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Editor's Note: The Secretary of State Index Department is providing this opportunity to remind you that the next filing period for your Regulatory Agenda will occur from May 15, 2017 until July 3, 2017.

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 2017

Issue#	Rules Due Date	Date of Issue
1	December 27, 2016	January 6, 2017
2	January 3, 2017	January 13, 2017
3	January 9, 2017	January 20, 2017
4	January 17, 2017	January 27, 2017
5	January 23, 2017	February 3, 2017
6	January 30, 2017	February 10, 2017
7	February 6, 2017	February 17, 2017
8	February 14, 2017	February 24, 2017
9	February 21, 2017	March 3, 2017
10	February 27, 2017	March 10, 2017
11	March 6, 2017	March 17, 2017
12	March 13, 2017	March 24, 2017
13	March 20, 2017	March 31, 2017
14	March 27, 2017	April 7, 2017
15	April 3, 2017	April 14, 2017
16	April 10, 2017	April 21, 2017
17	April 17, 2017	April 28, 2017
18	April 24, 2017	May 5, 2017
19	May 1, 2017	May 12, 2017
20	May 8, 2017	May 19, 2017

21	May 15, 2017	May 26, 2017
22	May 22, 2017	June 2, 2017
23	May 30, 2017	June 9, 2017
24	June 5, 2017	June 16, 2017
25	June 12, 2017	June 23, 2017
26	June 19, 2017	June 30, 2017
27	June 26, 2017	July 7, 2017
28	July 3, 2017	July 14, 2017
29	July 10, 2017	July 21, 2017
30	July 17, 2017	July 28, 2017
31	July 24, 2017	August 4, 2017
32	July 31, 2017	August 11, 2017
33	August 7, 2017	August 18, 2017
34	August 14, 2017	August 25, 2017
35	August 21, 2017	September 1, 2017
36	August 28, 2017	September 8, 2017
37	September 5, 2017	September 15, 2017
38	September 11, 2017	September 22, 2017
39	September 18, 2017	September 29, 2017
40	September 25, 2017	October 6, 2017
41	October 2, 2017	October 13, 2017
42	October 10, 2017	October 20, 2017
43	October 16, 2017	October 27, 2017
44	October 23, 2017	November 3, 2017
45	October 30, 2017	November 13, 2017
46	November 6, 2017	November 17, 2017
47	November 13, 2017	November 27, 2017
48	November 20, 2017	December 1, 2017
49	November 27, 2017	December 8, 2017
50	December 4, 2017	December 15, 2017
51	December 11, 2017	December 26, 2017
52	December 18, 2017	December 29, 2017

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
710.20	Amendment
710.30	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10, 2.11 and 2.20 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10, 2.11 and 2.20].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to make changes to the permit lottery system and selