaint has been filed on justifiable grounds;
  - 5) The complainant will ordinarily present evidence or information supporting the complaint first in order. The complainant will present his or her case first, except when convenience to the Hearing Officer or the respondent requires the respondent to proceed first. The consent, in such cases, of the complainant will be required. The respondent may then present any information or evidence; and
  - 6) The Hearing Officer may ask the complainant or respondent any questions relevant to the charges of the complaint. Any question is relevant if it has the possibility of eliciting an answer that tends to make the ultimate fact of justifiable grounds more or less likely.
- d) At the close of the hearing, the Hearing Officer shall summarize his or her conclusions concerning the evidence and information represented and draft a recommendation to the Board addressing whether the complaint was filed on justifiable grounds. The Hearing Officer shall also attach to the minutes any documents tendered to the Board during the hearing, and submit his or her recommendation and the minutes to the Board for their consideration. The Hearing Officer shall send a copy to the General Counsel.
  - e) The Hearing Officer shall have no authority to rule on any questions of law raised by the complainant or respondent, but shall note in the minutes all such matters for the Board's disposition.
  - f) At any time before the Hearing Officer submits the recommendation and minutes, the complainant and respondent may settle the matters between them, subject to the approval of the Board. If the Board or a member of its staff is the complainant, the Hearing Officer shall have the authority to enter into a stipulation for

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settlement pursuant to Section 125.254 ~~of this Part~~, subject to Board approval.

- g) No additional evidence shall be considered by the Hearing Officer after the conclusion of the closed preliminary hearing.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## SUBPART D: FINAL ORDERS

**Section 125.425 Civil Penalty Assessments**

- a) A report required to be filed within a specified time pursuant to Code Section 9-10 ~~of the Election Code~~ is delinquent if not received by the Board on or before the due date. Documents are deemed received by the Board as of the date stamped by Board staff on the documents submitted.
- b) If a report is or continues to be delinquent, it is subject to a civil penalty as set out in subsection (d) ~~of this Section~~.
- c) When a report required by Code Section 9-10 ~~of the Election Code~~ is delinquent, the Board will send by first class mail a notice of delinquency to the chairman and the treasurer of each delinquent political committee, together with an order assessing a civil penalty calculated in accord with subsection (d). The notice of delinquency and order shall also be sent by certified mail to ~~any candidate listed by name on~~ that committee's address~~Statement of Organization~~. The notice of delinquency shall state that the Board has issued a civil penalty that will be final unless the committee shows cause in accord with subsection (e) why the penalty should not be assessed.
- d) The Board will calculate the civil penalty as follows:
- 1) If the committee's total receipts, total expenditures, and balance remaining at the end of the reporting period for which the delinquent report was due are each \$5000 or less, and if the delinquent report is a quarterly report, the political committee shall be assessed a fine of \$25 per business day for the first violation, \$50 per business day for the second violation, and \$75 per business day for the third and each subsequent violation, to a maximum of \$5000. However, the civil penalty for any committee shall not exceed \$1000 for a first time offense involving a filing that is less than

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10 days late.

- 2) If the committee's total receipts, total expenditures, or balance remaining at the end of the reporting period for which the delinquent report was due exceeds \$5000, and if the delinquent report is a quarterly report, the political committee shall be assessed a fine of \$50 per business day for the first violation, \$100 per business day for the second violation, and \$200 per business day for the third and each subsequent violation, to a maximum of \$5000. However, the civil penalty for any committee shall not exceed \$1000 for a first time offense involving a filing that is less than 10 days late.
- 3) In the situation described in subsection (d)(1) or (d)(2), no civil penalty shall be assessed against a committee if the report is mailed and postmarked at least 72 hours prior to the filing deadline.
- 4) When considering the amount of the civil penalty to be imposed, the Board shall consider all relevant factors, including, but not limited to:
  - A) Whether, in the Board's opinion, the violation was committed inadvertently, negligently, knowingly or intentionally; and
  - B) Past violations of Article 9 of the Election Code by the committee. Past violations of any committee composed of one or more of the same officers, or for the same purpose or for the support of the candidacy of the same person, irrespective of office, as the committee currently being assessed a civil penalty shall be considered relevant factors when considering the amount of the civil penalty to be imposed.
- 5) If the delinquently filed report is a Schedule A-1 (report of contributions of \$1000 or more), in the final disposition of any appeal of a penalty assessed by the Board for the delinquency, the Board will consider assessing a civil penalty as follows:
  - A) In the case of a willful or wanton violation, the Board shall impose a penalty of no less than 10% and no more than 150% of the total amount of the contributions that were delinquently reported.

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- B) When considering the amount of the civil penalty to be imposed under subsection (d)(5)(A), the Board shall consider the following factors:
- i) the number of days the contribution was reported late; and
  - ii) past violations of [Code](#) Sections 9-3 and 9-10 ~~of the Election Code~~ by the committee. Past violations of any committee composed of one or more of the same officers, or for the same purpose or for the support of the candidacy of the same person, irrespective of office, as the committee currently being assessed a civil penalty shall be considered relevant factors when considering the amount of the civil penalty to be imposed.
- C) In the case of negligent or inadvertent violations, the Board may:
- i) impose a fine not to exceed 50% of the total amount of the delinquently reported contributions; or
  - ii) waive the fine.
- D) When considering the amount of the civil penalty to be imposed under subsection (d)(5)(C), the Board shall consider the following factors:
- i) Whether the political committee made an attempt to disclose the contribution and any attempts to correct the violation;
  - ii) Whether the violation was attributed to a clerical or computer error;
  - iii) The amount of the contribution;
  - iv) Whether the violation arose from a discrepancy between the date the contribution was reported transferred by a political committee and the date the contribution was received by a political committee;

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- v) The number of days the contribution was reported late; and
  - vi) Past violations of [Code](#) Sections 9-3 and 9-10-~~of the Election Code~~ by the political committee. Past violations of any committee composed of one or more of the same officers, or for the same purpose or for the support of the candidacy of the same person, irrespective of office, as the committee currently being assessed a civil penalty shall be considered relevant factors when considering the amount of the civil penalty to be imposed.
- 6) If the delinquently filed report is a Statement of Organization (form D-1), the Board shall assess a civil penalty of \$50 for each business day that the report remains unfiled after its due date. The penalties shall not exceed \$5,000.
- 7) If an independent expenditure committee makes a contribution in violation of Code Section 9-8.6(d), the Board shall assess a fine equal to the amount of any contributions received in excess of the contribution limits for that particular contributor, during the two years preceding the date of the first contribution made in violation of the Act during a given quarterly reporting period. A committee that wishes to appeal the assessment may do so pursuant to this Section.
- e) In addition to the civil penalties provided for in [Code](#) Section 9-10(b) and (c)-~~of the Election Code~~, a committee or organization required to report under the Election Code may, for violations of provisions of Article 9 of the Election Code other than delinquent filing, be assessed a civil penalty under the provisions of [Code](#) Section 9-23-~~of the Election Code~~ and this subsection (e). The Board will calculate civil penalties in accord with subsection (d). A committee that violates both [Code](#) Section 9-10 of the Election Code and an order of the Board may be liable for separate penalties for each violation. In cases of alleged violation of an order of the Board brought under the provisions of [Code](#) Section 9-23-~~of the Election Code~~, the Board will mail to each committee or organization alleged to be in violation of a Board order notice of a proposed civil penalty calculated in accord with the terms of this Part, which proposed penalty shall become effective without further proceedings unless the committee or organization receiving the notice contests the proposed civil penalty. A political committee assessed a civil

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penalty under [Code](#) Section 9-10(b) or (c) for being delinquent in filing a required report or that has received notice of a proposed civil penalty for violation of a Board order under [Code](#) Section 9-23 may:

- 1) submit, within 30 calendar days after the mailing of the assessment notice, a request for waiver of appearance and appeal affidavit, in the form provided by the Board, stating the reasons for requested waiver of appearance and the reasons for the late filing or violation of the Board order, as the case may be, to show why a civil penalty should not be assessed. This appeal affidavit shall either be in writing, made under oath and upon penalty of perjury sworn to before a notary public or any person authorized to administer oaths, or be made pursuant to Section 1-109 of the Code of Civil Procedure [735 ILCS 5/1-109]; or
  - 2) submit, within 30 calendar days after the mailing of the assessment notice, a request for hearing and appeal affidavit, in the form provided by the Board, stating the reasons for the late filing or violation of the Board order, as the case may be, to show why a civil penalty should not be assessed. This appeal affidavit shall either be in writing, made under oath and upon penalty of perjury sworn to before a notary public or any person authorized to administer oaths, or be made pursuant to Section 1-109 of the Illinois Code of Civil Procedure; or
  - 3) pay, within 30 days after the mailing of the assessment notice, the civil penalty assessed. If an appeal affidavit is filed, with or without waiver of appearance, the civil penalty shall not be due until the appeal is determined by the Board.
- f) Post-Appeal Hearing Defense or Evidence
- 1) Any defense and any accompanying evidence upon which the appeal is based that is presented to the Board following an appeal hearing, either by personal appearance before or a written appeal submitted to a Hearing Officer, shall be limited to the defense and evidence that was presented at the appeal hearing. The defense and evidence shall include, but not be limited to, interpretation of statute and rules, consideration of written or oral testimony tendered at the appeal hearing and consideration of documentary evidence tendered at the hearing.

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- 2) Any defense and accompanying evidence that was not known, and could not reasonably be expected to have been known, by the respondent at the time of the appeal hearing may be presented to the Board. The Board may, upon motion or on its own motion, remand the defense and evidence back to the original Hearing Officer, or may submit it to a new Hearing Officer for consideration. If an issue exists as to the applicability of this exception, the Board shall rule upon the issue immediately after presentation of the disputed defense and evidence. The respondent in the case shall be given an opportunity to demonstrate to the Board that the disputed defense and evidence was not known at the time of the appeal hearing and the respondent should not have been expected to have been aware of the defense and evidence at the time of the appeal hearing.
- 3) Nothing in this Part shall be construed to prevent the respondent from being represented by counsel at the presentation before the Board when the counsel did not represent the respondent at the appeal hearing. Counsel shall be licensed to practice law in the State of Illinois as required by Section 125.60 ~~of this Part~~.
- g) If a political committee or organization required to report under the provisions of Article 9 of the Election Code that is subject to a civil penalty fails, within the time required, to make payment in full of the assessed civil penalty, then the Board shall proceed with efforts at collection pursuant to the Illinois State Collection Act of 1986 [30 ILCS 210]. The Board shall not hear an appeal of a civil penalty imposed for delinquent filing or the violation of a Board order if neither a request for waiver of appearance and appeal affidavit nor a request for hearing and appeal affidavit is filed within the time required. If an appeal affidavit is received and is not accompanied by either a request for hearing or waiver of appearance, it shall be presumed that the committee has waived the right to personally appear and the Hearing Officer shall base his or her recommendation on the defense presented on the appeal affidavit.
- h) Notwithstanding any provision of this Section to the contrary, the Board shall stay the enforcement of any civil penalty in cases of first time violation of a filing deadline and shall stay the enforcement of a civil penalty for the violation of a Board order when the committee or organization has voluntarily entered into a stipulation admitting the violation and agreeing to the civil penalty. The stay shall continue only so long as no subsequent violations of Article 9 of the Election Code or of Board orders occur. Violation of Article 9 of the Election Code or a

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Board order will cause the civil penalty otherwise stayed to become immediately due and may expose the committee or organization to further liability in accord with this Section.

- i) For the purpose of this Section, second and subsequent violations are deemed to occur with reference to the time the first offense event occurs, not when a hearing, if any is required, concerning the first offense event is held. The Board may consider two or more allegations of violations at the same hearing, treating the first as an initial violation and the remaining as subsequent violations, imposing appropriate civil penalties for each.
- j) Notwithstanding any other provision of this Section:
  - 1) if an active political committee or organization is assessed no more than one civil penalty under [Code](#) Section 9-10 during a two year period, it shall, after two years have lapsed following the assessment, be considered as never having violated [Code](#) Section 9-10. For a single violation, the two year period begins to run with the [date of the final Board order mailing of the assessment letter](#). If an active political committee or organization is assessed more than one civil penalty and has paid all assessed civil penalties, it shall be considered for assessment purposes as not having violated [Code](#) ~~that~~ Section 9-10 if it is assessed no other civil penalty during a two year period following receipt of payment by the Board;
  - 2) if a committee or organization is assessed a single penalty under [Code](#) Section 9-10 and subsequently files a final report or has filed a final report prior to the assessment, during the two year period beginning with the date of ~~the assessment letter, or the final Board order~~ [if the assessment is appealed and the appeal is denied](#), any successor committee or organization shall be considered, for assessment purposes, as not having violated [Code](#) Section 9-10 if it is assessed no other penalty;
  - 3) if a committee or organization is assessed more than one penalty under [Code](#) Section 9-10 and subsequently files a final report or has filed a final report prior to the assessment, and the political committee or organization has not paid the civil penalties, any successor committee or organization that subsequently pays all civil penalties due shall be considered as never having violated [Code](#) Section 9-10 if, for two years from the date of receipt of payment by the Board, the successor committee or organization

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is assessed no other civil penalty;

- 4) If a committee or organization is assessed more than one penalty under Code Section 9-10 and subsequently files a final report or has filed a final report prior to the assessment, and the political committee or organization has not paid the civil penalties, the two year period shall begin with the date of the final Board order, unless the final report is filed subsequent to the date of the final Board order, in which case the two year period shall begin with the date the final report is received by the Board. If no successor committee is formed during that period, the committee shall be considered for assessment purposes as not having violated Code Section 9-10.
- k) Upon notice by the Hearing Officer or upon request by any party, the Hearing Officer may direct parties or their attorneys to appear at a specified time and place for a conference, either during or prior to any hearing, for purposes including, but not limited to:
  - 1) the formulation and simplification of issues;
  - 2) the necessity or desirability of amending the assessment notice for the purpose of clarification or correction;
  - 3) the possibility of stipulations concerning material facts;
  - 4) the limitations of the number of witnesses;
  - 5) other matters as may aid in the simplification of evidence and the disposition of the proceeding.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 125.430 Enforcement Actions in the Circuit Court**

- a) Whenever the Board, pursuant to Code Sections 9-21 and 9-23 ~~of the Election Code~~, has issued an order directing a person determined by the Board to be in violation of Article 9 or any rule or regulation adopted under that statute to cease or correct a violation or otherwise comply with Article 9, and the Board imposes a civil penalty for failure or refusal to comply with its order within the specified

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time, the Board ~~may~~shall enforce the civil penalty by filing with the Circuit Court a petition for an order to enforce collection of the penalty.

- b) The Board may also petition the Circuit Court to issue an order compelling compliance with an order issued by the Board, or to restrain or prohibit a person who is engaging or has engaged in acts or practices that constitute a violation of any provisions of Article 9 from engaging in those acts or practices.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 125.440 Reconsideration**

Any member of the Board, or any party affected by a final order of the Board, may file a written motion to reconsider. The motion shall set forth in specific detail the grounds alleged for reconsideration and must be filed with the Board not later than 7 days after the effective date of the Board's order, subject to Section 1.6 of the Election Code.

- a) A Motion to Reconsider a Final Board Order imposing a civil penalty for a delinquently filed report or reports, when the respondent failed to timely file an appeal of the penalty, must state the reasons the respondent failed to submit an appeal in a timely manner. Motions that simply state the basis for the appeal itself, had it been submitted, will be denied by the Board as failing to state adequate grounds for reconsideration of the final Board order.
- b~~a~~) Oral argument shall be permitted on the motion only at the Board's discretion.
- c~~b~~) The Board may consider, discuss and take action upon the motion through a conference telephone call in lieu of an in-person meeting. Notice shall be given to the media in advance of the conference call, the call shall be broadcast over a speaker phone or other similar device at both the permanent and branch offices of the Board, and the broadcast shall be open to the media and public. The entire conference call shall also be recorded by a certified court reporter.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

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- 1) Heading of Part: Personnel
- 2) Code Citation: 26 Ill. Adm. Code 212
- 3) 

<u>Sections Numbers:</u>	<u>Proposed Action:</u>
212.274	Amendment
212.278	Amendment
212.282	Amendment
- 4) Statutory Authority: Implements Section 1A-8 (9) of the Illinois Election Code (10 ILCS 5/12A) and is authorized to adopt rulemaking by that Section
- 5) A Complete Description of the Subjects and Issues Involved: At the advice of Auditor General, this rulemaking removes the exemption for the Executive Director and Assistant Executive Director of the State Board of Elections from accruing sick, vacation and personal benefit time and reduces to one-quarter hour the minimum increment for usage of sick, vacation and personal benefit time.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this Notice to:

Kenneth R. Menzel, General Counsel  
Illinois State Board of Elections  
2329 S MacArthur Blvd.

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## NOTICE OF PROPOSED AMENDMENTS

Springfield IL 62708

217/782-4141

fax: 217/782-5959

kmenzel@elections.il.gov

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses 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 agendas because at the time the Regulatory Agenda was required to be filed, this rulemaking was not anticipated.

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

## STATE BOARD OF ELECTIONS

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 26: ELECTIONS

## CHAPTER I: STATE BOARD OF ELECTIONS

## PART 212

## PERSONNEL

Section	
212.210	Introduction
212.214	Position Classification and Compensation
212.218	Application and Appointment
212.222	Work Schedule and Attendance
212.226	Continuous Service
212.230	Personnel Records and Performance Reviews
212.234	Probationary Status
212.238	Promotion
212.242	Employee Transfer
212.246	Demotion
212.250	Layoff
212.254	Voluntary Reduction
212.258	Resignation and Reinstatement
212.262	Employee Conduct
212.266	Discipline and Discharge
212.270	Grievance Procedure
212.274	Sick Leave
212.278	Vacation Leave
212.282	Leave for Personal Business
212.286	Leaves of Absence
212.290	Holidays
212.294	Overtime
212.298	Interpretation and Application of Rules
212.299	Savings Clause

**AUTHORITY:** Implementing Section 1A-12 of the Illinois Election Code [10 ILCS 5/1A-12] and authorized by Section 1A-8(9) of the Illinois Election Code [10 ILCS 5/1A-8(9)].

**SOURCE:** Adopted by emergency rulemaking at 29 Ill. Reg. 5534, effective March 31, 2005, for a maximum of 150 days; adopted at 29 Ill. Reg. 13754, effective August 25, 2005; amended at 36 Ill. Reg. 16785, effective November 16, 2012; amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## STATE BOARD OF ELECTIONS

## NOTICE OF PROPOSED AMENDMENTS

**Section 212.274 Sick Leave**

- a) Accrual: Full-time employees shall earn sick leave at the rate of one day for each calendar month's service. ~~Temporary~~~~The Executive Director, Assistant Executive Director and temporary~~ employees do not earn sick leave. No employee shall accrue sick leave while remaining on the payroll to collect accrued vacation prior to the effective date of termination.
- b) Use: Sick leave may be used in ~~quarter hour up to one hour, half day or~~ full day increments for illness, disability, or injury of the employee, appointments with doctors, dentists or other professional medical practitioners, and in the event of serious illness, disability, injury or death of an immediate family member of the employee. Documentation to substantiate that leave days were used for the purposes stated may be required by the Director if reasonable grounds ~~to suspect~~~~for~~ abuse exist. In the event an employee does not use any sick leave in any calendar year, the employee shall be awarded one additional personal day on January 1 of the next calendar year after one year of service. A calendar year for the purposes of this provision is the period beginning January 1 and ending December 31 of each year. The additional personal leave shall be used in accordance with Section 212.282 ~~of this Part~~.
- c) Accumulation: Employees shall be allowed to carry over any unused sick leave allowed under subsection (a), from year to year of continuous service.
- d) Payment in lieu of Sick Leave:
  - 1) Upon termination of employment for any reason, or upon indeterminate layoff, an employee or the employee's estate is entitled to be paid for unused sick leave that accrued on or after January 1, 1984 and prior to January 1, 1998, provided the employee is not employed in another position in State service within four calendar days after the termination.
  - 2) Use of Sick Leave
    - A) For purposes of this subsection (d), sick leave is deemed to be used by an employee within the following priority order:
      - iA) Sick leave earned through December 31, 1983.



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**Section 212.278 Vacation Leave**

- a) Accrual:
- 1) Full-time employees shall earn vacation leave, accrued monthly on a pro-rated basis in accordance with the following schedule:
    - A) From the date of hire until the completion of five years of continuous service: 10 days annually.
    - B) From the completion of five years of continuous service until the completion of nine years of continuous service: 15 days annually.
    - C) From the completion of nine years of continuous service until the completion of 14 years of continuous service: 17 days annually.
    - D) From the completion of 14 years of continuous service until the completion of 19 years of continuous service: 20 days annually.
    - E) From the completion of 19 years of continuous service until the completion of 25 years of continuous service: 22 days annually.
    - F) From the completion of 25 years of continuous service: 25 days annually.
    - G) ~~Temporary~~The Executive Director, Assistant Executive Director and temporary employees do not accrue vacation leave.
  - 2) No employee shall accrue vacation leave while remaining on the payroll to collect accrued vacation prior to the effective date of termination.
- b) Use: Vacation leave may be used in quarter hour up to one hour, half day or full day increments. Employees may use vacation leave only upon the approval of a Director, or, if the employee is a Director, upon the approval of the Executive Director. No employee may approve his or her own request for vacation leave.
- c) Continuous Service: Computation of vacation leave of Office employees who have interrupted continuous State service shall be determined as though all

## STATE BOARD OF ELECTIONS

## NOTICE OF PROPOSED AMENDMENTS

previous State service that qualified for earning of vacation benefits is continuous with present service.

- d) Accumulation: Employees shall not be allowed to accumulate vacation time for more than 24 months after the end of the calendar year in which it is earned. If an employee does not request and take accrued vacation within the 24-month period, vacation earned during that calendar year shall be lost.
- e) Payout:
  - 1) Upon leaving employment with the Office, an employee, at his or her option:
    - A) may be paid in a lump sum for accrued and unused vacation days up to a maximum of 75 days; or
    - B) may remain on the payroll for the period of time equal to accrued and unused vacation days up to a maximum of 75 days. However, if, during this period, the employee is placed on another State payroll, he or she shall be removed from the Office's payroll. In that event, the employee may receive a lump sum payment for, or transfer to his or her account with the new employer, the remaining balance of his or her maximum accrued vacation days less any vacation days used under this subsection (e)(1)(B)~~(2)~~.
  - 2) The payment provided by subsection (e)(1)(A) shall not be allowed if the purpose of the separation from employment and any subsequent reemployment is for the purpose of obtaining payment.
  - 3) The payment provided by subsection (e)(1) shall not be deemed to extend the effective date of termination by the number of days represented by the payment. Payment shall be computed by multiplying the number of days (hours) of accumulated vacation by the employee's current daily (hourly) rate. The accrued leave amount shall be certified in writing to the employee and may be held by the employee or forwarded to the Retirement System.
  - 4) Upon the death of a State employee, the person or persons specified in Section 14a of the State Finance Act [30 ILCS 104/14a] shall be entitled

## STATE BOARD OF ELECTIONS

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to receive from the appropriation for personal services available for payment of the employee's compensation, the sum for any accrued vacation period to which the employee was entitled at the time of death. The sum shall be computed by multiplying the employee's last daily rate of pay by the number of days of accrued vacation due.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 212.282 Leave for Personal Business**

- a) Accrual: Full-time employees shall be permitted 22.5 hours of leave for personal business each calendar year with pay. Full-time employees who enter service with the Office during any calendar year shall be given credit for personal business leave at the rate of 3.75 hours for each two months of service for the calendar year in which hired. ~~Temporary~~~~The Executive Director, Assistant Executive Director and temporary~~ employees do not accrue personal leave. In the event an employee does not use any sick leave in any calendar year, the employee shall be awarded one additional personal day on January 1 of the next calendar year after one year of State service. A calendar year for the purposes of this provision is the period beginning January 1 and ending December 31 of each year.
- b) Personal business leave may be used for occurrences or observance of religious holidays, absence due to severe weather conditions, or for other similar personal reasons, but shall not be used to extend a holiday, vacation or other leave without prior approval. Personal business leave may be used by employees in quarter hour up to one hour, half day or full day increments. Except for those emergency situations that preclude the making of prior arrangements, personal business leave shall be scheduled sufficiently in advance to be consistent with the Office's operating needs.
- c) Carry Over: Personal business leave shall not accumulate or carry over from year to year. If the services of an Office employee are terminated by reason of retirement, disability or death, the employee, or the employee's estate, as the case may be, shall be paid a lump sum for the number of days of leave for personal business that the employee had accumulated but not used as of the date the employee's services were terminated, in an amount equal to one half of the employee's last rate of pay per working day times the number of leave days accumulated. The accrued leave amount paid under this subsection shall be certified by the Office in writing to the employee ~~or by persons specified in~~

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~~Section 212.278(f), whichever is appropriate.~~ This certification shall be held by the employee or forwarded to the Retirement System.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## ILLINOIS STUDENT ASSISTANCE COMMISSION

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Illinois Prepaid Tuition Program
- 2) Code Citation: 23 Ill. Adm. Code 2775
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
2775.20	Amendment
2775.80	New Section
- 4) Statutory Authority: Implementing the Illinois Prepaid Tuition Act [110 ILCS 979] and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)]
- 5) A Complete Description of the Subjects and Issues Involved: PA 98-1022 (the Act) amended the Illinois Prepaid Tuition Act [110 ILCS 979] and the Illinois Pension Code [40 ILCS 5/1-109-1 and 5/1-113.21] to require entities subject to it to develop goals to ensure diversity in the selection of investment services. It also prescribes the method for procuring investment services and requires disclosure of diversity on the part of providers prior to their being awarded a contract. Procurement of all investment services by the Illinois Prepaid Tuition Program shall be conducted in accordance with the competitive selection procedures set forth in this new Section.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: These Prepaid Tuition Investment Service Procurement rules comply with the provisions of PA 98-1022 and the Illinois Prepaid Tuition Act 110 ILCS 979 to ensure investment transparency and objective consideration of potential investment service providers in conformance with the Illinois Pension Code [40 ILCS 5/1-109-1 (9) and 5/1-113.21].
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)]

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and does not necessitate 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:

Lynn Hynes  
Agency Rules Coordinator  
Illinois Student Assistance Commission  
1755 Lake Cook Road  
Deerfield IL 60015

847/948-8500, ext. 2305  
email: lynn.hynes@isac.illinois.gov  
fax: 847/831-8299

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

The full text of the Proposed Amendments begin on the following page:

## ILLINOIS STUDENT ASSISTANCE COMMISSION

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TITLE 23: EDUCATION AND CULTURAL RESOURCES  
SUBTITLE A: EDUCATION  
CHAPTER XIX: ILLINOIS STUDENT ASSISTANCE COMMISSIONPART 2775  
ILLINOIS PREPAID TUITION PROGRAM

Section	
2775.10	Summary and Purpose
2775.20	Definitions
2775.30	Participant Eligibility
2775.40	Program Procedures
2775.50	Contract Terms and Conditions
2775.60	Scholarships, Grants or Monetary Assistance
2775.70	Disclosure
<a href="#">2775.80</a>	<a href="#">Investment Services Procurement</a>

**AUTHORITY:** Implementing the Illinois Prepaid Tuition Act [110 ILCS 979] and authorized by Section 20(f) of the Higher Education Student Assistance Act [110 ILCS 947/20(f)].

**SOURCE:** Adopted by emergency rulemaking at 22 Ill. Reg. 16652, effective September 11, 1998, for a maximum of 150 days; adopted at 23 Ill. Reg. 2591, effective February 1, 1999; amended at 24 Ill. Reg. 9154, effective July 1, 2000; amended at 25 Ill. Reg. 8410, effective July 1, 2001; amended at 26 Ill. Reg. 10043, effective July 1, 2002; amended at 28 Ill. Reg. 9177, effective July 1, 2004; amended at 29 Ill. Reg. 9954, effective July 1, 2005; amended at 32 Ill. Reg. 10349, effective July 1, 2008; amended at 35 Ill. Reg. 3538, effective February 16, 2011; amended at 36 Ill. Reg. 9444, effective July 1, 2012; amended at 37 Ill. Reg. 9554, effective July 1, 2013; amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 2775.20 Definitions**

"Code" – The Illinois Pension Code [40 ILCS 5].

"Consultant" – The independent investment consulting firm or firms contractually engaged by the Program to provide general or specialty investment consulting services for the prudent administration of the Program's investment portfolio.

"Custodian" – The investment custody service provider responsible for safekeeping of assets, trade processing and asset servicing.

## ILLINOIS STUDENT ASSISTANCE COMMISSION

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"Eligible Institution" – A public institution of higher education, or a nonpublic institution of higher education whose students are eligible to receive benefits under ~~section~~[Section](#) 529(a) of the Internal Revenue Code of 1986, as specified by the federal Small Business Act of 1996 and subsequent amendments to this federal law, and that provides a minimum of an organized two-year degree program at the postsecondary level, or a program in health education directly applicable toward the attainment of a certificate, diploma or associate degree. The institution must maintain an accredited status with an accrediting agency recognized by the U.S. Department of Education for the purpose of establishing eligibility to participate in federal student assistance programs administered by the Department under Title IV of the Higher Education Act of 1965, as amended, and, if the institution is for profit, must enroll a majority of its students in degree programs that it is legally authorized to offer by the appropriate agency in the state in which the institution is located.

["Fund" – The College Illinois Prepaid Tuition Trust Fund.](#)

"Illinois Community College" – A public community college as defined in Section 1-2 of the Public Community College Act [110 ILCS 805].

"Illinois Prepaid Tuition Contract" or "Contract" – A contract entered into between the Illinois Student Assistance Commission, on behalf of the State of Illinois, and a purchaser under Section 45 of the Illinois Prepaid Tuition Act [\[110 ILCS 979\]](#) to provide for the higher education of a qualified beneficiary.

"Illinois Prepaid Tuition Program" or "Program" – The college savings and investment program created in Section 15 of the Illinois Prepaid Tuition Act.

"Illinois Prepaid Tuition Trust Fund" – The repository of all moneys received by the Commission, including all contributions, appropriations, interest and dividend payments, gifts, or other financial assets received in connection with operation of the Illinois Prepaid Tuition Program.

"Illinois Public University" – Any campus of: the University of Illinois, Illinois State University, Chicago State University, Governors State University, Southern Illinois University, Northern Illinois University, Eastern Illinois University, Western Illinois University or Northeastern Illinois University.

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"Investment Advisor" or "Investment Manager" – A fiduciary appointed by the Commission to manage a portion of the Fund's assets or a fiduciary to a limited partnership or commingled fund in which the Fund is an investor.

"Investment Committee" – The investment committee of the Commission.

"Investment Services" – Investment Manager, Consultant and Custodian services or similar services.

"Manager Database" – An industry database of institutional quality, registered investment management firms utilized by the consultant as described in Section 2775.80.

"Member of the Family" or "Immediate Family" – Member of the family, as defined in the Internal Revenue Code ~~section~~, ~~Section~~ 529(e)(2), as amended, means an individual who bears a relationship to a qualified beneficiary as follows: son or daughter, or a descendant of either; stepson or stepdaughter; brother, sister, stepbrother, stepsister, half-brother, or half-sister; father or mother or an ancestor of either; stepfather or stepmother; son or daughter of a brother or sister; brother or sister of the father or mother; son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law or sister-in-law, the spouse of any of the above; the spouse; or any first cousin. In determining whether any of these relationships exist, a legally adopted child of an individual shall be treated as a child of such individual by blood.

"Minority Person", "female", "person with a disability", "minority owned business", "female owned business", "business owned by a person with a disability" – All have the same meaning as ascribed in the Business Enterprise for Minorities, Females, and Persons with Disabilities Act [30 ILCS 575].

"Nonpublic Institution of Higher Education" – An eligible institution, other than a public institution of higher education.

"Private Market Fund" – Any private equity fund, private equity fund of funds, venture capital fund, hedge fund, hedge fund of funds, real estate fund, or other investment vehicle that is not publicly traded.

"Program" – The Illinois Prepaid Tuition Program.

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"Public Institution of Higher Education" – An Illinois public university or Illinois community college.

"Purchaser" – Any person that has contracted to make payments under an Illinois prepaid tuition contract in accordance with State and federal laws.

"Qualified Beneficiary" – An individual designated as the recipient of the benefits of a prepaid tuition contract, provided he/she: has been a resident of this State for at least 12 months prior to the date of the application; or is a nonresident, so long as the purchaser has been a resident of the State for at least 12 months prior to the date of the application; or is less than one year of age and whose parent or legal guardian has been a resident of the State for at least 12 months prior to the date of the application.

"Registration Fees" – The charges derived by combining tuition and mandatory fees.

"Staff" – The professional investment staff of the Program.

(Source: Amended at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

**Section 2775.80 Investment Services Procurement**

- a) Summary and Purpose  
The Prepaid Tuition Investment Services Procurement complies with the provisions of Public Act 98-1022 and the Illinois Prepaid Tuition Act to ensure investment transparency and objective consideration of potential investment services providers in conformance with the Illinois Pension Code. Procurement of all investment services by the Program is conducted in accordance with the competitive selection procedures set forth in this Section.
- b) Manager Database
- 1) The consultant makes use of an industry database (Manager Database) containing institutional quality investment managers. No fee is required to participate in the Manager Database.
  - 2) The Manager Database serves as the primary pool from which the Program identifies candidates for investment manager searches.

## ILLINOIS STUDENT ASSISTANCE COMMISSION

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- 3) To be considered in a search, all interested investment managers not currently in the Manager Database should ensure that all required information has been submitted to the Manager Database prior to the screening dates specified in the candidate profiles described in subsection (c)(3). Should a search be conducted for which a developed database does not exist or is incomplete, investment managers may also submit or be requested to submit a written Request for Information (RFI).
- 4) Contact information for the Consultant and Staff shall be available on the Program's website. Investment Managers should contact Staff regarding any unresolved issues or concerns related to Manager Database submission for a Fund related search.

c) Investment Manager Searches

- 1) The Commission authorizes the Program's asset allocation targets and investment manager structure by recorded vote in a business meeting of the Commission conducted in accordance with the Open Meetings Act [5 ILCS 120]. Staff may initiate searches as necessary to implement the Program's asset allocation and/or fill vacancies within the manager structure.
- 2) At each meeting of the Investment Committee, Staff will notify the Committee of any new manager search, the status of all existing searches and the outcome of all completed searches.
- 3) With the initiation of a search, working with the consultant, a written candidate profile that lists specific requirements and the process for each search shall be prepared. The candidate profile identifies specific quantitative and qualitative factors, such as:
  - A) minimum assets under management;
  - B) minimum track record;
  - C) risks relative to benchmarks;
  - D) return relative to benchmarks over various time periods;

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- E) size and tenure of professional staff;
  - F) investment strategy and process; and
  - G) organizational stability and strength.
- 4) The candidate profile is posted on the Program website to allow all interested candidates to review the search criteria and understand how to participate in the search.
  - 5) The candidate profile identifies a specific screening period during which the consultant will screen the Manager Database or other candidate information to identify all managers meeting the criteria of the candidate profile.
  - 6) During the screening period identified in the candidate profile, Staff and the consultant identify all candidates in the Manager Database that meet the quantitative criteria specified in the candidate profile. Staff shall evaluate the efficacy of the screening process and initiate corrective action, if necessary.
  - 7) Staff and the consultant review the candidate list to eliminate any managers that fail to meet qualitative screens. All minority investment managers, as defined in Section 1-109.1(9) of the Code, that meet the minimum criteria of the search will be identified and the most qualified minority investment manager candidates will be included in the selection process described in this Section.
  - 8) Staff and the consultant further refine the candidate list to identify semifinalist firms that, based on criteria in the candidate profile, appear to have the highest probability of success over the next three to five years. In the event more information is necessary to narrow the semifinalist list, a standardized RFI may be issued to the pool of eligible semifinalists to facilitate further in-depth analysis by Staff and the consultant. Semifinalists, in this case, are selected from the RFI submissions.
  - 9) Staff conducts in-person interviews of semifinalist firms at the Program's offices or an alternate location agreed upon by the Program and the firm.

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- 10) Following favorable results of the in-person interviews, Staff identifies finalist firms for formal due diligence meetings.
  - 11) Following favorable due diligence review, a recommendation is presented to the Investment Committee for provisional approval. Staff will provide the Committee with a full report of the search process, including a summary of the search criteria and candidate firms, as well as the diversity disclosures required by Section 1-113.21 of the Code.
  - 12) If any eligible managers, as defined in Section 1-109.1(9) of the Code, meet the minimum criteria of the search, the most qualified minority investment manager candidates will be invited to present as a finalist to the Investment Committee.
  - 13) The Investment Committee decision is subject to final approval at the next meeting of the Commission.
- d) Consultant or Custodian Searches
- 1) The Commission authorizes every search for a new or replacement Consultant or Custodian by recorded vote in a business meeting of the Commission conducted in accordance with the Open Meetings Act.
  - 2) Following Commission authorization, Staff prepares a Request for Proposal (RFP) containing, but not limited to, the following information:
    - A) the type of services required;
    - B) an estimate of when and for how long the services will be required;
    - C) the contract to be used;
    - D) the date and time by which proposals must be submitted; and
    - E) a statement of the information the proposal must contain.
  - 3) The RFP is posted on the Program website to allow any interested candidate to review the search criteria. The RFP notice posted on the

## ILLINOIS STUDENT ASSISTANCE COMMISSION

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Program website summarizes the services sought, tells how and where to submit proposals, specifies the deadline for submitting proposals and tells when and where proposals will be publicly opened and how to obtain paper copies of the RFP.

- 4) Proposals submitted in response to an RFP must comply with all requirements set forth in the RFP and must be submitted within the time frame specified in the RFP. Proposals are date and time stamped upon receipt. Proposals that arrive late for any reason will not be considered.
  - 5) Proposals are publicly opened at the date and time specified on the Program website. Staff reviews all proposals that are timely received to ensure that all required information is included. Proposal information is publicly available following execution of a contract with the successful firm.
  - 6) Staff identifies and ranks all proposals meeting all minimum qualifications specified in the RFP to identify semifinalist firms.
  - 7) Staff conducts in-person interviews of semifinalist firms at the Program's offices or alternate location agreed upon by the Program and the firm.
  - 8) Following favorable results of the in-person interviews, Staff identifies finalist firms for formal due diligence meetings.
  - 9) Following favorable due diligence review, a recommendation is presented to the Investment Committee for provisional approval. Staff will provide the Committee with a full report of the search process, including a summary of the search criteria and candidate firms, as well as the diversity disclosures required by Section 1-113.21 of the Code.
  - 10) The Investment Committee decision is subject to final approval at the next meeting of the Commission.
- e) Evaluation by Investment Committee
- 1) The Investment Committee ensures that the decision and process to hire a particular investment services provider is well-reasoned, thoroughly considered and prudent.

## ILLINOIS STUDENT ASSISTANCE COMMISSION

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- 2) The Investment Committee reviews written supporting documentation to assure the disclosure of all relevant issues; that the search process, investment sourcing and related due diligence was fair; and that the screening process was consistently applied.
  - 3) Upon approval by the Investment Committee, any recommendation to hire a particular investment services provider is submitted to the Commission for approval.
- f) Disclosures to be Considered Prior to Award
- 1) Prior to the award of a contract, an Investment Advisor, Consultant or private market fund must make disclosures regarding its diversity pursuant to Section 1-113-21 of the Code.
  - 2) The disclosures required by this Section shall be considered, within the bounds of financial and fiduciary prudence, prior to the awarding of a contract, oral or written, for investment services, consulting services or commitment to a private market fund.

(Source: Added at 39 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## ILLINOIS HOUSING DEVELOPMENT AUTHORITY

## NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Foreclosure Prevention Program Graduated Fund
- 2) Code Citation: 47 Ill. Adm. Code 386
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
386.101	New Section
386.102	New Section
386.103	New Section
386.104	New Section
386.105	New Section
386.106	New Section
386.107	New Section
386.108	New Section
386.109	New Section
386.110	New Section
386.111	New Section
386.112	New Section
386.201	New Section
386.301	New Section
386.302	New Section
386.303	New Section
386.304	New Section
386.305	New Section
386.306	New Section
386.307	New Section
386.308	New Section
- 4) Statutory Authority: Authorized by Section 7.19 of the Illinois Housing Development Act [20 ILCS 3805/7.19] and Section 7.30(b-1) of the Illinois Housing Development Act [20 ILCS 3805/7.30(b-1)]
- 5) Effective Date of Rule: January 23, 2015
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No

## ILLINOIS HOUSING DEVELOPMENT AUTHORITY

## NOTICE OF ADOPTED RULES

- 8) A copy of the adopted rule is on file at the Illinois Housing Development Authority, located at 401 N. Michigan Ave., Ste. 700, Chicago IL 60611, and is available for public inspection.
- 9) Notice of Proposed published in the *Illinois Register*: September 5, 2014; 38 Ill Reg 18332
- 10) Has JCAR issued a Statement of Objection to this Rulemaking: No
- 11) Difference between Proposed and Final Version: Various grammatical and technical changes were made at JCAR's request. Various changes were made to certain defined terms.
- 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 rule replace an emergency rule currently in effect? No
- 14) Are there any proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of Rule: The Illinois Housing Development Authority is the designated administrator for the Foreclosure Prevention Program Graduated Fund in Illinois. The purpose of the Program is to use moneys appropriated from the Foreclosure Prevention Program Graduated Fund, and any other funds appropriated for this purpose, to support housing counseling.
- 16) Information and questions regarding this adopted rule shall be directed to:

Kristi S. Poskus  
Deputy General Counsel  
Legal Department  
Illinois Housing Development Authority  
401 N. Michigan Avenue, Suite 700  
Chicago IL 60611

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

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

NOTICE OF ADOPTED RULES

TITLE 47: HOUSING AND COMMUNITY DEVELOPMENT  
CHAPTER II: ILLINOIS HOUSING DEVELOPMENT AUTHORITY

PART 386  
FORECLOSURE PREVENTION PROGRAM GRADUATED FUND

SUBPART A: GENERAL RULES

Section	
386.101	Authority
386.102	Purpose and Objectives
386.103	Definitions
386.104	Compliance with Federal and State Law
386.105	Forms and Procedures for the Program
386.106	Fees and Charges
386.107	Authority Administrative Expenses
386.108	Amendment
386.109	Severability
386.110	Gender and Number
386.111	Non-Discrimination
386.112	Titles and Captions

SUBPART B: DISTRIBUTION OF FUNDS BY THE AUTHORITY

Section	
386.201	Priority of Distributions

SUBPART C: GRANTS TO COUNSELING AGENCIES

Section	
386.301	Counseling Agencies Eligibility
386.302	Eligible Uses of Grant Funds
386.303	Application Cycle
386.304	Application Requirements
386.305	Review of Applications
386.306	Grant Administration
386.307	Funding of Grants
386.308	Reporting Requirements

## ILLINOIS HOUSING DEVELOPMENT AUTHORITY

## NOTICE OF ADOPTED RULES

**AUTHORITY:** Authorized by Section 7.19 of the Illinois Housing Development Act [20 ILCS 3805/7.19] and Section 7.30(b-1) of the Illinois Housing Development Act [20 ILCS 3805/7.30(b-1)].

**SOURCE:** Adopted at 39 Ill. Reg. 2144, effective January 23, 2015.

## SUBPART A: GENERAL RULES

**Section 386.101 Authority**

The Illinois Housing Development Authority is the designated administrator for the Foreclosure Prevention Program Graduated Fund in Illinois, which was established by Section 7.30(b-1) of the Illinois Housing Development Act, effective October 1, 2010.

**Section 386.102 Purpose and Objectives**

The purpose of the Program is to use moneys appropriated from the Foreclosure Prevention Program Graduated Fund, and any other funds appropriated for this purpose, to support housing counseling. Under the Program, the Authority will make grants to the Counseling Agencies for Eligible Uses.

**Section 386.103 Definitions**

The following terms used in this Part shall have the following definitions:

"Act": The Illinois Housing Development Act [20 ILCS 3805].

"Applicant": A prospective Counseling Agency making an Application for a Grant.

"Application": An application to the Authority on the Authority's form for a Grant completed by a prospective Counseling Agency.

"Appropriation": The annual Appropriation of funds for the program by the Illinois General Assembly from the Foreclosure Prevention Graduated Fund to the Illinois Department of Revenue for the Authority, including any other funds appropriated for this purpose.

"Attorney General": The Illinois Attorney General.

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## NOTICE OF ADOPTED RULES

"Auditor General": The Illinois Auditor General.

"Authority": The Illinois Housing Development Authority.

"City": The City of Chicago.

"Commitment": A contract executed by the Authority and a Counseling Agency under which the Authority agrees to make a Grant to the Counseling Agency. Each Commitment shall contain a provision to the effect that the Authority shall not be obligated to provide funds under the Commitment if the Authority has not received sufficient funds from an Appropriation.

"Computer and Equipment Expenses": Computer and equipment costs incurred by a Counseling Agency in connection with the administration of the Grant.

"*Counseling Agencies*": *A housing counseling agency approved by HUD (Section 7.30(b-5) of the Act).*

"Eligible Uses": Shall have the meaning set forth in Section 386.302.

"Foreclosure Prevention Graduated Fund" or "Fund": A fund created in the State Treasury for the collection of certain fees as set forth in Section 15-1504.1 of the Illinois Code of Civil Procedure [735 ILCS 5/15-1504.1] paid by a plaintiff at the time of a filing of a foreclosure complaint in connection with residential real estate.

"General Operational Expenses": Operational costs incurred by a Counseling Agency in connection with the administration of the Grant.

"Grant": The portion of the Appropriation granted by the Authority to the Counseling Agencies for Eligible Uses under the Program.

"Approved Housing Counseling": *In-person counseling provided by a counselor employed by a Counseling Agency to all borrowers, or documented telephone counseling if a hardship would be imposed on one or more borrowers. A hardship shall exist in instances in which the borrower is confined to his or her home due to medical condition, as verified in writing by a physician, or the borrower resides 50 miles or more from the nearest Counseling Agency. In*

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*instances of telephone counseling, the borrowers must supply all necessary documents to the counselor at least 72 hours prior to the scheduled telephone counseling session.* (Section 7.30(b-5) of the Act)

"HUD": The U.S. Department of Housing and Urban Development.

"Program": The Foreclosure Prevention Graduated Program authorized by Section 7.30(b-1) of the Act.

"State": The State of Illinois.

"Technical Assistance": Counseling Agencies activities involving:

planning for Housing Counseling; or

assistance with an Application.

**Section 386.104 Compliance with Federal and State Law**

Notwithstanding anything in this Part to the contrary, this Part shall be construed in conformity and compliance with applicable federal and State law.

**Section 386.105 Forms and Procedures for the Program**

The Authority may prepare, use, prescribe, supplement and amend such forms, agreements and other documents and procedures as may be necessary to implement the Program.

**Section 386.106 Fees and Charges**

The Authority will not charge an application fee for the Program.

**Section 386.107 Authority Administrative Expenses**

The Authority is entitled to deduct from each Appropriation, prior to any distribution of funds under the Program and prior to making any Grants, an amount not to exceed 4% of each Appropriation for expenses associated with the administration of the Program, including, without limitation, expenses for staff salaries and benefits for time spent on design and administration of the Program; expenses incurred in performing outreach activities and providing Technical Assistance to the Counseling Agencies; the use of the Authority's equipment for Program

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purposes; the cost of office space and utilities incurred in connection with the Program; and any other expenses incurred in the administration of the Program. The Authority shall maintain a detailed accounting of its administrative expenses, which shall be available to the public for review.

**Section 386.108 Amendment**

This Part may be supplemented, amended or repealed by the Authority from time to time and in a manner consistent with the Illinois Administrative Procedure Act [5 ILCS 100], this Part, the Act and other applicable laws. This Part shall not constitute or create any contractual rights.

**Section 386.109 Severability**

If any clause, sentence, paragraph, subsection, Section or Subpart of this Part is adjudged by any court of competent jurisdiction to be invalid, that judgment shall not affect, impair or invalidate the remainder of this Part, but shall be confined in its operation to the clause, sentence, paragraph, subsection, Section or Subpart to which the judgment is rendered.

**Section 386.110 Gender and Number**

All terms used in any one gender or number shall be construed to include any other gender or number as the context may require.

**Section 386.111 Non-Discrimination**

The Counseling Agencies shall comply with the applicable provisions of the Illinois Human Rights Act [775 ILCS 5] and the regulations promulgated under that Act, the Fair Housing Act (42 USC 3601), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), the Illinois Environmental Barriers Act [410 ILCS 25], the Illinois Accessibility Code (71 Ill. Adm. Code 400), and all other applicable State and federal law concerning discrimination and fair housing.

**Section 386.112 Titles and Captions**

Titles and captions of Subparts, Sections and subsections are used for convenience and reference and are not a part of the text

## SUBPART B: DISTRIBUTION OF FUNDS BY THE AUTHORITY

**Section 386.201 Priority of Distributions**

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The Authority shall distribute funds from annual Appropriations in accordance with the following priorities:

- a) To the Authority for its administrative expenses.
- b) After distributing the amount listed in subsection (a), the Authority shall make Grants from the moneys remaining in the Fund that have been appropriated as follows:
  - 1) *30% shall be used to make Grants for Approved Housing Counseling in Cook County outside of the City of Chicago;*
  - 2) *25% shall be used to make Grants for Approved Housing Counseling in the City of Chicago;*
  - 3) *30% shall be used to make Grants for Approved Housing Counseling in DuPage, Kane, Lake, McHenry and Will Counties; and*
  - 4) *15% shall be used to make Grants for Approved Housing Counseling in Illinois in counties other than Cook, DuPage, Kane, Lake, McHenry and Will Counties, provided that grants to provide Approved Housing Counseling to borrowers residing within these counties shall be based, to the extent practicable:*
    - A) *proportionately on the amount of fees paid to the respective clerks of the courts within these counties; and*
    - B) *on any other factors that the Authority deems appropriate.*  
(Section 7.30(b-1) of the Act)

## SUBPART C: GRANTS TO COUNSELING AGENCIES

**Section 386.301 Counseling Agencies Eligibility**

The Counseling Agencies are generally eligible to submit an Application for funding if they have been certified as a housing counseling agency by HUD. The Counseling Agencies are eligible for funding if they are certified prior to their application for funding under the Program and

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committed to participation in the Program. The Counseling Agencies must agree to the terms and conditions of the Program in order to be eligible.

**Section 386.302 Eligible Uses of Grant Funds**

- a) Eligible Uses of Grant funds by the Counseling Agencies under the Program shall be:
- 1) Computer and Equipment Expenses;
  - 2) General Operational Expenses;
  - 3) Housing Counseling;
  - 4) training of a Counseling Agency's employees;
  - 5) capacity building that increases a Counseling Agency's capacity to provide Housing Counseling;
  - 6) Technical Assistance; and
  - 7) advertising and marketing of the Program, and any other housing counseling activity as may be approved by the Authority.
- b) No Counseling Agency shall receive Grant funds for Computer and Equipment Expenses, General Operational Expenses and Technical Assistance Expenses in an amount greater than 10% of the Grant funds granted to the Counseling Agency during the term of the Counseling Agency's Grant.

**Section 386.303 Application Cycle**

The Authority will supply interested Applicants with an Application. Application forms under the Program are expected to be released annually based on funding available.

**Section 386.304 Application Requirements**

Each Application shall include the information required by this Section to be completed by the Applicant and any additional information the Authority may require to promote efficient Program administration and quality of performance.

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- a) **Qualifications.** Each Applicant shall document qualifications to complete the Program activities, including evidence that a Counseling Agency is a HUD certified housing counseling agency.
- b) **Counseling Data.** Each Applicant shall document the statistics in its area relevant to the types of Approved Housing Counseling offered (i.e., number of foreclosures filed, increase or decrease in homebuying, rental properties available, etc.).
- c) **Applicant's Capacity.** Each Applicant shall document its capacity to administer, and prior experience in administering, Approved Housing Counseling.
- d) **Capacity Building.** Each Applicant shall document how capacity will be expanded to meet the need for Housing Counseling in response to subsection (b).
- e) **Activities to be Undertaken.** Each Applicant shall list which Eligible Uses are to be undertaken with Program funds, including without limitation those activities outlined in Section 386.302 and the rest of this Part.
- f) **Time for Expending.** Each Applicant shall include a budget and schedule for performing the eligible activities outlined in the Application.

**Section 386.305 Review of Applications**

- a) **Application Screening.** The Authority shall screen all Applications to confirm that all elements of the Application package have been addressed. Applicants may be notified of deficiencies in Applications and may, at the option of the Authority, be given the opportunity to correct those deficiencies. Completed Applications will be reviewed and evaluated by the Authority staff in accordance with criteria in subsections (b) through (e).
- b) **Basic Eligibility Evaluation.** Each Application will be reviewed to assure compliance with Sections 386.301 and 386.302.
- c) **Willingness to Perform.** The Applicant must commit to remain ready, willing and able to perform Approved Housing Counseling as applicable throughout the Grant term.

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- d) **Costs.** The Applicant must demonstrate that the costs identified in the Application are Approved Housing Counseling.
- e) **Capacity.** The Applicant must demonstrate that the proposed activities identified in the Application can be accomplished.

**Section 386.306 Grant Administration**

- a) **Commitment.** Each Counseling Agency shall enter into a Commitment with the Authority; the Grant may be less than the amount requested in the Application. The term of Commitment shall be up to one year, subject to the availability of funds from an Appropriation, and may be renewed for one additional year at the discretion of the Authority.
- b) **Record Retention.** Each Counseling Agency shall maintain records in connection with the Grant under the Counseling Agency's Commitment for five years after the date of termination of the Commitment.
- c) **Monitoring.** The Authority, the Auditor General and the Attorney General shall have the right to monitor all Counseling Agency books and records relating to the implementation of the Program. Each Counseling Agency shall make all records relating to its Grant available for inspection, examination and copying by the Authority, the Auditor General or the Attorney General upon reasonable prior notice, as the Authority, the Auditor General or the Attorney General may reasonably require. The required documentation may include, but is in no way limited to, a copy of the Counseling Agency's Application to the Authority; all records relating to the eligible uses of Grant funds under the Program as set forth in Section 386.302; and any other documentation required by the Authority, the Auditor General or the Attorney General.

**Section 386.307 Funding of Grants**

Subject to the terms of the applicable Commitment with a Counseling Agency and the related documents evidencing the Grant, the Authority shall provide funds to the Counseling Agencies when the Appropriation is made available and as set forth in Section 386.302.

**Section 386.308 Reporting Requirements**

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Each Counseling Agency shall provide reports to the Authority, on forms provided by the Authority, at the end of each quarter of the term of its Commitment. The Counseling Agency shall identify, at a minimum, the number of households that received Approved Housing Counseling; the number of Counseling Agency staff who attended training; the number of new counselors/staff hired to increase a Counseling Agency's capacity; the expenditures incurred for Technical Assistance, Computer and Equipment Expenses, General Operational Expenses, and any other expenses incurred by the Counseling Agency related to the Program.

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- 1) Heading of the Part: Adult Protection and Advocacy Services
- 2) Code Citation: 89 Ill. Adm. Code 270
- 3) 

<u>Section Numbers:</u>	<u>Adopted Action:</u>
270.10	Amendment
270.200	Amendment
270.205	Amendment
270.210	Amendment
270.215	Amendment
270.220	Amendment
270.225	Amendment
270.230	Amendment
270.235	Amendment
270.240	Amendment
270.241	New Section
270.245	Amendment
270.250	Amendment
270.255	Amendment
270.260	Amendment
270.265	Amendment
270.270	Amendment
270.275	Amendment
270.280	Amendment
270.285	Amendment
270.290	Amendment
270.295	Amendment
270.300	Amendment
- 4) Statutory Authority: Implementing Section 4.04(c) of the Illinois Act on the Aging [20 ILCS 105/4.04(c)] and Section 10 of the Adult Protective Services Act [320 ILCS 20/10] and authorized by Section 4.01(11) of the Illinois Act on the Aging [20 ILCS 105/4.01(11)]
- 5) Effective Date of Rule: January 23, 2015
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No

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- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 38 Ill. Reg. 2469; January 24, 2014
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposed and Final Version:

Table of Contents: Added "and Relevant Records" at the end of the Section header for Section 270.245. Updated the source notes to reflect the expiration of the prior emergency amendment. At the end of each rulemaking section, updated source notes to reflect the appropriate issue of the *Illinois Register*.

Section 270.10: Replaced "aged" with "age" in subsections (b)(1) and (b)(3).

Section 270.210: Deleted "Abuse" in the term "Abuse Fatality Review Team" and deleted the second sentence in the definition for this term and moved the remaining text to maintain alphabetic order. Changed capitalization of the term "Adult protective services provider agency" Replaced "aged" with "age" and added "as defined below" after "*disability*" in the definition for the term "*Adult with disabilities*". Added "or instrumental activities of daily living" for the definition of the term "*Caregiver*" before the period. Replaced "aged" with "age" in the definition for the term "*Eligible adult*". Replaced "adult protective services" with "APS" before "case worker" in the definition for the term "Intervention". Added "that is selected by the Department or" after "*planning and service area*" for the definition of the term "*Provider agency*". Replaced the text after "*planning and service area*" with "that provides regional oversight and performs functions as set forth in Section 3(b) of the Act." in the definition of the term "*Regional administrative agency*". Reinstated the original definition for the term "Senior HelpLine". Added the following new definition: "'Verified' means a determination that there is 'clear and convincing evidence' that the specific injury or harm alleged was the result of abuse, neglect, or financial exploitation. [320 ILCS 20/2(k)]".

Section 270.215: Added the following new second sentence in subsection (c): "The Department reserves the right to provide recommendations and direct action by regional administrative agencies on designation, approval and termination action with respect to APS provider agencies." Added "regional administrative agencies and" before "APS provider agencies" in subsection (c). Added the following provision as the text for new

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subsection (c)(1): *"In the event the Area Agency on Aging in that planning and service area is deemed by the Department to be unwilling or unable to provide those functions, the Department may serve as the regional administrative agency or designate another qualified entity to serve as the regional administrative agency; any such designation shall be subject to terms set forth by the Department. [320 ILCS 20/2(i)]"* Moved the originally proposed language for subsection (c)(1) as new replacement text for subsection (c)(2). Deleted the originally proposed language for subsection (c)(2) in its entirety. Added ", HFS, DPH, DHS" after "Triad" and "violence and law enforcement" after "similar" in subsection (n).

Section 270.220: Replaced proposed text with the following new language in subsection (a): *"The Department shall designate an Area Agency on Aging as the regional administrative agency or, in the event the Area Agency on Aging in that planning and service area is deemed by the Department to be unwilling or unable to provide those functions, the Department may serve as the regional administrative agency or designate another qualified entity to serve as the regional administrative agency; any such designation shall be subject to terms set forth by the Department. [320 ILCS 20/2(i)]"*. Added "procure and" before "designate" in subsection (b). Added "provider" after "APS" in two instances in subsection (g)(1). Added hyphen to "toll-free" in subsection (k)(2).

Section 270.225: Added hyphen to "toll-free" in subsection (d)(2). Changed "adult protective services agency" to "APS provider agency" and deleted the citation in subsection (e). Corrected misspelled word by substituting "protective" in subsection (g). Changed "years" to "years'" in subsection (j)(1)(A(ii)) and subsection (j)(2)(A)(iii). Added "or" after "justice" in subsection (j)(2)(A)(i). Added "and/or webinars" after "training" in subsection (j)(1)(E) and subsection (j)(2)(D), and also added "and" at the end of these two subsections. Changed "may" to "will" in subsection (k).

Section 270.235: Added the following new subsection: "d) *The Department on Aging and its employees and agents shall have immunity, except for intentional willful and wanton misconduct, from any liability, civil, criminal, or otherwise, for reporting information to and maintaining the Adult Protective Service Registry established under Section 7.5 of the Act. [320 ILCS 20/7.5(k)]"*

Section 270.240: Added hyphen to "toll-free" in subsection (a)(1). Corrected a capitalization error by substituting "regional" for "~~Regional~~" in subsection (a)(3). Changed "when" to "in which" in subsection (b)(1). Replaced "adult protective services" with "APS" before "case worker" in the first sentence of subsection (g)(2) and also replaced "an appropriate other individual" with "another appropriate individual~~other~~" in

## ILLINOIS DEPARTMENT ON AGING

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this sentence. Replaced "other" with "~~other~~" to delete this word in the second sentence of subsection (g)(2).

Section 270.241(b): Added the following new subsection: "3) *If the law enforcement agency, coroner, or medical examiner determines the reported death was caused by abuse or neglect by a caregiver, the law enforcement agency, coroner, or medical examiner shall inform the Department, and the Department shall report the caregiver's identity on the Adult Protective Service Registry as described in Section 7.5 of the Act. [320 ILCS 20/3(c-5)]*".

Section 270.245: Added "and Relevant Records" at the end of the Section header. Added the following new text as a part of subsection (a): "1) A representative of the Department or a designated APS provider agency that is actively involved in an abuse, neglect, financial exploitation, or self-neglect investigation under the Act shall be allowed access to the financial records, mental and physical health records, and other relevant evaluative records of the eligible adult that are in the possession of any individual, financial institution, health care provider, mental health provider, educational facility, or other facility if necessary to complete the investigation mandated by the Act. "

"2) The provider or facility shall provide these records to the representative upon receipt of a written request and certification from the Department or designated APS provider agency that an investigation is being conducted under the Act and the records are pertinent to the investigation."

"3) Any records received by the representative, the confidentiality of which is protected by another law or rule, shall be maintained as confidential, except that the records may be used as necessary for any administrative or legal proceeding."

Replaced "Where" with "When" at the start of subsection (c) and added "*including the refusal to provide requested records,* " after the first comma at the end of the introductory clause in this subsection.

Section 270.250: Added "alleged" after "harm" in subsection (b)(1). Added " for services" after "ineligible" in subsection (c)(3).

Section 270.255: Replaced "*alternatives*" with "*alternative*" in subsection (a)(1)(B). Added "or" after "family" in subsection (a)(1)(B)(ii).

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Section 270.260: Corrected a typographical error by replacing "alledged" with "alleged" in subsection (b)(1). Replaced "immediate risk of harm" with "threat of ongoing harm or another emergency that exists" in subsection (d). Replaced "either" with "have authority to" in subsection (d)(2). Corrected a capitalization error by substituting the word "contact" in subsection (d)(2)(A). Replaced "*notify the Illinois Guardianship and Advocacy Commission, the Office of State Guardian, or any other appropriate agency, of the potential need for*" with "seek the" in subsection (d)(2)(B). Added ", through its attorney," after "provider agency" in subsection (d)(3). Replaced "a high risk of harm" with "a threat of ongoing harm" and added "that" after "*emergency*" in subsection (e). Replaced "*If*" at the beginning of the sentence with the following introductory clause "In accordance with subsections (d) and (e), if" in subsection (g).

Section 270.270: Added "contingent upon adequate funding" after "APS provider agencies" in subsection (g).

Section 270.275: Added ", *fire department agency or fire protection district*" after "agency" in subsection (d)(2). Added "who completes an authorization for release of records" after "*self-neglected*" in subsection (d)(4). Added "who has current authority to act on behalf of the eligible adult" after "agent" in subsection (d)(4). Deleted citation in subsection (d)(12). Added "and its vendors" after "*staff*" in subsection (d)(13) and (d)(14), respectively. Added the following new text as subsections (d)(15) and new subsection (d)(16), respectively: "15) *Hearing officers in the course of conducting an administrative hearing under the Act;*

16) *A caregiver who challenges placement on the Adult Protective Services Registry shall be given the statement of allegation in the abuse report and the substantiation decision in the final investigative report; and*". Renumbered the subsection by replacing "15)" as subsection "17)". Added "and the extent of the authority" after "current authority" in subsection (e)(1).

Section 270.285(a): Added "to provide public awareness services to that agency or companion-type services to eligible adults" after "volunteers".

The other changes made to this rulemaking were nonsubstantive 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 agreement letter issued by JCAR? Yes

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13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
270.400	New Section	39 Ill. Reg. 889, January 16, 2015
270.405	New Section	39 Ill. Reg. 889, January 16, 2015
270.410	New Section	39 Ill. Reg. 889, January 16, 2015
270.415	New Section	39 Ill. Reg. 889, January 16, 2015
270.420	New Section	39 Ill. Reg. 889, January 16, 2015
270.425	New Section	39 Ill. Reg. 889, January 16, 2015
270.430	New Section	39 Ill. Reg. 889, January 16, 2015
270.435	New Section	39 Ill. Reg. 889, January 16, 2015
270.440	New Section	39 Ill. Reg. 889, January 16, 2015
270.445	New Section	39 Ill. Reg. 889, January 16, 2015
270.450	New Section	39 Ill. Reg. 889, January 16, 2015
270.455	New Section	39 Ill. Reg. 889, January 16, 2015
270.460	New Section	39 Ill. Reg. 889, January 16, 2015
270.465	New Section	39 Ill. Reg. 889, January 16, 2015
270.470	New Section	39 Ill. Reg. 889, January 16, 2015
270.475	New Section	39 Ill. Reg. 889, January 16, 2015
270.480	New Section	39 Ill. Reg. 889, January 16, 2015
270.485	New Section	39 Ill. Reg. 889, January 16, 2015
270.490	New Section	39 Ill. Reg. 889, January 16, 2015
270.495	New Section	39 Ill. Reg. 889, January 16, 2015
270.499	New Section	39 Ill. Reg. 889, January 16, 2015

15) Summary and Purpose of Rulemaking: These amendments are being filed as a result of the expansion and transfer of authority to the Department for investigating allegations of abuse against adults with disabilities aged 18-59 living in domestic settings previously handled by the Office of the Inspector General for the Department of Human Services as a result of PA 98-49. Doing so will also help build a more integrated adult protection and advocacy system for outreach, intake, early intervention, and investigatory services at the local level and thereby improve responsiveness to reported incidents.

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

Karen Alice Kloppe  
Deputy General Counsel

ILLINOIS DEPARTMENT ON AGING

NOTICE OF ADOPTED AMENDMENTS

Illinois Department on Aging  
One Natural Resources Way, Suite 100  
Springfield IL 62702-1271

217/785-3346

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

## ILLINOIS DEPARTMENT ON AGING

## NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER II: ILLINOIS DEPARTMENT ON AGING

## PART 270

ADULT PROTECTION AND ADVOCACY SERVICES~~ELDER RIGHTS~~

## SUBPART A: INTRODUCTION

Section  
270.10 Summary and Purpose

## SUBPART B: LONG TERM CARE OMBUDSMAN PROGRAM

Section  
270.100 Long Term Care Ombudsman Program  
270.105 Definitions  
270.110 Responsibilities of the Department and the Office of the State Long Term Care Ombudsman  
270.115 Display of Ombudsman Poster  
270.120 Access to Resident Records  
270.130 Conflict of Interest

SUBPART C: ADULT PROTECTIVE SERVICES  
~~ELDER ABUSE AND NEGLECT~~ PROGRAM

Section  
270.200 Purpose and Program Model  
270.205 Adult Protective Services~~Elder Abuse and Neglect~~ Program  
270.210 Definitions  
270.215 Organizational Standards and Responsibilities: Department on Aging  
270.220 Organizational Standards and Responsibilities: Regional Administrative Agencies  
270.221 Elder Abuse Fatality Review Teams  
270.225 Organizational Standards and Responsibilities: Adult Protective Services~~Elder Abuse~~ Provider Agencies  
270.230 Elder Abuse Reporting  
270.235 Immunity  
270.240 Intake of Abuse, Neglect and Financial Exploitation~~ANE~~ Reports  
270.241 Reporting a Suspicious Death

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270.245	Access to <del>Alleged Victims and Relevant Records</del> <u>Eligible Adults</u>
270.250	Minimum Assessment and Classification Standards
270.255	<del>Abuse, Neglect and Financial Exploitation</del> <u>ANE</u> Case Work, Follow-Up, Referrals <del>Referral to Law Enforcement</del> and Case Closure
270.260	Authority to Consent <del>to Services</del> and Court Petitions
270.265	<del>Early</del> <u>Emergency</u> Intervention Services
270.270	Multi-disciplinary Teams
270.275	Confidentiality and Disclosure

SUBPART D: ~~ADULT PROTECTIVE SERVICES~~ ELDER ABUSE VOLUNTEER CORPS

## Section

270.280	Definitions
270.285	Selection and Screening
270.290	Training
270.295	Volunteer Agreement and Volunteer Responsibilities
270.300	Activities and Supervision

**AUTHORITY:** Implementing Section 4.04(c) of the Illinois Act on the Aging [20 ILCS 105/4.04(c)] and Section 10 of the Adult Protective Services Act [320 ILCS 20/10] and authorized by Section 4.01(11) of the Illinois Act on the Aging [20 ILCS 105/4.01(11)].

**SOURCE:** Adopted at 21 Ill. Reg. 8887, effective July 1, 1997; amended at 25 Ill. Reg. 5259, effective April 1, 2001; amended at 26 Ill. Reg. 3964, effective March 15, 2002; expedited correction at 26 Ill. Reg. 8482, effective March 15, 2002; amended at 30 Ill. Reg. 8913, effective April 28, 2006; amended at 35 Ill. Reg. 8180, effective May 12, 2011; emergency amendment at 38 Ill. Reg. 2357, effective December 31, 2013, for a maximum of 150 days; emergency expired May 29, 2014; amended at 39 Ill. Reg. 2156, effective January 23, 2015.

## SUBPART A: INTRODUCTION

**Section 270.10 Summary and Purpose**

This Part describes the organization, standards and responsibilities of the programs that comprise the Department's Adult Protection and Advocacy Services ~~Elder Rights Programs~~.

- a) Services  
These services include the Long Term Care Ombudsman Program, the Adult Protective Services ~~Elder Abuse and Neglect~~ Program and the Senior Legal

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Assistance Program. ~~These programs are designed to expand and advance the rights of seniors.~~

- b) Purpose
- 1) The Long Term Care Ombudsman Program is designed to ensure that adults age 60 and over and persons with disabilities age 18 through 59 receive quality services in long term care facilities or in-home and community-based settings.
  - 2) The Adult Protective Services Program is designed to prevent abuse, neglect, financial exploitation, or self-neglect of adults with disabilities age 18 through 59 and persons age 60 or older who reside in a domestic living situation.
  - 3) The Senior Legal Assistance Program is designed to provide legal assistance to persons age 60 or older.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

SUBPART C: ADULT PROTECTIVE SERVICES  
~~ELDER ABUSE AND NEGLECT PROGRAM~~

**Section 270.200 Purpose and Program Model**

- a) This Subpart describes the organization of the Adult Protective Services~~Elder Abuse and Neglect~~ Program administered by and through the Illinois Department on Aging.
- b) The Adult Protective Services Program is modeled on the following principles:
- 1) advocacy intervention by APS provider agencies;
  - 2) the right to self-determination by the alleged victim to:
    - A) decide where and how he or she will live;
    - B) choose whether to accept social services or other community assistance; and

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- C) make decisions different from those a reasonable adult would make that are not harmful to others.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.205 Adult Protective Services~~Elder Abuse and Neglect~~ Program**

The Adult Protective Services~~Elder Abuse and Neglect~~ Program is designed to respond to eligible adults~~elder persons~~ who are victims of abuse, neglect, and financial exploitation (ANE). The services and activities of the program are:

- a) Intake of ANE reports
- b) Assessment
- c) Case work
- d) Follow-up
- e) Early~~Emergency~~ intervention services
- f) Multi-disciplinary teams
- g) Fatality review teams
- h) Public awareness/education.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.210 Definitions**

*"Abuse" means causing any physical, mental or sexual injury to an eligible adult, including exploitation of such adult's financial resources. [320 ILCS 20/2(a)]*

*"Abuser" means a person who abuses, neglects, or financially exploits an eligible adult. [320 ILCS 20/2(a-5)]*

"Act" means the Adult Protective Services~~Elder Abuse and Neglect~~ Act [320

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ILCS 20].

"Adult Protective Services Hotline" means the 24-hour toll-free statewide telephone number that can be called to report suspected cases of abuse, neglect or financial exploitation of eligible adults.

"Adult protective services provider agency" or "designated agency" means any public or nonprofit agency, appointed by the regional administrative agency with prior approval by the Department, to receive and assess reports of alleged or suspected abuse, neglect and financial exploitation.

"Adult with disabilities" means a person age 18 through 59 who resides in a domestic living situation and whose disability as defined below impairs his or her ability to seek or obtain protection from abuse, neglect or financial exploitation.  
[320 ILCS 20/2(a-6)]

"Allegation" means a charge or a claim of abuse, neglect, or financial exploitation.

"Alleged abuser" means a person who is reported as abusing, neglecting, or financially exploiting an adult with disabilities or older person.

"Alleged victim" means an adult with disabilities or ~~the~~ older person who is reported as being abused, neglected, or financially exploited.

"ANE" means abuse, neglect, and financial exploitation.

"APS" means adult protective services.

"Assessment" means the process of obtaining and documenting information about the case to determine if there is reason to believe abuse, neglect or financial exploitation is occurring (or has occurred), and to ascertain the level of risk to the eligible adult of future abuse or harm.

"Capacity to consent" to an assessment or services means an individual reasonably appears to be either:

able to receive and evaluate information related to the assessment or services; or

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able to communicate in any manner decisions related to the assessment of the reported incident or services. (See 320 ILCS 20/9(d-5).)

*"Caregiver" means a person who either, as a result of a family relationship, voluntarily, or in exchange for compensation, has assumed responsibility for all or a portion of the care of an eligible adult who needs assistance with activities of daily living or instrumental activities of daily living. [320 ILCS 20/2(a-7)]*

"Case work" is the development and implementation of a service plan for the client, which minimally includes: the identification of the needs, problems, limitations and capacities of the client; interventions to protect the health, welfare and safety of the client; assisting the client in obtaining needed services; and respecting the self-determination and independence of the client.

"Case worker" means an employee of an APS provider agency who is authorized to receive and assess reports of alleged or suspected abuse, neglect and financial exploitation and to develop and implement a service plan for a client.

"Clear and convincing" is the standard of proof that must be met to reach a "verified" substantiation decision in the Adult Protective Services ~~ANE~~ Program. This standard of proof is met when the credible evidence, weighed in its entirety, creates a substantial certainty that the abuse, neglect or financial exploitation is occurring or has occurred.

"Client" is an eligible adult who is receiving services from the APS ~~elder abuse~~ provider agency.

"Combined service area" means a designated service area, within a planning and service area where a single APS provider agency is responsible for providing a response, during non-business hours, to reports of alleged or suspected abuse or neglect when an eligible adult is at risk of death or serious physical injury, pursuant to a cooperative agreement among the APS provider agencies involved. The APS provider agency shall respond to reports in accordance with the time frame outlined in Section 270.240.

"Confinement" means restraining or isolating an individual ~~elder person~~ for other than bona fide medical reasons.

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"Department" means the Department on Aging of the State of Illinois. [320 ILCS 20/2(b)]

"Director" means the Director of the Department. [320 ILCS 20/2(c)]

"Disability" means a physical or mental disability, including, but not limited to, a developmental disability, an intellectual disability, a mental illness as defined under the Mental Health and Developmental Disabilities Code [405 ILCS 5/1-129], or dementia as defined under the Alzheimer's Disease Assistance Act [410 ILCS 405/3(a-5)]. [320 ILCS 20/2(c-5)]

"Domestic living situation" means a residence where the eligible adult, at the time of the report, lives alone or with his or her family or a caregiver, or others, or ~~a board and care home or~~ other community-based unlicensed facility, but is not:

*A licensed facility as defined in Section 1-113 of the Nursing Home Care Act [210 ILCS 45/1-113];*

*A facility licensed under the ~~IO/DDMR/DD~~ Community Care Act [210 ILCS 47];*

*A facility licensed under the Specialized Mental Health Rehabilitation Act [210 ILCS 49];*

*A "life care facility" as defined in the Life Care Facilities Act [210 ILCS 40];*

*A home, institution, or other place operated by the federal government or agency thereof or by the State of Illinois;*

*A hospital, sanitarium, or other institution, the principal activity or business of which is the diagnosis, care, and treatment of human illness through the maintenance and operation of organized facilities therefor, which is required to be licensed under the Hospital Licensing Act [210 ILCS 85];*

*A "community living facility" as defined in the Community Living Facilities Licensing Act [210 ILCS 35]; ~~and~~*

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*A "community-integrated living arrangement" as defined in the Community-Integrated Living Arrangements Licensure and Certification Act [210 ILCS 135]; and*

*A "community residential alternative" as defined in the Community Residential Alternative Act [210 ILCS 140]. [320 ILCS 20/2(d)]*

*"Early Intervention Services" are the services purchased by APS provider agencies to provide temporary short term or emergency services necessary to secure the health, welfare and/or safety of a client when other existing resources are unavailable.*

*~~"Elder Abuse Hotline" means the 24 hour toll free statewide number that can be called to report suspected cases of elder abuse, neglect, or financial exploitation.~~*

*~~"Elder abuse provider agency" means any public or nonprofit agency, appointed by the regional administrative agency with prior approval by the Department, to receive and assess reports of alleged or suspected abuse, neglect and financial exploitation.~~*

*"Eligible adult" means either an adult with disabilities age 18 through 59 or a person age 60 years of age or older who resides in a domestic living situation and is, or is alleged to be, abused, neglected, or financially exploited by another individual or who neglects himself or herself. [320 ILCS 20/2(e)]*

*"Emergency" means a situation in which an eligible adult is living in conditions presenting a risk of death or physical, mental or sexual injury and the APS provider agency has reason to believe the eligible adult is unable to consent to services that would alleviate that risk. [320 ILCS 20/2(f)]*

*~~"Emergency Intervention Services" are the services purchased by elder abuse provider agencies to provide temporary short term or emergency services necessary to secure the health, welfare and/or safety of a client when other existing resources are unavailable.~~*

*"Emotional abuse" means verbal assaults, threats of maltreatment, harassment, or intimidation.*

*"Fatality Review Team" means a regional interagency review team established pursuant to Section 15 of the Act.*

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"Financial exploitation" means the use of an eligible adult's~~older person's~~ resources by another to the disadvantage of ~~that adult~~~~the older person and/~~ or the profit or advantage of a person other than ~~that adult~~~~the older person~~. [320 ILCS 20/2(f-1)]

"Follow-up" means the monitoring of substantiated cases of ANE for clients of the program.

"Guardian" means a person appointed by a court of competent jurisdiction, who is legally responsible for the care of a person who has been adjudicated by the court to be incompetent to manage his or her own affairs and/or property.

"Initial interview" means the preliminary contact made by an APS provider agency to determine the level of risk to an alleged victim, the need for early intervention services in order to assure safety and welfare or otherwise reduce risk to the alleged victim, and his or her decisional capacity to consent to an assessment and/or services.

"Intake" means the point at which trained staff of the Illinois Department on Aging's Adult Protective Services Hotline and Senior HelpLine, a regional administrative agency, or APS~~an elder abuse~~ provider agency receives a report of alleged or suspected abuse, neglect, ~~or~~ financial exploitation or self-neglect and relays the report to a case worker for further assessment; screens the case to make an initial determination that the alleged victim is an eligible adult; and, if so, opens a case file to keep a record of the case.

"Intervention" means an action initiated by the APS~~elder abuse~~ case worker or the APS~~elder abuse~~ provider agency to provide medical, social, economic, legal, housing, law enforcement, or other protective, emergency; or supportive services to, or on behalf of, the eligible adult~~elder abuse victim or alleged victim~~.

"Mandated reporter" means any of the following persons while engaged in carrying out their professional duties:

a professional or professional's delegate while engaged in:

social services,

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law enforcement,

education,

the care of an eligible adult or eligible adults, or

*any of the occupations required to be licensed under the Clinical Psychologist Licensing Act [225 ILCS 15], the Clinical Social Work and Social Work Practice Act [225 ILCS 20], the Illinois Dental Practice Act [225 ILCS 25], the ~~Dietitian~~[Dietetic and Nutritionist Nutrition Services Practice Act](#) [225 ILCS 30], the Marriage and Family Therapy Licensing Act [225 ILCS 55], the Medical Practice Act of 1987 [225 ILCS 60], ~~the Respiratory Care Practice Act [225 ILCS 106]~~, the Naprapathic Practice Act [225 ILCS 63], the Nurse Practice Act [225 ILCS 65], the Nursing Home Administrators Licensing and Disciplinary Act [225 ILCS 70], the Illinois Occupational Therapy Practice Act [225 ILCS 75], the Illinois Optometric Practice Act of 1987 [225 ILCS 80], the Pharmacy Practice Act [225 ILCS 85], the Illinois Physical Therapy Act [225 ILCS 90], the Physician Assistant Practice Act of 1987 [225 ILCS 95], the Podiatric Medical Practice Act of 1987 [225 ILCS 100], the Professional Counselor and Clinical Professional Counselor Licensing [and Practice Act](#) [225 ILCS 107], ~~the Respiratory Care Practice Act [225 ILCS 106]~~, the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110], the Veterinary Medicine and Surgery Practice Act of ~~2004~~[1994](#) [225 ILCS 115], and the Illinois Public Accounting Act [225 ILCS 450];*

*an employee of an entity providing developmental disabilities services or service coordination funded by the Department of Human Services;*

*an employee of a vocational rehabilitation facility prescribed or supervised by the Department of Human Services;*

*an administrator, employee, or person providing services in or through an unlicensed community-based facility;*

any religious practitioner who provides treatment by prayer or spiritual

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means alone in accordance with the tenets and practices of a recognized church or religious denomination, except as to information received in any confession or sacred communication enjoined by the discipline of the religious denomination to be held confidential;

*field personnel of the Department of Healthcare and Family Services, Department of Public Health, and Department of Human Services, and any county or municipal health department;*

*personnel of the Department of Human Services, the Guardianship and Advocacy Commission, the State Fire Marshal, local fire departments, the Department on Aging and its subsidiary Area Agencies on Aging and [APS](#) provider agencies, and the Office of State Long Term Care Ombudsman; provided that attorneys contracted or employed by the Area Agencies and their senior legal services providers and licensed to practice in Illinois are not mandated to report ~~elder~~ abuse, although they may voluntarily do so;*

*any employee of the State of Illinois not otherwise specified in this definition who is involved in providing services to eligible adults, including professionals providing medical or rehabilitation services and all other persons having direct contact with eligible adults;*

*a person who performs the duties of a coroner or medical examiner; or*

*a person who performs the duties of a paramedic or an emergency medical technician. [320 ILCS 20/2(f-5)]*

*"Neglect" means another individual's failure to provide an eligible adult with or willful withholding from an eligible adult the necessities of life including, but not limited to, food, clothing, shelter or ~~health~~[medical](#) care. This definition does not create any new affirmative duty to provide support to eligible adults. Nothing in the Act shall be construed to mean that an eligible adult is a victim of neglect because of health care services provided or not provided by licensed health care professionals. [320 ILCS 20/2(g)]*

"Passive neglect" means the failure by a caregiver to provide an eligible adult with the necessities of life including, but not limited to, food, clothing, shelter, or medical care, because of failure to understand the eligible adult's needs, lack of awareness of services to help meet needs, or a lack of capacity to care for the

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eligible adult.

"Physical abuse" means the causing of physical pain or injury to an eligible adult.

"Preponderance of the evidence" is the standard of proof that must be met to reach a "some indication" substantiation decision in the [Adult Protective Services](#) ANE Program. This standard of proof is met when the credible evidence, weighed in its entirety, creates a reasonable certainty that more likely than not the abuse, neglect or financial exploitation is occurring or has occurred.

*"Provider agency" means any public or nonprofit agency in a planning and service area [that is selected by the Department or appointed by the regional administrative agency with prior approval by the Department on Aging to receive and assess reports of alleged or suspected abuse, neglect, or financial exploitation.](#) [320 ILCS 20/2(h)]*

*"Regional administrative agency" means any public or nonprofit agency in a planning and service area [that provides regional oversight and performs functions as set forth in Section 3\(b\) of the Act.](#) ~~so designated by the Department, provided that the designated Area Agency on Aging shall be designated the regional administrative agency if it so requests. The Department shall assume the functions of the regional administrative agency for any planning and service area where another agency is not so designated.~~ [320 ILCS 20/2(i)]*

"Report taker" means the trained staff of the Department's Adult Protective Services Hotline and Senior HelpLine, regional administrative agencies or APS provider agencies that performs intake of alleged or suspected abuse, neglect, financial exploitation or self-neglect.

"Reporter" means the person who calls, visits or otherwise communicates to an authorized intake agency allegations or suspicions that an eligible adult has been or is being abused, neglected, or financially exploited.

~~"Review team" means a regional interagency elder abuse fatality review team established pursuant to Section 15 of the Act. Each review team shall be comprised of representatives of the Department on Aging, the coroner's or medical examiner's office, the State's Attorney's office, local police departments, forensic units, the provider agency, and other interested parties, the purpose of~~

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~~which is to review suspicious or unexplained deaths of seniors in a domestic living situation.~~

"Senior HelpLine" means the Department's toll-free statewide number that can be called to report suspected cases of elder abuse, neglect and financial exploitation, or to obtain additional information about services available to eligible adults.

"Self-determination" means the right of an eligible adult with decisional capacity to:

decide where and how he or she will live;

choose whether to accept program services or other community assistance;  
and

make decisions different from those a reasonable adult would make, including "bad" decisions, that are not harmful to others.

"Self-neglect" means a condition that is the result of an eligible adult's inability, due to physical or mental impairments, or both, or a diminished capacity, to perform essential self-care tasks that substantially threaten his or her own health, including: providing essential food, clothing, shelter, and health care; and obtaining goods and services necessary to maintain physical health, mental health, emotional well-being, and general safety. The term includes compulsive hoarding, which is characterized by the acquisition and retention of large quantities of items and materials that produce an extensively cluttered living space, which significantly impairs the performance of essential self-care tasks or otherwise substantially threatens life or safety. [320 ILCS 20/2(i-5)]

"Services" means medical, social, economic, legal, housing, law enforcement, or other protective, early, emergency or supportive action provided to, or on behalf of, the eligible adult.

"Sexual abuse" means any sexual activity with an eligible adult who is unable to understand, unwilling to consent, threatened, or physically forced to engage in such sexual activity.

"Shared service area" means the designated area within a planning and service area where two or more APS provider agencies are responsible for providing a

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response, during non-business hours, to reports of alleged or suspected abuse or neglect when an eligible adult is at risk of death or serious physical injury, pursuant to a cooperative agreement among the [APS](#) provider agencies involved. The [APS](#) provider agencies shall respond to reports in accordance with the time frame outlined in Section 270.240.

"Source of information" means the point of origin of information about the client.

"State Triad" is a statewide, unincorporated, voluntary association of law enforcement, senior citizens and community groups, organized around the issue of senior safety, crime against the elderly, and financial exploitation of the elderly. The State Triad Council was created under the aegis of the National Association of Triads, Inc., 1450 Duke Street, Alexandria VA 22314.

"Substantiation" is the process by which an [APSElder-abuse](#) provider agency determines, after a review of all available information, that abuse, neglect or financial exploitation of an eligible adult has occurred.

*"Substantiated case" means a reported case of alleged or suspected abuse, neglect, ~~or~~ financial exploitation or self-neglect in which an ~~APS~~ provider agency, after assessment, determines that there is reason to believe abuse, neglect, or financial exploitation has occurred. [320 ILCS 20/2(j)]*

"Suspicious death" means an instance in which an APS provider agency reasonably believes that the death of an individual may be the result of abuse or neglect.

"Verified" means a determination that there is "clear and convincing evidence" that the specific injury or harm alleged was the result of abuse, neglect, or financial exploitation. [320 ILCS 20/2(k)]

"Victim" means an eligible adult who is the subject of a substantiated report of abuse, neglect, or financial exploitation.

"Willful deprivation" is the deliberate denial to an eligible adult of required medication, medical care, shelter, food, therapeutic devices, or other physical assistance, thereby exposing that person to the risk of physical, mental, or emotional harm. Willful deprivation shall not include the discontinuation of medical care or treatment when the eligible adult has expressed a desire to forego

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such medical care or treatment.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.215 Organizational Standards and Responsibilities: Department on Aging**

- a) Contingent upon adequate funding, the~~The~~ Department shall establish, design and manage a protective services program of response and services for eligible ~~adults~~persons 60 years of age and older who have been, or are alleged to be, victims of abuse, neglect, ~~or~~ financial exploitation, or self-neglect. The Department shall contract with or fund, or contract with and fund, regional administrative agencies, APS provider agencies, or both, for the provision of those functions, and, contingent on adequate funding, with attorneys or legal services provider agencies for the provision of legal assistance pursuant to the Act. [320 ILCS 20/3(a)]
- b) The Department shall have the overall responsibility for designing, managing and monitoring the Adult Protective Services~~Elder Abuse and Neglect~~ Program.
- c) The Department shall designate regional administrative agencies and approve the designation and termination of APS~~elder abuse~~ provider agencies. The Department reserves the right to provide recommendations and direct action by regional administrative agencies on designation, approval and termination action with respect to APS provider agencies. Designated regional administrative agencies and APS~~elder abuse~~ provider agencies are agents of the Illinois Department on Aging.
- 1) In the event the Area Agency on Aging in that planning and service area is deemed by the Department to be unwilling or unable to provide those functions, the Department may serve as the regional administrative agency or designate another qualified entity to serve as the regional administrative agency; any such designation shall be subject to terms set forth by the Department. [320 ILCS 20/2(i)]
- 2) If a regional administrative agency terminates its contract, it must so notify the Department in writing at least 30 days in advance and cooperate in the transition of functions and records to a successor agency so as to minimize risk to clients in the program.

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- d) The Department shall design and manage the programmatic and financial reporting system for the program. The Department shall develop and manage a monitoring/quality assurance system for the program.
- e) The Department shall develop and implement public awareness efforts designed to publicize the purposes and mode of operation of the program through public service announcements, posters, and brochures.
- f) The Department shall provide technical assistance, policy clarifications and/or interpretations to regional administrative agencies on adherence to the rules, standards, and procedures established for the program. The Department may provide technical assistance in case handling directly to the ~~APSElder-abuse~~ provider agencies. The technical assistance provided by the Department may include legal advice and consultation. The Department's interpretation of statutes, rules, policy and procedure shall prevail.
- g) The Department shall provide training to ~~APSElder-abuse~~ provider agency staff who will assess reports of ANE or who will supervise staff performing the assessment function. Regional administrative agency staff working in the program shall also be trained by the Department.
- h) The Department shall maintain a registry of all ~~APSElder-abuse~~ provider agency and regional administrative agency staff ~~that has~~who have successfully completed Department sponsored certification training and are employed in the program.
- i) The Department's "~~Adult Protective Services Hotline~~Senior HelpLine" ~~and the "After Hours Line"~~ shall receive reports of ANE and relay ~~those~~such reports to the appropriate ~~APSElder-abuse~~ provider agency within the required timelines.
- j) *The Department shall also be responsible for, contingent upon adequate funding, coordination of efforts with other agencies, councils, and like entities, which may impact awareness of, and response to, ~~elder~~-abuse, neglect, and financial exploitation, and promotion of prevention activities for eligible adults.* [320 ILCS 20/3.5**(b)**]
- k) *The Department shall file with the Governor and the General Assembly, within 270 days after the end of each fiscal year, a report concerning its implementation of the Act during such fiscal year, together with any recommendations for future implementation.* [320 ILCS 20/11]

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- l) The Department shall reimburse APSElder abuse provider agencies under contract at a uniform rate established by the Department. A separate rate shall be established for each of the following case activities completed by the APSElder abuse provider agency: assessment, case work, and follow-up.
- m) If a designated APSElder abuse provider agency terminates its contract to provide services, the Department, in coordination with the regional administrative agency, shall ensure that elder abuse services are available without interruption to eligible adults within the terminated APSElder abuse provider agency's service area.
- n) *The Department shall establish and coordinate a training program on the unique nature of APSElder abuse cases with other agencies and councils, including the Office of the Attorney General, the State Police, the State Triad HFS, DPH, DHS, and other similar violence and law enforcement agencies. [320 ILCS 20/3.5(f)]*
- o) The Department shall solicit *financial institutions for the purpose of making information available to the general public warning of financial exploitation of eligible adults~~the elderly~~ and related financial fraud or abuse, including such information and warning available through signage or other written materials provided by the Department on the premises of such financial institutions, provided that the manner of displaying or distributing such information is subject to the sole discretion of each financial institution.* [320 ILCS 20/3.5(g)]
- p) The Department shall coordinate *efforts with utility and electric companies to send notices in utility bills to explain to persons 60 years of age or older their rights regarding telemarketing and home repair fraud.* [320 ILCS 20/3.5(h)]

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.220 Organizational Standards and Responsibilities: Regional Administrative Agencies**

- a) *The Department shall designate an Area Agency on Aging as the regional administrative agency or, in the event the Area Agency on Aging in that planning and service area is deemed by the Department to be unwilling or unable to provide those functions, the Department may serve as the regional administrative agency or designate another qualified entity to serve as the regional administrative agency; any such designation shall be subject to terms set forth by*

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*the Department.* [320 ILCS 20/2(i)]

- b) *Each regional administrative agency in turn shall procure and designate APS provider agencies within its planning and service area with prior approval by the Department on Aging.* [320 ILCS 20/3(b)]
- ~~c~~b) *A procurement process shall be held by the regional administrative agency for the designation of an APS provider agency in each service area at least every six years, except as provided in subsection (g)(1). The standard term for designation shall be for six years, unless such designation is terminated by action of the regional administrative agency or the Department, or unless a provider agency declines to continue its designation. The contract for services in a specified geographical area shall be awarded to a designated elder abuse provider agency for a period of one year. The contract for services may be renewed annually by the regional administrative agency, with the prior approval of the Department.*
- ~~d~~e) *The contract for services in a specified geographical area shall be awarded to a designated APS provider agency for a period of one year. The contract for services may be renewed annually by the regional administrative agency, with the prior approval of the Department. A procurement process shall be held by the regional administrative agency for the designation of an elder abuse provider agency in each service area every six years, except as provided in subsection (f)(1).*
- ~~e~~f) *If a review of the proposals submitted during a procurement process fails to produce an acceptable APS provider agency for the service area, the regional administrative agency shall designate, with the prior approval of the Department, a qualified agency on an emergency basis under subsection (f).*
- ~~f~~e) *The regional administrative agency, after notification to, and concurrence by, the Department, may terminate the designation of an APS elder abuse provider agency for failure to provide services in accordance with the contract and this Part.*
- ~~g~~f) *If the designation of an APS elder abuse provider agency has been terminated, either at the initiative of the regional administrative agency or an APS provider elder abuse provider agency, the regional administrative agency shall designate, with the prior approval of the Department, a qualified agency on an emergency basis until such time that a subsequent procurement process produces an acceptable APS provider agency for the service area.*

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- 1) When an APS provider~~organization or~~ agency has been selected on an emergency basis, the APS provider agency shall be designated for the balance of the fiscal year in which such designation was awarded, and for up to one additional year.
  - 2) Not later than two years following the emergency designation, the regional administrative agency shall conduct a procurement process for the designation of an APSElder abuse provider agency for the specified service area.
- hg) A regional administrative agency may elect, for its planning and service area, to designate APS provider agencies, from those agencies designated in accordance with subsections (a) through (f) of this Section, for the purpose of providing either a combined or shared service area response, during non-business hours, to reports of alleged or suspected abuse or neglect when an eligible adult is at risk of death or serious physical injury. Each regional administrative agency shall follow the steps outlined in subsections (a) through (f) for procuring services for non-business hours for a combined or shared service area.
- ih) The regional administrative agencies shall provide technical assistance to APSElder abuse provider agencies and shall seek from Department staff policy clarifications and interpretations of standards and procedures.
- ji) Regional administrative agencies shall monitor the performance of APSElder abuse provider agencies, according to Departmental policies.
- k) The regional administrative agencies may assist the Department and APS provider agencies in raising public awareness and providing education on the issues of abuse, neglect, financial exploitation and self-neglect. The regional administrative agencies shall include the following information when producing any public education materials:
- 1) identification as a part of the Adult Protective Services Program;
  - 2) voice and teletypewriter (TTY) phone numbers for the Department on Aging's toll-free 24-hour Adult Protective Services Hotline; and
  - 3) a nondiscrimination clause.

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- l) The regional administrative agency shall not serve as a legal guardian, an agent under the Illinois Power of Attorney Act [755 ILCS 45], or a representative payee for any client in the program. The Department may allow a waiver only if the APS provider agency has documented evidence that no other qualified person or entity exists to serve in the foregoing capacities on behalf of a client of the program and the regional administrative agency is willing and qualified to take on those responsibilities.
- m) The regional administrative agency shall retain all books, records and other documents relevant to the operation of the program for three full years after final payment on the agreement and all other pending matters are closed, unless transfer is authorized in writing by the Department. The APS provider agency must insure that records are purged by completely shredding or incinerating.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.225 Organizational Standards and Responsibilities: Adult Protective Services Elder Abuse Provider Agencies**

- a) The APSelder abuse provider agency shall enter into a written contract with the regional administrative agency to provide services in a specific geographical area in the regional administrative agency's planning and service area.
- b) The APSelder abuse provider agency shall provide such services in accordance with the Act and this Part.
- c) The APS provider agency shall be open for business and available to receive ANE reports not less than 246 working days per calendar year under the following conditions:
- 1) The APS provider agency shall not be closed for more than four consecutive days, unless an alternative method of receiving ANE reports is approved by and on file with the regional administrative agency and the Department.
- 2) If a recorded message is activated during business hours, there must be an option to talk directly to a report taker at that time, rather than leaving a message on voice mail.

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- 3) A report taker must be available at least seven hours each working day.
- d) The APS provider agencies may assist the Department by providing public awareness and education on the issues of abuse, neglect, financial exploitation and self-neglect. The APS provider agencies shall include the following information when producing any public education materials:
  - 1) identification as a part of the Adult Protective Services Program;
  - 2) voice and teletypewriter (TTY) phone numbers for the Department on Aging's toll-free 24-hour Adult Protective Services Hotline; and
  - 3) a nondiscrimination clause.
- e) The APS provider agency shall not serve as a legal guardian or an agent under the Illinois Power of Attorney Act for any client in the program.
- f) The APS provider agency shall retain all books, records and other documents relevant to the operation of the program for three full years after final payment on the agreement and all other pending matters are closed, unless transfer is authorized in writing by the Department. The APS provider agency must insure that records are purged by completely shredding or incinerating.
- g) A contract to provide ~~adult protective~~~~elder abuse~~ services may be terminated by the ~~APS~~~~elder abuse~~ provider agency in accordance with the termination clause in the contract.
- h) Pursuant to the terms of their contract, APS provider agencies shall have sufficient staff to perform all duties and responsibilities of the program for which an agreement to perform is in effect.
- i) APS supervisors must be involved in guiding and directing ANE cases and share responsibility in the case workers' decisions and actions in ANE cases.
- j) Qualifications
  - 1) APS supervisors shall have:

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A) Education

- i) a Master's Degree in health, social sciences, social work, health care administration, gerontology, disability studies, criminal justice, or public administration, and one year experience in health or human services; or
- ii) a Registered Nursing license, or a Bachelor of Science in Nursing (B.S.N.) or a Bachelor of Arts (B.A.)/Bachelor of Science (B.S.) in health, social sciences, social work, health care administration, gerontology, or criminal justice and three years' experience in health or human services, including either one year of supervisory experience or one year of experience in aging, adults with disabilities or domestic violence programs or services;

B) Department sponsored APS case worker certification and on-line forms training;C) Department sponsored Phase II certification training within six months after the APS case worker certification, to be placed on the Department's APS Case Worker Registry;D) Department sponsored APS supervisor's certification training;E) Fourteen hours of participation by actual attendance at in-service training and/or webinars on abuse of eligible adults, rights of older adults and adults with disabilities, self-neglect, and domestic violence subjects within a calendar year. For partial years of employment, training shall be prorated to equal approximately 45 minutes for each full month of employment. Participation by actual attendance at regional, State or national conferences on abuse of older adults and adults with disabilities and rights of older adults and adults with disabilities, self-neglect, and domestic violence qualify as in-service training. Participation should be documented and included in the employee's personnel file; andF) Eleven hours of qualifying recertification every three years, which must be documented in the employee's personnel file.

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- 2) APS case workers shall have:
- A) Education
- i) Master's Degree in health, social services, social work, health care administration, gerontology, disability studies, criminal justice or public administration;
- ii) a Registered Nursing license, or a B.S.N. or a B.A./B.S. in health, social sciences, social work, health care administration, gerontology, or criminal justice and one year experience in health or human services; or
- iii) a Practical Nursing license, with two years' experience in health or human services;
- B) Department sponsored APS case worker certification and on-line forms training;
- C) Department sponsored Phase II certification training within six months after the APS case worker certification, to be listed on the Department's APS Case Worker Registry;
- D) Twelve hours of participation by actual attendance at in-service training and/or webinars on abuse of eligible adults, rights of older adults and adults with disabilities, self-neglect, and domestic violence subjects within a calendar year. For partial years of employment, training shall be prorated to equal approximately 45 minutes for each full month of employment. Participation by actual attendance at regional, State or national conferences on abuse of older adults and adults with disabilities and rights of older adults and adults with disabilities, self-neglect, and domestic violence qualify as in-service training. Participation should be documented and included in the employee's personnel file; and
- E) Eleven hours of qualifying recertification every three years, which must be documented in the employee's personnel file.

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- k) The Department will suspend or remove from the APS Case Worker Registry any case worker or supervisor who fails or refuses to perform the duties of a case worker or supervisor in accordance with this Part.
- l) The APS provider agency must return to the Department, within 15 days, any identification card of a case worker or supervisor who separates from employment.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.230 ~~Elder~~Abuse Reporting**

- a) *If any mandated reporter has reason to believe that an eligible adult, who because of ~~disability or other condition or impairment~~~~dysfunction~~ is unable to seek assistance for himself or herself, has, within the previous 12 months, been subjected to abuse, neglect, or financial exploitation, the mandated reporter shall, within 24 hours after developing such belief, report this suspicion to an agency designated to receive such reports under the Act or to the Department. [320 ILCS 20/4(a-5)]*
- b) *Whenever a mandated reporter is required to report under the Act in his or her capacity as a member of the staff of a medical or other public or private institution, facility, ~~board and care home~~, or agency, he or she shall make a report to an agency designated to receive such reports under the Act or to the Department in accordance with the provisions of the Act and may also notify the person in charge of the institution, facility, ~~board and care home~~, or agency or his or her designated agent that the report has been made. [320 ILCS 20/4(a-5)]*
- c) *Under no circumstances shall any person in charge of such institution, facility, ~~board and care home~~, or agency, or his or her designated agent to whom the notification has been made, exercise any control, restraint, modification, or other change in the report or the forwarding of the report to an agency designated to receive such reports under the Act or to the Department. The privileged quality of communication between any professional person required to report and his or her patient or client shall not apply to situations involving abused, neglected, or financially exploited eligible adults and shall not constitute grounds for failure to report as required by the Act. [320 ILCS 20/4(a-5)]*
- d) *The identity of a person making a report of alleged or suspected abuse or neglect*

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*under the Act may be disclosed by the Department or other agency provided for in the Act only with such person's written consent or by court order, but is otherwise confidential.* [320 ILCS 20/4(c)]

- e) *Any mandated reporter who makes a report or any person who investigates a report under the Act shall testify fully in any judicial or administrative proceeding resulting from such report, as to any evidence of abuse, neglect, or financial exploitation or the cause thereof. No evidence shall be excluded by reason of any common law or statutory privilege relating to communications between the alleged abuser or the eligible adult subject of the report under the Act and the person making or investigating the report.* [320 ILCS 20/4.2]

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.235 Immunity**

- a) *Any person, institution or agency participating in the making of a report, providing information or records related to a report, assessment, or services, or participating in the investigation of a report under the Act in good faith, or taking photographs or x-rays as a result of an authorized assessment, shall have immunity from any civil, criminal or other liability for such actions~~in any civil, criminal or other proceeding brought in consequence of making such report or assessment or on account of submitting or otherwise disclosing such photographs or x-rays to any agency designated to receive reports of alleged or suspected abuse or neglect.~~*
- b) *Any person, institution or agency authorized by the Department to provide assessment, intervention, or administrative services under the Act shall, in the good faith performance of those services, have immunity from any civil, criminal or other liability in any civil, criminal, or other proceeding brought as a consequence of the performance of those services.*
- c) *For the purposes of any civil, criminal, or other proceeding, the good faith of any person required to report, permitted to report, or participating in an investigation of a report of alleged or suspected abuse, neglect, ~~or~~ financial exploitation or self-neglect shall be presumed.* [320 ILCS 20/4(b)]
- d) *The Department on Aging and its employees and agents shall have immunity, except for intentional willful and wanton misconduct, from any liability, civil,*

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*criminal, or otherwise, for reporting information to and maintaining the Adult Protective Service Registry established under Section 7.5 of the Act. [320 ILCS 20/7.5(k)]*

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.240 Intake of Abuse, Neglect, and Financial Exploitation ~~ANE~~ Reports**

- a) The following agencies and hotlines are authorized to receive ANE reports:
- 1) the Department on Aging's toll-free 24-hour Adult Protective Services Hotline;
  - 2) the~~Illinois~~ Department on Aging's Senior HelpLine; ~~2) "After Hours" Line;~~
  - 3) regional~~Regional~~ administrative agencies; and
  - 4) APSElder abuse provider agencies.
- b) An APS~~Elder abuse~~ provider agency receiving a report of ANE shall assign a priority to the report in accordance with the following:
- 1) Priority one reports are reports of abuse or neglect in which~~where~~ the alleged victim~~elder person~~ is reported as being~~alleged to be~~ in serious physical harm or in immediate danger of death or serious physical harm. Priority one reports include, but are not limited to, the following:
    - A) physical abuse such as fractures, head injuries, internal injuries, or burns, when the injury is of a serious nature, such as to require medical treatment;
    - B) threats of serious injury or death;
    - C) lack of basic physical necessities severe enough to result in freezing, serious heat stress or starvation;
    - D) immediate medical attention is needed to treat conditions that could result in irreversible physical damages such as

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- unconsciousness, acute pain, or severe respiratory distress;
- E) alleged sexual abuse that has occurred in the last 72 hours;
- F) threats of sexual abuse where the alleged abuser has access to the alleged victim; and
- G) punishment by the alleged abuser, such as locking the alleged victim in the closet.
- 2) Priority two reports are reports of abuse, neglect or financial exploitation in which the alleged victim~~alleging that an older person~~ is reported as being abused, neglected or exploited and the report taker has reason to believe that the consequences are less serious than priority one reports. Priority two reports include, but are not limited to, the following:
- A) physical abuse involving scratches or bruises;
- B) inadequate attention to physical needs such as insufficient food or medicine;
- C) unreasonable confinement; and
- D) probability of liquidation or depletion of an alleged victim's income and assets.
- 3) Priority three reports are reports of abuse, neglect or financial exploitation in which the alleged victim~~alleging that an older person~~ is reported as being emotionally abused by a caregiver or the alleged victim's~~older person's~~ financial resources are being misused or withheld and the report taker has reason to believe that there is no immediate threat of harm to the alleged victim.
- c) If a report includes allegations or conditions of more than one priority, the report taker~~agency~~ that has received the report assigns it to the higher priority.
- d) An agency that is not an APS~~elder abuse~~ provider agency shall forward the reports of ANE~~report~~ to the appropriate APS~~elder abuse~~ provider agency within two hours~~the required time frame~~.

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- e) The ~~APSElder abuse~~ provider agency is directed to respond to reports of ANE within required time frames, including making a good faith attempt to conduct a face-to-face visit with the alleged victim.
- f) The required time frames for each priority are: for "priority one" reports, 24 hours from the receipt of the report; "priority two" reports, 72 hours from the receipt of the report; and for "priority three" reports, seven calendar days from the receipt of the report.
- g) The following exceptions shall apply and extend the time frames specified by that priority:
  - 1) The alleged victim of the "priority one" report has been admitted to the hospital, in which case the required response time for a face-to-face visit is extended from 24 hours to the following work day.
  - 2) The report is a "priority two" or "priority three" report, the ~~APSElder abuse~~ case worker is likely to be in danger, and a police officer or ~~another~~ appropriate ~~individual~~ is called to investigate or escort the worker. An ~~"appropriate other"~~ escort may be, but is not limited to, a mental health professional, health professional, or significant relative. The required response time for a face-to-face visit is then extended until such a time as the police officer or ~~"appropriate escort"~~ is available, not to exceed three days beyond the required response time established for the priority.
  - 3) The ~~alleged victim~~ does not wish or consent to a face-to-face visit within the time frame.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.241 Reporting a Suspicious Death**

- a) When a report taker receives a report of a suspicious death, he or she shall promptly forward the report to the appropriate APS provider agency. The APS provider agency shall then immediately report the matter to both the appropriate law enforcement agency and the coroner or medical examiner.

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- b) Between 30 and 45 days after reporting a suspicious death, the APS provider agency again shall contact the law enforcement agency and coroner or medical examiner to determine whether any further action was taken.
- 1) Upon request by an APS provider agency, a law enforcement agency and coroner or medical examiner shall supply a summary of its action in response to a reported death of an alleged victim.
  - 2) A copy of the report shall be maintained and all subsequent follow-up with the law enforcement agency and coroner or medical examiner shall be documented in the case record of the alleged victim.
  - 3) If the law enforcement agency, coroner, or medical examiner determines the reported death was caused by abuse or neglect by a caregiver, the law enforcement agency, coroner, or medical examiner shall inform the Department, and the Department shall report the caregiver's identity on the Adult Protective Service Registry as described in Section 7.5 of this Act. [320 ILCS 20/3(c-5)]

(Source: Added at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.245 Access to Alleged Victims and Relevant Records~~Eligible Adults~~**

- a) The designated APS provider agencies shall have access to alleged victims~~eligible adults~~ who ~~are~~~~have been~~ reported ~~or found~~ to be victims of abuse, neglect, or financial exploitation in order to assess the validity of the report, assess other needs of the alleged victim~~eligible adult~~, and provide services in accordance with the Act. [320 ILCS 20/13(a)]
- 1) A representative of the Department or a designated APS provider agency that is actively involved in an abuse, neglect, financial exploitation, or self-neglect investigation under the Act shall be allowed access to the financial records, mental and physical health records, and other relevant evaluative records of the eligible adult that are in the possession of any individual, financial institution, health care provider, mental health provider, educational facility, or other facility if necessary to complete the investigation mandated by the Act.
  - 2) The provider or facility shall provide these records to the representative

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upon receipt of a written request and certification from the Department or designated APS provider agency that an investigation is being conducted under the Act and the records are pertinent to the investigation.

- 3) Any records received by the representative, the confidentiality of which is protected by another law or rule, shall be maintained as confidential, except that the records may be used as necessary for any administrative or legal proceeding.
- b) When the case worker is unable to access the alleged victim due to interference by another, the case worker shall seek the assistance of law enforcement. If the report is a "priority one", the ~~APSElder abuse~~ case worker shall immediately seek police assistance in accessing the alleged victim. If the report is a "priority two" or a "priority three", ~~then the APSElder abuse~~ case worker will make at least one additional attempt, and up to four additional attempts, to gain access to the residence prior to seeking police assistance.
- c) ~~When~~*Where* access to an eligible adult is denied, including the refusal to provide requested records, the Office of the Attorney General, the Department, or the ~~APS~~ provider agency may petition the court for an order to require appropriate access where:
- 1) *a caregiver or third party has interfered with the assessment or service plan, or*
  - 2) *the agency has reason to believe that the eligible adult is denying access because of coercion, extortion, or justifiable fear of future abuse, neglect, or financial exploitation. [320 ILCS 20/13(b)]*
- d) If the initial face-to-face visit indicates that the alleged victim does not meet the eligibility~~age~~ criterion for the program, the ~~APSElder abuse~~ provider agency will terminate the assessment, document this finding in the case record, and refer the person to other appropriate services or agencies.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.250 Minimum Assessment and Classification Standards**

- a) An APSA provider agency designated to receive reports of alleged or suspected

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*abuse, neglect, or financial exploitation under the Act shall, ~~upon receiving such a report,~~ conduct a face-to-face assessment with respect to such report. The assessment shall include, but not be limited to, a visit to the residence of the ~~alleged victim~~eligible adult who is the subject of the report and may include interviews or consultation with service agencies or individuals who may have knowledge of the ~~alleged victim's~~eligible adult's circumstances. [320 ILCS 20/5(a)]*

- b) A decision on the merits of each report must be made according to the following:
- 1) Verified: When there is clear and convincing evidence resulting in a determination that the specific injury or harm alleged was the result of abuse, neglect, or financial exploitation.
  - 2) Some Indication: When there is a fair preponderance of evidence that suggests some indication of abuse, neglect, or financial exploitation has occurredexists.
  - 3) No Indication: When there is a lack of credible evidence indicating that abuse, neglect, or financial exploitation has occurredexists.
  - 4) Unable to Verify: This determination is used when the report does not meet the eligibility criteria of the program, the APSelder abuse provider agency is unable to locate the alleged victim, the APSelder abuse provider agency staff has been unable to gain access to the alleged victim, or the alleged victim refuses the assessment.
- c) Each report must be either substantiated, unsubstantiated, or unable to substantiate, as follows:
- 1) Substantiated: When one or more of the alleged types of ANE was classified as either "verified" or "some indication".
  - 2) Unsubstantiated: When all of the alleged types of ANE were determined to lack credible evidence that indicated abuse, neglect, or financial exploitation.
  - 3) Unable to substantiate: When the APS provider agency lacked jurisdiction; was unable to locate the alleged victim; was unable to access

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the alleged victim; the alleged victim was ineligible for services; the alleged victim refused to cooperate; or the alleged victim was deceased.

- d) If, after the assessment, the APS provider agency determines that the case is substantiated and the victim has consented to services, it shall develop a service care plan for the eligible adult.
- e) The APSElder abuse provider agency shall prepare~~establish~~ a confidential case record to document each report of abuse, neglect, or financial exploitation, to include the following information where available and when applicable to the case:
- 1) essential client information, such as name, address, age, and phone number;
  - 2) descriptions of the reported, suspected or alleged abuse, neglect, or financial exploitation;
  - 3) investigative reports;
  - 4) injury location charts;
  - 5) records of financial transactions;
  - 6) summaries of conversations and communications with the eligible adult, the alleged or suspected abuser, and other sources of information;
  - 7) information relating to the mental competency of the eligible adult;
  - 8) information on the assessment of the eligible adult, including medical or psychiatric reports;
  - 9) summaries of the substantiation decision;
  - 10) summaries of services or interventions offered or arranged; ~~and~~
  - 11) reports on the termination, resolution or closure of the case;
  - 12) referrals to law enforcement, coroners or medical examiners;

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- 13) notification to probate court of a substantiated finding of abuse, neglect or financial exploitation by a guardian; and
- 14) suspicious death reports and any follow-up documentation.
- f) An APS provider agency shall prepare a final investigative report, upon the completion or closure of an investigation, in all cases of reported abuse, neglect or financial exploitation of an eligible adult, whether or not there is a substantiated finding.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.255 Abuse, Neglect and Financial Exploitation~~ANE~~ Case Work, Follow-Up, Referrals~~Referral to Law Enforcement~~ and Case Closure**

- a) Case Work
  - APS provider~~Provider~~ agencies shall assist, to the extent possible, eligible adults who need agency services to allow them to continue to function independently. [320 ILCS 20/3(c)]
  - 1) If, after the assessment, the APS provider agency determines that the case is substantiated, it shall develop a caseservice care plan for the eligible adult, ~~when~~where he or she~~the adult~~ consents to services.
    - A) In developing a case plan, the APS provider agency may consult with any other appropriate professional and/or provider of services, such as advocacy, care coordination, counseling, education, emergency aid, financial, housing, law enforcement, legal, long term care, managed care, medical, nutrition, personal assistance, relocation, respite, social supports through charitable and community assistance, disability agencies, private means, or public benefit programs to meet identified needs for the purpose of stabilizing the abusive situation and reducing the risk of further harm, and such professionals and/or providers shall be immune from civil or criminal liability on account of those acts. [320 ILCS 20/5(a)]

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- B) *The case plan shall include alternative suggested or recommended services that are appropriate to the needs of the eligible adult and that involve the least restriction of the eligible adult's activities commensurate with his or her needs. [320 ILCS 20/5(a)]*
- i) *The case worker shall use his or her professional judgment in advocating in the best interest, safety and welfare of the eligible adult.*
- ii) *The eligible adult's interest in living in the most independent setting with the least restrictive alternatives for legal, medical and social services come before those of any other family or community members.*
- iii) *The case worker shall involve the eligible adult, and his or her family members for support, if possible, in the development of the intervention, and explain, in a direct manner, the situation, the range of available options for services, and the consequences of failing to cooperate or refusing to accept services, so the eligible adult can exercise his or her maximum decision-making ability.*
- C) *The APS provider agencies shall establish working relationships with disability agencies for purposes of mutual training, referral and service response.*
- 2) *Only those services to which consent is given in accordance with Section 9 of the Act shall be provided, contingent upon the availability of those services. [320 ILCS 20/5(a)]*
- b) Follow-up  
*All services provided to an eligible adult shall be reviewed by the APS provider agency on at least a quarterly basis for up to one year to determine whether the service care plan should be continued or modified, except that, upon review, the Department may grant a waiver to extend the service care plan for up to one additional year. [320 ILCS 20/7]*
- c) Referral  
*An APSA provider agency shall refer evidence of crimes against an eligible adult*

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*to the appropriate law enforcement agency according to Department policies. A referral to law enforcement may be made at intake or any time during the case.*  
~~*Where a provider agency has reason to believe the death of an eligible adult may be the result of abuse or neglect, the agency shall immediately report the matter to the coroner or medical examiner and shall cooperate fully with any subsequent investigation.*~~ [320 ILCS 20/5(b)]

- d) The "evidence of crimes" referred to in subsection (c) includes:
- 1) death that may have been the result of abuse or neglect;
  - 2) brain damage;
  - 3) loss or substantial impairment of a bodily function or organ;
  - 4) bone fracture;
  - 5) extensive burns;
  - 6) substantial disfigurement;
  - 7) sexual assault or aggravated sexual assault;
  - 8) serious bodily injury as the result of a pattern of repetitive actions;
  - 9) extensive swelling or bruising, depending on such factors as the eligible adult's physical condition, circumstances under which the injury occurred, and the number and location of bruises;
  - 10) serious symptoms resulting from the use of medications or chemical restraints, or the withholding of life sustaining medications (e.g., insulin);
  - 11) evidence of severe neglect, such as unreasonable decubiti;
  - 12) other activity that would place the eligible adult in imminent danger of death or serious bodily injury; or
  - 13) any felonious criminal activity directed at the eligible adult that the case worker directly observes.

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- e) When an APS provider agency has reason to believe that the death of an eligible adult that occurs during the course of assessment, case work, or follow-up may be the result of abuse or neglect, the agency shall promptly report the matter to both the appropriate law enforcement agency and coroner or medical examiner and make subsequent contact with them in accordance with the timeframes set forth in Section 270.241(b). [320 ILCS 20/3(c-5)]
- f) Upon request by an APS provider agency, law enforcement agencies, coroners and medical examiners shall supply a summary of their action in response to a reported death of an eligible adult. The APS provider agency shall maintain a copy of the reports, and all follow-up with law enforcement, coroners and medical examiners shall be documented in the case record of the eligible adult.
- g) In all cases in which there is a substantiated finding of abuse, neglect or financial exploitation by a guardian, the APS provider agency shall, within 30 days after the finding, notify the probate court with jurisdiction over the guardianship.
- h) Case Closure  
An ~~APSelder abuse~~ provider agency shall close a case when:
- 1) the alleged victim refuses services;
  - 2) the alleged victim is deceased, unless the death was the apparent result of the ANE, subject to cooperation under subsection (c);
  - 3) the alleged victim has entered a long term care facility and resided there for 60 days; provided the Department may waive the 60 day limitation in cases in which~~where~~ the APS provider agency submits evidence that ~~thesue~~a waiver is necessary to protect the safety and well being of the client;
  - 4) the alleged victim has moved out of the area; provided, if the alleged victim remains at risk and the ~~APSelder abuse~~ provider agency is aware of the new location, the APS provider agency shall refer the case to the ~~APSelder abuse~~ provider agency in the location of the new residence for case work and follow-up services;
  - 5) the victim is no longer at risk of ANE;

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- 6) the victim has received "uninterrupted" follow-up services for 12 months, which shall be considered an "administrative closure";~~or~~
- 7) the report is not substantiated;or
- 8) the alleged victim is determined to be ineligible for services.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.260 Authority to Consent ~~to Services~~ and Court Petitions**

- a) The APS provider agency shall conduct an initial interview of the alleged victim to determine:
  - 1) the level of risk to the alleged victim;
  - 2) the need for early intervention services in order to assure safety and welfare or otherwise reduce risk to the alleged victim; and
  - 3) the alleged victim's decisional capacity to consent to an assessment and/or services.
- b) If it reasonably appears to the APS provider agency at the initial interview that the alleged victim has decisional capacity, the APS provider agency will conduct an assessment of the reported incident of suspected abuse, neglect, financial exploitation or self-neglect in accordance with Section 270.250, put Early Intervention Services in place as needed under Section 270.265, and provide other services as appropriate in completing case work, follow-up, referral to law enforcement, and case closure under Section 270.255.
  - 1) *If the alleged victim~~an eligible adult~~ consents to services being provided according to the ~~case~~service care plan, such services shall be arranged to meet the adult's needs, based upon the availability of resources to provide such services.*
  - 2) *If an adult withdraws his or her consent for an assessment of the reported incident or withdraws his or her consent for services and~~or~~ refuses to accept such services, the services shall not be provided. [320 ILCS*

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20/9(a)]

- c) An alleged victim "lacks the capacity to consent" if qualified staff of an agency designated under the Act reasonably determine, that he or she appears either unable to receive and evaluate information related to the assessment or services or unable to communicate in any manner decisions related to the assessment of the reported incident or services. [320 ILCS 20/9(d-5)]
- d) If it reasonably appears to the APS provider agency at the initial interview that the alleged victim lacks decisional capacity, and there is no threat of ongoing harm or another emergency that exists, the APS provider agency will continue to intervene in order to determine if the alleged victim has a guardian or agent under an advance directive with authority to act on his or her behalf for consenting to an assessment and/or services.
- 1) Upon consent by the guardian or agent under an advance directive, services will be provided according to the case plan and shall be arranged to meet the alleged victim's needs, based upon the availability of resources to provide those services.
- 2) If the alleged victim either does not have a guardian or agent or the guardian or agent lacks authority to act, the APS provider agency shall have authority to:
- A) contact an immediate family member, other relative, close personal friend of the alleged victim, or other person identified by the alleged victim as being involved with his or her care, to petition the court for that individual's appointment as a guardian in accordance with Article XIa of the Probate Act of 1975 [755 ILCS 5/Art. XIa] for the purpose of consenting to an assessment of the reported incident and services, together with an order for an evaluation of the alleged victim's decisional capacity and his or her physical, psychological, and medical condition; or
- B) seek the appointment of a temporary guardian as provided in Article XIa of the Probate Act of 1975 for the purpose of consenting to an assessment of the reported incident and services, together with an order for an evaluation of the alleged victim's

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decisional capacity and his or her physical, psychological and medical condition. [320 ILCS 20/9(b)]

- 3b) ~~If it reasonably appears to the Department or other agency designated under the Act that a person is an eligible adult and lacks the capacity to consent to necessary services, including an assessment, the Department or other agency may seek the appointment of a guardian as provided in Article XIa of the Probate Act of 1975 [755 ILCS 5/Art. XIa] for the purpose of consenting to such services. [320 ILCS 20/9(b)]~~ If the APS Department or elder abuse provider agency seeks the appointment of a guardian pursuant to Article XIa of the Probate Act of 1975, the APS Department or elder abuse provider agency, through its attorney, shall notify the nearest relatives of the disabled person not less than 14 days prior to the scheduled hearing, as provided by Sections 11a-8 and 11a-10(f) of the Probate Act of 1975.
- 4e) ~~A guardian of the person of an eligible adult may consent to services being provided according to the service care plan. If a guardian or agent is the suspected abuser and he or she withdraws his or her consent for the assessment of the reported incident, or refuses to allow services to be provided to the alleged victim eligible adult, the APS provider Department, an agency designated under the Act, or the Office of the Attorney General may request a court order seeking appropriate remedies, and may, in addition request removal of the guardian and appointment of a successor guardian or request removal of the agent and appointment of a guardian. [320 ILCS 20/9(c)]~~
- e) If it reasonably appears to the APS provider agency at the initial interview that the alleged victim lacks decisional capacity, and there is ongoing harm, a threat of ongoing harm or another~~If an emergency that exists, and the Department or other agency designated under the Act reasonably believes that a person is an eligible adult and lacks the capacity to consent to necessary services, the APS provider Department or other agency may:~~
- 1) take appropriate action necessary to ameliorate the risk by consulting with any other appropriate professional and/or provider of services, through charitable and community assistance, disability agencies, private means, or public benefit programs, to meet identified needs, stabilize the abusive situation and reduce the risk of further harm, such as:

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- A) seeking assistance of law enforcement to gain access to the alleged victim;
- B) obtaining emergency medical care;
- C) petitioning for Orders of Protection, Restraining Orders, or orders freezing assets;
- D) purchasing early intervention services under Section 270.265; and
- E) applying for appointment of a representative payee; and/or
- 2) *request an ex parte order from the circuit court of the county in which the petitioner or respondent resides or in which the alleged abuse, neglect, ~~or~~ financial exploitation or self-neglect occurred, authorizing an assessment of a report of alleged or suspected abuse, neglect, ~~or~~ financial exploitation or self-neglect or the provision of necessary services, or both, including relief available under the Illinois Domestic Violence Act of 1986 [750 ILCS 60]. [320 ILCS 20/9(d)]*
- f) *Within 15 days after the entry of the ex parte emergency order, the order shall expire, or, if the need for assessment of the reported incident or services continues, the APS provider agency shall petition for the appointment of a guardian as provided in Article XIa of the Probate Act of 1975 for the purpose of consenting to such assessment or services or to protect the alleged victimeligible adult from further harm. [320 ILCS 20/9(e)]*
- g) *In accordance with subsections (d) and (e), ~~if~~ the APS ~~elder abuse~~ provider agency has substantiated financial exploitation against an alleged victimeligible adult, and has documented a reasonable belief that the alleged victimeligible adult will be irreparably harmed as a result of the financial exploitation, the Office of the Attorney General, ~~the Department~~, or the APS provider agency may petition for an order freezing the assets of the alleged victimeligible adult. The petition shall be filed in the county or counties in which the assets are located. [320 ILCS 20/13(d)]*

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

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**Section 270.265 EarlyEmergency Intervention Services**

- a) ~~The Department shall establish a fund for elder abuse clients to be called the Emergency Intervention Services fund. Eligibility criteria to receive Emergency Intervention Services funds are as follows:~~
- ~~1) that there be an imminent threat to the health, welfare and/or safety of the client if the service is not available; and~~
  - ~~2) community services/resources for which the client is eligible cannot be mobilized in a timely manner or are insufficient to protect the client's health, welfare and/or safety; and~~
  - ~~3) client resources are insufficient or unavailable to purchase needed services falling under the Emergency Intervention Services categories.~~
- b) Services that may be purchased by the APS~~elder abuse~~ provider agency for eligible adults include emergency aid, respite care, legal assistance, housing and relocation services, or other services designed to protect the health, welfare and/or safety of the eligible adult.
- be) The Department shall establish a maximum amount available to a victim in~~within~~ each year he or she receives services. The Department shall also establish procedures whereby the regional administrative agency and the Department may allow for additional expenditures of such funds as are necessary to obtain emergency or essential services to protect the client.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.270 Multi-disciplinary Teams**

- a) Every APS~~elder abuse~~ provider agency (~~EAPA~~) that has more than 7,200 potential eligible adults~~persons 60 years of age and older~~ in its~~their~~ designated service area shall develop and maintain a multi-disciplinary team (M-Team).
- b) The M-Team shall act in an advisory role to the APS~~elder abuse~~ provider agency for the purpose of providing professional knowledge and expertise in the handling of complex elder~~elder~~ abuse cases.

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- c) Each M-Team shall consist of one volunteer representative each from the following professions: banking or finance; disability care; health care; law; law enforcement; mental health care; and clergy. The APS provider agency~~EAPA~~ may choose to add representatives from the fields of substance abuse, domestic violence, sexual assault, or other related fields.
- d) The M-Team shall meet a minimum of eight times a year.
- e) Each M-Team member shall sign a confidentiality agreement not to release any ~~elder abuse~~ client information.
- f) The APS provider agency~~EAPA~~ shall have written procedures for recruiting M-Team members; for preparing and conducting M-Team meetings; and for financial management of M-Teams.
- g) The Department shall provide funding to APS provider agencies contingent upon adequate funding~~EAPAs~~ to support the cost of staff time, mailings, meeting space and other costs related to M-Team meetings. M-Team members shall not be reimbursed for their services.
- h) Law enforcement agencies, coroners and medical examiners shall supply records to M-Teams as may be requested in particular cases.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.275 Confidentiality and Disclosure**

- a) The Adult Protective Services~~Elder Abuse and Neglect~~ Act provides that the identity of any person making a report of alleged or suspected ~~elder~~ abuse, neglect, or financial exploitation may be disclosed only with that person's written consent or by court order.
- b) *All records concerning reports of ~~elder~~ abuse, neglect, ~~or~~ financial exploitation or self-neglect and all records generated as a result of ~~those~~~~such~~ reports, including, but not limited to, referrals and intervention services, shall be confidential and shall not be disclosed or subject to subpoena except as specifically authorized by the Act or other applicable law and only after a case is closed [320 ILCS 20/8].*

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- c) These confidential records are exempt from inspection and copying under the Freedom of Information Act [5 ILCS 140/7.5(y)].
- d) *Access to such records, but not access to the identity of the person or persons making a report of alleged abuse, neglect, ~~or~~ financial exploitation or self-neglect as contained in such records, shall be allowed to the following persons and for the following persons:*
- 1) *Department staff, APS provider agency staff, other aging network staff, and regional administrative agency staff in the furtherance of their responsibilities under the Act;*
  - 2) *A law enforcement agency, fire department agency or fire protection district investigating a known or suspected case of ~~elder~~ abuse, neglect, ~~or~~ financial exploitation or self-neglect. ~~When~~Where an APS provider agency has reason to believe that the death of an eligible adult may be the result of abuse or neglect, including any reports made after death, the agency shall immediately provide the appropriate law enforcement agency with all records pertaining to the eligible adult;*
  - 3) *A physician who has before him or her or who is involved in the treatment of an eligible adult whom he or she reasonably suspects may be abused, neglected, ~~or~~ financially exploited or self-neglected or who has been referred to the Adult Protective Services~~Elder Abuse and Neglect~~ Program;*
  - 4) *An eligible adult reported to be abused, neglected, ~~or~~ financially exploited, or self-neglected who completes an authorization for release of records or to that~~such~~ adult's legal~~authorized~~ guardian or agent who has current authority to act on behalf of the eligible adult when access to those records is relevant to representing the interests of the eligible adult, and a complete authorization for release of records is submitted, unless the guardian or agent is the substantiated abuser or is the alleged abuser in an open case;*
  - 5) *An executor or administrator of the estate of an eligible adult who is deceased when relevant to administration of the estate and a complete authorization for release of records is submitted;*

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- 6) *A court or a guardian ad litem, upon its or his or her written finding that access to such records may be necessary for the determination of an issue before ~~the~~ court. However, such access shall be limited to an in camera inspection of the records, unless the court determines, following the in camera inspection, that disclosure of the information contained in the records is necessary for the resolution of an issue then pending before it;*
- 7) *In cases regarding self-neglect, a guardian ad litem;*
- 87) *A grand jury, upon its determination that access to such records is necessary for conduct of its official business;*
- 98) *Any person authorized by the Director, in writing, for audit, program monitoring or bona fide research purposes;*
- 109) *A coroner or medical examiner who has reason to believe that an eligible adult has died as the result of abuse, neglect, or financial exploitation. The APS provider agency shall immediately provide the coroner or medical examiner with all records pertaining to the eligible adult;*
- 1140) *A coroner or medical examiner having proper jurisdiction, pursuant to a written agreement between an APS provider agency and the coroner or medical examiner, under which the APS provider agency may furnish to the office of the coroner or medical examiner a list of all eligible adults who may be at imminent risk of death as a result of abuse, neglect, ~~or~~ financial exploitation or self-neglect; ~~and~~*
- 1244) *Department of Financial and Professional Regulation staff and members of the Illinois Medical Disciplinary Board or the Social Work Examining and Disciplinary Board in the course of investigating alleged violations of the Clinical Social Work and Social Work Practice Act [225 ILCS 20] by APS provider agency staff or other licensing bodies at the discretion of the Director of the Department on Aging; ~~[320 ILCS 20/8];~~*
- 13) *Department of Healthcare and Family Services staff and its vendors when that Department is funding services to the eligible adult, including being given access to the identity of the eligible adult;*

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- 14) Department of Human Services staff and its vendors when that Department is funding services to the eligible adult or is providing reimbursement for services provided by the abuser or alleged abuser, including being given access to the identity of the eligible adult;
- 15) Hearing officers in the course of conducting an administrative hearing under the Act;
- 16) A caregiver who challenges placement on the Adult Protective Services Registry shall be given the statement of allegation in the abuse report and the substantiation decision in the final investigative report; and
- 17) The Illinois Guardianship and Advocacy Commission and the agency designated by the Governor under Section 1 of the Protection and Advocacy for Developmentally Disabled Persons Act [405 ILCS 40] shall have access, through the Department, to records, including the findings, pertaining to a completed or closed investigation of a report of suspected abuse, neglect, financial exploitation or self-neglect of an eligible adult. [320 ILCS 20/8]
- e) An authorization for release of records by the Department or the APS provider agencies must be legally sufficient and include:
- 1) supporting documentation of the agency or guardianship evidencing current authority and the extent of the authority to act on behalf of the eligible adult or his or her estate; and
  - 2) a sworn statement as to the purpose of the request and its relevance to representing the interests of the eligible adult or his or her estate.
- f) The release of records may be refused if evident that it is not in the best interest of the eligible adult.
- ge) All records must be maintained as confidential and stored in a designated and secure area within the APSElder abuse provider agency offices.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

SUBPART D: ADULT PROTECTIVE SERVICES~~ELDER ABUSE~~ VOLUNTEER CORPS

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**Section 270.280 Definitions**

**Activity Plan:** The document that describes and records the recruitment, selection, screening, training, appointment, assignment, supervision, and evaluation of the individual volunteer.

**Agreement:** The document signed by an authorized representative of the [APSElder abuse](#) provider agency and the volunteer in which the [APSElder abuse](#) provider agency appoints the volunteer as an agent and representative of the [Adult Protective ServicesElder Abuse and Neglect](#) Program and the volunteer accepts that appointment and the concomitant responsibilities. This agreement shall constitute the volunteer contract required by the State Employee Indemnification Act [5 ILCS 350].

**[APSElder abuse](#) provider agency:** An organization designated by the Department pursuant to Section 3 of the Act to provide services to eligible adults pursuant to that Act.

**Companion-type services:** Activities intended to assist the eligible adults served by the [APSElder abuse](#) provider agency, which may include, but are not limited to, visitations, assistance in transportation, and other personal assistance that does not involve medical, nursing or professional services.

**Public awareness:** Activities designed to educate and inform the public, which may include, but are not limited to, giving public presentations and speeches; participation in public informational fairs; representing the [APSElder abuse](#) provider agency with community, social service or senior advocacy groups; the creation or production of television or radio public service announcements; and the writing, editing or distribution of newspaper articles, magazine articles, press releases or information sheets.

**Regional Administrative Agency:** A public or private entity that has been designated by the Department pursuant to Section 3 of the Act.

**Volunteer:** An individual who has been appointed by the [APSElder abuse](#) provider agency to provide "public awareness services" to that agency or "companion-type services" to eligible adults in accordance with the [APSElder](#)

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~~abuse~~ provider agency's Volunteer Plan and the individual volunteer's Activity Plan.

Volunteer Plan: The document created by the ~~APSElder abuse~~ provider agency and approved by the Department that describes the procedure for the recruitment, selection, screening, training, appointment, assignment, supervision, and evaluation of volunteers.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.285 Selection and Screening**

- a) Each ~~APSElder abuse~~ provider agency utilizing volunteers to provide public awareness services to that agency or companion-type services to eligible adults under this Subpart shall create a Volunteer Plan, approved by the Department, to recruit, select, screen, train, appoint, assign, supervise and evaluate volunteers.
- b) The recruitment, selection, and screening of volunteer applicants shall be the responsibility of the ~~APSElder abuse~~ provider agency. Each volunteer applicant shall submit the required personal, professional and background information (see subsection (c)) on a form prescribed by the Department.
- c) The ~~APSElder abuse~~ provider agency shall conduct a screening of each volunteer applicant. This screening process may include, but is not limited to, personal interviews; reference checks; fingerprint checks; credit checks; medical and mental health checks; background checks; driving record checks; and reviews of professional disciplinary actions, criminal prosecutions, and police records.
- d) The purpose of the screening process is solely to determine the suitability of the volunteer applicant to serve as an appointed volunteer. The ~~APSElder abuse~~ provider agency shall not seek any personal information on a volunteer applicant beyond that which is necessary to complete the screening process. The screening process of the volunteer applicant shall be the same regardless of expected assignment of the individual volunteer.
- e) Each volunteer applicant shall be required to sign an authorization for the release of the information the ~~APSElder abuse~~ provider agency has determined to be necessary to complete the screening process. All such information gathered in the

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course of the background checks and reviews of volunteer candidates shall be held in the strictest confidence permitted by law.

- f) Upon the completion of the screening process, the [APSelder-abuse](#) provider agency shall notify the volunteer applicant whether he or she will be designated as a volunteer. The [APSelder-abuse](#) provider agency shall also inform those volunteer applicants who are not so selected of the basis for the decision. The decision of the [APSelder-abuse](#) provider agency is final.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.290 Training**

- a) The training of volunteers is the responsibility of the [APSelder-abuse](#) provider agency, and shall be done according to the Volunteer Plan. Prior to being assigned any responsibilities, the volunteer must have satisfactorily completed an initial course of training of not less than six hours.
- b) The initial volunteer training shall include materials on program procedures, [APSelder-abuse](#) provider agency organization, types of ~~elder~~ abuse and neglect, confidentiality, safety procedures, the dynamics of client interaction, and additional subjects as each [APSelder-abuse](#) provider agency deems necessary.
- c) Each volunteer shall take the advanced training deemed appropriate and necessary by the [APSelder-abuse](#) provider agency to undertake the activities to which the volunteer will be assigned.
- d) The initial volunteer training shall be repeated for classes of new volunteers as needed.
- e) As a part of the Volunteer Plan, the [APSelder-abuse](#) provider agency shall maintain copies of past and current training agendas.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.295 Volunteer Agreement and Volunteer Responsibilities**

Each volunteer, upon being appointed, and prior to entering into his or her assigned activities, shall sign a volunteer agreement with the [APSelder-abuse](#) provider agency. The agreement shall

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have been approved by the Department, and shall include the name and contact information for the volunteer, the number of hours per week or month that the volunteer anticipates serving, a statement of the general activities to which the volunteer will be assigned, and the following stipulations by the volunteer:

- a) the volunteer agrees to maintain confidentiality as required by the Act, the standards of the [Adult Protective ServicesElder Abuse and Neglect](#) Program, and the policies of the [APSElder-abuse](#) provider agency, during and after the period of volunteer service;
- b) the volunteer acknowledges and accepts the responsibilities of being a mandated reporter for abuse of older adults, persons with disabilities, and children;
- c) the volunteer agrees to inform the [APSElder-abuse](#) provider agency, in writing, of the existence of any apparent conflict of interest, including a preexisting personal or professional relationship with any client of the program to whom the volunteer might be assigned;
- d) the volunteer agrees to maintain the appropriate driver's license and statutorily required insurance coverage if the volunteer is to be acting as a driver for eligible adults; and
- e) the volunteer agrees to abide by all statutory law, administrative rules, Departmental policies, and [APSElder-abuse](#) provider agency policies that apply to and govern the [APSElder-abuse](#) provider agency.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

**Section 270.300 Activities and Supervision**

- a) The [APSElder-abuse](#) provider agency shall assign volunteers and provide supervision of each volunteer according to the Volunteer Plan. Each volunteer shall have an individualized Activity Plan, which shall include a job description of the specific assignment of the volunteer.
- b) A copy of the Activity Plan for each volunteer shall be maintained in the records of the [APSElder-abuse](#) provider agency.

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- c) Each individualized Activity Plan shall include a record of all the training, assignments, activities, supervision, and evaluations of the volunteer.
- d) The Volunteer Plan shall be available for inspection and copying by law enforcement agencies, the Regional Administrative Agency, and the Department on Aging.
- e) The individual Activity Plans shall be available for inspection and copying by law enforcement agencies in the course of conducting a criminal investigation, and by the Department and appropriate Regional Administrative Agency (with redactions of identifying client information as necessary to maintain confidentiality) for monitoring and supervisory purposes.

(Source: Amended at 39 Ill. Reg. 2156, effective January 23, 2015)

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- 1) Heading of the Part: Access to Information of the State Board of Education under the Freedom of Information Act
- 2) Code Citation: 2 Ill. Adm. Code 5001
- 3) 

<u>Section Numbers</u> :	<u>Adopted Action</u> :
5001.210	Amendment
5001.300	Amendment
5001.510	Amendment
- 4) Statutory Authority: 5 ILCS 140/3(h) and 5 ILCS 100/5-15
- 5) Effective Date of Rule: January 21, 2015
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: Prior publication of an internal rule in the *Illinois Register* is not subject to Section 5-35 of the IAPA.
- 10) Has JCAR issued a Statement of Objection to this rulemaking? Since this rulemaking is not subject to Section 5-35 of the IAPA, it is not subject to prior review by the Joint Committee on Administrative Rules (JCAR).
- 11) Differences between Proposal and Final Version: Since this rulemaking is not subject to Section 5-35, it is not subject to First Notice review nor Second Notice review by JCAR.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Since this rulemaking is not subject to Section 5-35, it is not subject to Second Notice review by JCAR.
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? No

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15) Summary and Purpose of the Rulemaking: PA 98-1129, effective December 3, 2014, made several changes in the Illinois Freedom of Information Act (FOIA) that affect the agency's rules governing FOIA requests. The proposed changes will align the rules to FOIA, acknowledging the special consideration afforded to requests that are considered to be "voluminous" under new Section 3.6 of FOIA (see Section 5001.300). The rules also recognize the responsibility of the agency under new Section 8.5 of FOIA to provide records that it has posted online, if the person requesting the records is unable to access them (see Section 5001.210).

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

Matt Vanover, Director of Public Information/Deputy Superintendent  
Illinois State Board of Education  
100 North First Street, S-404  
Springfield IL 62777

217/782-4648

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

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NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION  
SUBTITLE F: EDUCATIONAL AGENCIES  
CHAPTER I: STATE BOARD OF EDUCATION

PART 5001

ACCESS TO INFORMATION OF THE STATE BOARD OF EDUCATION  
UNDER THE FREEDOM OF INFORMATION ACT

SUBPART A: INTRODUCTION

- Section  
5001.100 Summary and Purpose  
5001.110 Definitions

SUBPART B: PROCEDURES FOR REQUESTING PUBLIC RECORDS

- Section  
5001.200 Office to Which Requests are Submitted  
5001.210 Form and Content of Requests

SUBPART C: PROCEDURES FOR AGENCY RESPONSE  
TO REQUESTS FOR PUBLIC RECORDS

- Section  
5001.300 Agency Response  
5001.310 Types of Responses (Repealed)

SUBPART D: PROCEDURES FOR APPEAL OF A DENIAL

- Section  
5001.400 Appeal of a Denial (Repealed)  
5001.410 Superintendent's Response to Appeal (Repealed)

SUBPART E: PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTERS

- Section  
5001.500 Inspection of Records  
5001.510 Copies of Public Records; Fees  
5001.520 General Materials Available from the Freedom of Information Office (Repealed)

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SUBPART F: ACCESS TO MATERIALS INCORPORATED  
BY REFERENCE IN ADMINISTRATIVE RULES

Section  
5001.600      Inspection of Materials

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

**SOURCE:** Adopted and codified at 8 Ill. Reg. 15443, effective August 8, 1984; amended at 17 Ill. Reg. 14913, effective September 2, 1993; amended at 29 Ill. Reg. 3900, effective February 22, 2005; amended at 29 Ill. Reg. 8503, effective June 2, 2005; amended at 35 Ill. Reg. 5407, effective March 17, 2011; amended at 39 Ill. Reg. 2213, effective January 21, 2015.

## SUBPART B: PROCEDURES FOR REQUESTING PUBLIC RECORDS

**Section 5001.210 Form and Content of Requests**

A request for public records shall provide the following information:

- a) The requester's full name, address and phone number, except that a requester who wishes to remain anonymous is not required to submit this information;
- b) A brief description of the public records sought, being as specific as possible;
- c) Whether the request is for inspection of public records, copies of public records, or both;
- d) The medium and format of the public records sought (i.e., paper, specific electronic medium); ~~and~~
- e) Whether the request is for a commercial purpose as defined in Section 3.1 of the FOIA; ~~and~~;
- f) Whether the request is a resubmission under Section 8.5 of the FOIA, to include an explanation of the requester's inability to access the record online.

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(Source: Amended at 39 Ill. Reg. 2213, effective January 21, 2015)

SUBPART C: PROCEDURES FOR AGENCY RESPONSE  
TO REQUESTS FOR PUBLIC RECORDS

**Section 5001.300 Agency Response**

- a) The Agency shall respond to a written request for public records within the timeline provided in Section ~~3.2~~ Section 3.1 or Section 3.6 of the FOIA, as applicable. The timeline shall begin on the day after the request is received by an Agency employee, regardless of whether the written request is submitted in accordance with the provisions of Section 5001.200(a) of this Part. The Agency may avail itself of all extensions of time and exceptions set forth in the FOIA.
- b) If the request is approved, then the Agency shall:
- 1) make available the records;
  - 2) give notice that the material shall be made available upon payment of any fees charged pursuant to Section 5001.510 of this Part;~~;~~
  - 3) give notice of the time and place for inspection of the materials requested;  
or;
  - 4) provide the website address where the records may be accessed.
- c) If the request is deemed "voluminous", as defined in Section 2(h) of the FOIA, then the Agency shall respond in a manner set forth in Section 3.6 of the FOIA.
- de) A written request from the Agency to the requester for additional information provided within the timelines specified in Section ~~3.2~~ Section 3.1 or Section 3.6 of the FOIA shall be considered a response to the FOIA request.
- ed) An individual or entity whose request for public records has been denied by the Agency may seek a review of that decision by the Public Access Counselor in accordance with the provisions of Section 9.5 of the FOIA.

(Source: Amended at 39 Ill. Reg. 2213, effective January 21, 2015)

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## SUBPART E: PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTERS

**Section 5001.510 Copies of Public Records; Fees**

- a) Copies of public records shall be provided to the requester only upon payment of any charges that are due.
- b) Charges for copies of public records shall be assessed in accordance with the "Fee Schedule for Duplication of Public Records," which shall be posted at <http://www.isbe.net/htmls/foia.htm>. Fees for "voluminous" records that are provided in an electronic format shall be as set forth in Section 6(a-5) of the FOIA.
- c) Charges shall be waived if the request is from a State agency, a constitutional officer, or a member of the General Assembly. Charges shall not be waived when the records are to be used for political campaign purposes. Charges may be waived where the Agency determines that the waiver serves the public interest.

(Source: Amended at 39 Ill. Reg. 2213, effective January 21, 2015)

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- 1) Heading of the Part: Voluntary Registration and Recognition of Nonpublic Schools
- 2) Code Citation: 23 Ill. Adm. Code 425
- 3) 

<u>Section Numbers:</u>	<u>Proposed Action:</u>
425.20	Amendment
425.30	Amendment
- 4) Statutory Authority: 105 ILCS 5/2-3.6 and 2-3.51.5
- 5) Effective Date of Rule: January 22, 2015
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: October 3, 2014; 38 Ill. Reg. 19502
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposed and Final Version: In response to public comment regarding our requirement that a nonpublic school show evidence of its not-for-profit status, Section 425.20(a)(3) was amended to remove the "certificate of good standing", since providing the certificate is potentially burdensome and unnecessary.
- 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 and no agreement letter was issued.
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? No
- 15) Summary and Purpose of the Rulemaking: Section 425.20(a)(3) was amended to address the increase in the number of nonpublic, for-profit schools that attempt to seek

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"registration" status through the State Board of Education. Schools will be required to provide the file number assigned to them by the Illinois Secretary of State.

In response to concerns expressed by representatives of recognized nonpublic schools that are privately funded, insertion of statutory language in Section 425.30(b) clarifies that only those nonpublic schools supported or maintained in whole or in part by public funds shall be required to recite the Pledge of Allegiance, which will bring the rules in line with the statutory requirement [105 ILCS 5/27-3].

Section 425.30(c)(2) removes requirements for new employees to undergo skin testing for tuberculosis and references the amended rules of the Illinois Department of Public Health that address control of tuberculosis (77 Ill. Adm. Code 696). Finally, Section 425.30(d)(5) has been amended to reflect changes to the School Safety Drill Act [105 ILCS 128] brought by passage of PA 98-663 in June 2014. Recognized nonpublic schools must hold an annual review for the purposes of updating each school's emergency and crisis response plans.

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

Melina Wright, Division Administrator  
Title Grant Administration Division  
Illinois State Board of Education  
100 West Randolph, Suite 14-300  
Chicago IL 60602

312/814-2804

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 1: NONPUBLIC ELEMENTARY AND SECONDARY SCHOOLS

## PART 425

## VOLUNTARY REGISTRATION AND RECOGNITION OF NONPUBLIC SCHOOLS

## Section

425.10	Purpose and Applicability
425.20	Requirements for Registration
425.30	Requirements for Recognition
425.40	Process for Initial Recognition
425.50	Renewal of Recognition
425.60	Changes in Recognition Status
425.70	Appeals
425.80	Block Grant Funds
425.90	Textbook Block Grant Program

**AUTHORITY:** Implementing Sections 2-3.25o, 2-3.51.5, 2-3.155 and authorized by Sections 2-3.6 and 2-3.51.5 of the School Code [105 ILCS 5/2-3.25o, 2-3.51.5, 2-3.155 and 2-3.6].

**SOURCE:** Adopted at 33 Ill. Reg. 17123, effective December 7, 2009; amended at 36 Ill. Reg. 2241, effective January 26, 2012; amended at 37 Ill. Reg. 9492, effective June 19, 2013; amended at 39 Ill. Reg. 2219, effective January 22, 2015.

**Section 425.20 Requirements for Registration**

- a) The State Superintendent of Education shall make available a form to be used for nonpublic schools' voluntary registration. A school's initial registration may occur at any time from October 1 through June 30 of the relevant school year. Initial registration of a school shall occur by means of a paper submission. Each paper registration form shall bear the signature of the school's chief administrative officer and must be received by the Illinois State Board of Education no later than June 25 for the school to be registered by June 30.
  - 1) Descriptive information that must be submitted shall include:

## STATE BOARD OF EDUCATION

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- A) the name of the school, its location and telephone number, its affiliation, and the name of the chief administrator;
  - B) data on the students enrolled, by race, ethnicity, and grade level; and
  - C) data on the staff employed in various capacities.
- 2) The chief administrator of each school shall provide assurances that:
- A) the school offers an academic term of at least 176 days of pupil attendance annually, with at least five clock hours of instruction daily or at least 880 clock hours of instruction annually;
  - B) the school *provides instruction in English*, except as otherwise permitted pursuant to Section 27-2 of the School Code [105 ILCS 5/27-2], *in the branches of education taught to children of corresponding age and grade in the public schools* ~~(Section 26-1 of the School Code [105 ILCS 5/26-1])~~, *including the language arts, mathematics, the biological, physical and social sciences, the fine arts, and physical development and health* ~~(Section 27-1 of the School Code [105 ILCS 5/27-1])~~;
  - C) the school requires the students who are enrolled to attend daily during the entire regular school term;
  - D) the physical facilities occupied by the school comply with the applicable local building code and fire safety requirements;
  - E) the school will require evidence that, and will furnish to the State Superintendent of Education the required reports regarding the extent to which, students have complied with the requirements of Section 27-8.1 of the School Code [105 ILCS 5/27-8.1] and the rules of the Illinois Department of Public Health at 77 Ill. Adm. Code 665 with respect to health examinations, immunizations, eye examinations, and dental examinations; and will cooperate in the implementation of the Child Vision and Hearing Test Act [410 ILCS 205] and the rules of the Illinois Department of Public

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Health at 77 Ill. Adm. Code 675 and 685 regarding hearing and vision screenings, respectively; and

- F) the school complies with applicable federal and State laws prohibiting discrimination, including, but not limited to, Title IX of the Education Amendments of 1972 (20 USC 1681 et seq.), the Individuals with Disabilities Education Improvement Act (20 USC 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 USC 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 USC 2000d et seq., 2000e et seq.), the Americans With Disabilities Act of 1990 (42 USC 12101 et seq.), the Illinois School Code [105 ILCS 5], and relevant case law, including Plyler v. Doe, 457 U.S. 202, 102 S. Ct. 2382 (1982).

3) The chief administrator of each school shall provide assurances that the school is a not-for-profit entity that is subject to the General Not For Profit Corporation Act of 1986 [805 ILCS 105] or incorporated as a not-for-profit entity in another state and authorized to do business in the State of Illinois pursuant to the Business Corporation Act of 1983 [805 ILCS 5]. The evidence provided shall consist of the file number assigned to the not-for-profit entity by the Illinois Secretary of State, Department of Business Services.

- b) Upon receipt of complete information for initial registration, including the required assurances, the State Superintendent shall assign a unique identifying number to the school. This number shall be evidence of completed registration and shall permit the school's chief administrator to apply for a user account affording access to the Illinois Web Application Security (IWAS) System, which the school may then use to exchange information with the State Superintendent of Education as relevant to its situation.
- c) The application for renewal of a school's registration in any subsequent year must be submitted no sooner than October 1 and no later than November 15 of that school year. Annual renewal of a school's registration shall be performed electronically and shall be submitted only by the chief administrator.
- d) The chief administrator of each school applying to renew its registration shall submit to the Illinois State Board of Education the same information and assurances required in subsection (a) ~~of this Section.~~

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(Source: Amended at 39 Ill. Reg. 2219, effective January 22, 2015)

**Section 425.30 Requirements for Recognition**

No nonpublic school shall apply for recognition unless it was registered for the previous school year, except that a school whose educational program is delivered via correspondence may seek recognition without registration, in acknowledgment of the fact that students participating in a school of this type do not gather in a physical location and thus the school does not provide assurances about ~~its~~~~their~~ compliance with requirements for health examinations, as required for registration under Section 2-3.25o(b) of the School Code. Recognition shall be granted only to schools that meet the requirements of this Section. A nonpublic school applying for recognition that has not applied for registration renewal by November 15 of the year in which the recognition application is submitted shall not be considered for recognition during the remainder of that school year.

## a) Administrative Requirements

- 1) Each school's recognition shall be contingent upon evidence of compliance with the administrative requirements that are made applicable to nonpublic schools by relevant statutes.
  - A) The school shall offer an academic term of at least 176 days of pupil attendance annually, with at least five clock hours of instruction daily or at least 880 clock hours of instruction annually.
  - B) The school shall require the students who are enrolled to attend daily during the entire regular school term.
  - C) The school shall comply with applicable federal and State laws prohibiting discrimination, including, but not limited to, Title IX of the Education Amendments of 1972 (20 USC 1681 et seq.), the Individuals with Disabilities Education Improvement Act (20 USC 1400 et seq.), the Age Discrimination in Employment Act of 1967 (29 USC 621 et seq.), Titles VI and VII of the Civil Rights Act of 1964 (42 USC 2000d et seq., 2000e et seq.), the Americans With Disabilities Act of 1990 (42 USC 12101 et seq.), the Illinois School Code [105 ILCS 5], and relevant case law, including Plyler v. Doe, 457 U.S. 202, 102 S. Ct. 2382 (1982).

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- D) The school shall comply with the requirements of Section 4 of the Abused and Neglected Child Reporting Act [325 ILCS 5/4], Section 5 of the Missing Children Records Act [325 ILCS 50/5], Section 5 of the Missing Children Registration Law [325 ILCS 55/5], and the rules of the State Board of Education promulgated pursuant to Section 2-3.13a of the School Code [105 ILCS 5/2-3.13a] (see 23 Ill. Adm. Code 375.75, ~~Public and Nonpublic Schools: Transmission of Records for Transfer Students~~).
  - E) The school shall comply with the requirements of the School Reporting of Drug Violations Act [105 ILCS 127].
  - F) The school shall comply with the requirements of Sections 10-27.1A and 10-27.1B of the School Code [105 ILCS 5/10-27.1A and 10-27.1B] regarding firearms and drug-related incidents in schools.
  - G) The school shall comply with the requirements of Section 10-21.7 of the School Code [105 ILCS 5/10-21.7] regarding the reporting of attacks on school personnel.
- 2) Recognition shall also be contingent upon evidence of compliance with the additional administrative requirements of this subsection (a)(2).
- A) The school shall maintain written descriptions of its governance structure and its policy-making procedure, shall maintain its policies in written form, and shall make its policies routinely available to parents of the students enrolled and to school staff, as well as to other individuals upon request.
  - B) The school shall maintain a written description of its methods for complying with the nondiscrimination requirements identified in subsection (a)(1)(C) ~~of this Section~~.
- b) Educational Program  
Each school's recognition shall be contingent upon evidence of compliance with the programmatic requirements that are made applicable to nonpublic schools by relevant statutes.

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- 1) *Instruction shall be provided in English, except as otherwise permitted pursuant to Section 27-2 of the School Code ~~[105 ILCS 5/27-2]~~, in the branches of education taught to children of corresponding age and grade in the public schools (Section 26-1 of the School Code), including the language arts, mathematics, the biological, physical and social sciences, the fine arts, and physical development and health (Section 27-1 of the School Code).*
  - 2) Each school shall provide instruction in American patriotism, the principles of representative government, as enunciated in the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois, and the proper use and display of the American flag. The, and shall require pupils to recite the Pledge of Allegiance shall be recited daily in nonpublic schools supported or maintained in whole or in part by public funds. (Sections 27-3 and 27-4 of the School Code ~~[105 ILCS 5/27-3 and 27-4]~~) *Not less than one hour per week shall be devoted to the study of this subject matter in the seventh and eighth grades or their equivalent and in all high school grades. No student shall receive a certificate of graduation from the eighth grade or from high school without passing an examination on these subjects. No student shall be graduated from the eighth grade unless he or she has received instruction in the history of the United States and has given evidence of a comprehensive knowledge of the subject.* (Section 27-21 of the School Code [105 ILCS 5/27-21])
  - 3) The school shall provide health education as required by the Critical Health Problems and Comprehensive Health Education Act [105 ILCS 110].
- c) Personnel Requirements
- 1) Each school's recognition shall be contingent upon evidence of compliance with the requirements of subsection (c-5) of Section 2-3.25o of the School Code .
  - 2) Each school shall require of each new employee evidence of freedom from communicable disease, ~~including tuberculosis.~~ A new or existing employee may be subject to additional health examinations, including

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~~screening for tuberculosis, as may be required under rules of the Illinois Department of Public Health at 77 Ill. Adm. Code 696. This evidence shall consist of a tuberculin skin test and, if appropriate, an x-ray, performed by a physician licensed in Illinois or any other state to practice medicine in all its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the nurse to perform health examinations, or a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, not more than 90 days preceding the date on which the report of the test results is presented to the school's chief administrator.~~

- 3) Each school's personnel policies shall require:
  - A) monitoring the performance of each employee who provides or assists with instruction or has other instructional responsibilities (e.g., teachers, teacher aides, administrators, department chairs); and
  - B) formal evaluation at least every two years in terms of proficiency and competency.
- 4) Students' needs for support services such as counseling and social work shall be evaluated when school staff believe consideration is needed, such as when there are changes in the student body or stresses within the surrounding community, and the school's staffing configuration shall reflect decision-making about how those needs should be addressed.
- 5) Each individual first assigned to a full-time teaching or administrative position at or after the beginning of the 2011-12 school year shall hold a bachelor's or higher degree.
- 6) Each individual first assigned to a full-time teaching or administrative position prior to the beginning of the 2011-12 school year who does not hold a bachelor's or higher degree shall participate annually in professional development that is demonstrably designed to strengthen his or her knowledge and skills in areas directly related to job duties (e.g., content-area knowledge or pedagogy for teaching staff, and administration, supervision, evaluation, or school management for administrators).

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- 7) Each individual employed in a field requiring licensure shall hold and practice within the scope of the relevant license.
- d) Health and Safety
- Each school's recognition shall be contingent upon evidence of compliance with the health and safety requirements that are made applicable to nonpublic schools by the following relevant statutes.
- 1) The physical facilities occupied by the school shall comply with the applicable local building code and fire safety requirements.
  - 2) If the school provides food service, the nutrition program and the facilities used shall comply with the Richard B. Russell National School Lunch Act (42 USC 1751 et seq.), the Child Nutrition Act of 1966 (42 USC 1771 et seq.), and the School Breakfast and Lunch Program Act [105 ILCS 125].
  - 3) The school shall have a wellness policy on file that complies with the requirements of the Child Nutrition and WIC Reauthorization Act of 2004 (section 204 of Public Law 108-265; 42 USC 1751 [et seq.note](#)).
  - 4) The school shall require evidence that, and shall furnish to the State Superintendent of Education the required reports regarding the extent to which, students have complied with the requirements of Section 27-8.1 of the School Code [105 ILCS 5/27-8.1] and the rules of the Illinois Department of Public Health at 77 Ill. Adm. Code 665 with respect to health examinations, immunizations, eye examinations, and dental examinations; and shall cooperate in the implementation of the Child Vision and Hearing Test Act [410 ILCS 205] and the rules of the Illinois Department of Public Health at 77 Ill. Adm. Code 675 and 685 regarding hearing and vision screenings, respectively.
  - 5) The school shall comply with the requirements of the School Safety Drill Act [105 ILCS 128], [including conducting a review of the plan in accordance with Section 25\(f\) of that Act](#).
  - 6) The school shall comply with the requirements of the Eye Protection in School Act [105 ILCS 115].

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- 7) The school shall comply with the requirements of the Toxic Art Supplies in Schools Act [105 ILCS 135].
- 8) The school shall comply with the applicable requirements of the Asbestos Abatement Act [105 ILCS 105].

(Source: Amended at 39 Ill. Reg. 2219, effective January 22, 2015)

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of January 13, 2015 through January 26, 2015. The rulemakings are scheduled for review at the Committee's February 17, 2015 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
2/27/15	<u>State Board of Elections</u> , Procedures for Implementing the Electronic Canvass (26 Ill. Adm. Code 219)	10/24/14 38 Ill. Reg. 20204	2/17/15
2/27/15	<u>Illinois State Board of Investment</u> , Rules and Regulations of the Board (74 Ill. Adm. Code 800)	11/7/14 38 Ill. Reg. 20862	2/17/15
2/27/15	<u>Illinois State Board of Investment</u> , State (of Illinois) Employees' Deferred Compensation Plan (80 Ill. Adm. Code 2700)	11/7/14 38 Ill. Reg. 20868	2/17/15
2/27/15	<u>Department of Insurance</u> , Confidentiality Protocols for Request and Receipt of Claim Information by Alternative Means (50 Ill. Adm. Code 2028)	11/7/14 38 Ill. Reg. 20854	2/17/15
3/6/15	<u>State Board of Education</u> , Program for the Preparation of Principals in Illinois (23 Ill. Adm. Code 30)	10/31/14 38 Ill. Reg. 20632	2/17/15
3/7/15	<u>Auditor General</u> , Purchases and Contracts (44 Ill. Adm. Code 500)	12/5/14 38 Ill. Reg. 22295	2/17/15

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

3/11/15	<u>Pollution Control Board</u> , Standards and Requirements for Potable Water Supply Well Surveys and for Community Relations Activities Performed in Conjunction with Agency Notices of Threats from Contamination (35 Ill. Adm. Code 1600)	12/5/14 38 Ill. Reg. 22411	2/17/15
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## EXECUTIVE ORDERS

**2015-12**  
**EXECUTIVE ORDER TO ENSURE EQUAL OPPORTUNITY**  
**IS PROVIDED TO ALL ILLINOIS PERSONS AND BUSINESSES**

WHEREAS, Illinois benefits from a diverse, multi-ethnic population, which contributes to the success of our economy and the character of our community; and

WHEREAS, despite this bountiful diversity, the unemployment rate for persons of diverse backgrounds is significantly higher than the general unemployment rate in Illinois, and the amount spent by the State of Illinois with businesses owned by such persons is disproportionately lower than their presence in the State; and

WHEREAS, Illinois is home to more than 800,000 veterans, who have dutifully served their country and this State and, after their military service, desire to use their talents to provide for themselves, their families, and their communities; and

WHEREAS, ensuring that employment and business opportunities are open to all persons and business, including in particular those of diverse backgrounds and veterans, is critical to ensuring that Illinois's economy grows and our community strengthens and to avoiding the perils of financial hardship;

THEREFORE, I, Bruce Rauner, Governor of Illinois, by virtue of the executive authority vested in me by Section 8 of Article V of the Constitution of the State of Illinois, do hereby order as follows:

**I. DEFINITIONS**

As used in this Executive Order:

"CMS" means the Illinois Department of Central Management Services.

"Disadvantaged Business Enterprise" means a "minority-owned business," "female-owned business," or "business owned by a person with a disability," in each case as such term is defined by Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act (30 ILCS 575/2).

"Labor Organization" has the meaning provided in the Illinois Public Labor Relations Act (5 ILCS 315/3(i)).

## EXECUTIVE ORDERS

"Minority Person" has the meaning provided by Section 2 of the Business Enterprise for Minorities, Females, and Persons with Disabilities Act (30 ILCS 575/2).

"State Contract" means a contract executed by a State Agency on behalf of the Executive Branch of the State of Illinois, including, but not limited to, a Responsible Bidder Contract that is subject to the requirements of Section 30-22 of the Illinois Procurement Code (30 ILCS 500/30-22), and a Collective Bargaining Agreement as provided by the Illinois Public Labor Relations Act (5 ILCS 315/1 et seq.).

"State Agency" means any officer, department, agency, board, commission, or authority of the Executive Branch of the State of Illinois.

"Veteran" has the meaning provided by Section 45-57 of the Illinois Procurement Code (30 ILCS 500/45-57).

"Veteran-Owned Business" means a "qualified service-disabled veteran-owned small businesses" or "veteran-owned small businesses," in each case as such term is defined by Section 45-57 of the Illinois Procurement Code (30 ILCS 500/45-57).

## **II. REPORTING ON APPRENTICESHIP AND TRAINING OPPORTUNITIES**

Each State Agency shall require each Labor Organization or contractor that is a party to a State Contract currently in effect, or that enters into a State Contract after the effective date of this Executive Order, to obtain and report to the State Agency within thirty (30) days of that request the total number of participants in any apprenticeship and training programs offered by the Labor Organization, or contractor and its subcontractors, the total number of participants who are (a) Minority Persons and (b) Veterans, and the percentage of total participants who are (a) Minority Persons and (b) Veterans.

## **III. VETERAN HIRING**

CMS shall conduct a thorough review of all goals, preferences and considerations provided under State law and regulations concerning the hiring and training of Veterans and the award of contracts to Veteran-Owned Businesses. CMS shall provide a report summarizing its findings to the Governor's Office by June 30, 2015.

## **IV. DISPARITY STUDY**

CMS shall conduct, or cause to be conducted, a thorough, detailed study of participation by Disadvantaged Business Enterprises and Veteran-Owned Businesses in State of

## EXECUTIVE ORDERS

Illinois procurement opportunities. Such study shall include recommended solutions and methods to address any disparity in procurement awards, including any statutory or regulatory amendments that may be needed. Such study shall be submitted to the Governor and to the General Assembly not later than December 31, 2015.

**V. SAVINGS CLAUSE**

This Executive Order does not contravene and shall not be construed to contravene any State or federal law or any collective bargaining agreement.

**VI. SEVERABILITY CLAUSE**

If any part of this Executive Order is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

**VII. EFFECTIVE DATE**

This Executive Order shall take effect immediately upon filing with the Secretary of State.

Issued by the Governor: January 19, 2015

Filed with the Secretary of State: January 20, 2015

**ILLINOIS ADMINISTRATIVE CODE**  
**Issue Index - With Effective Dates**

Rules acted upon in Volume 39, Issue 6 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.

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## ORDER FORM

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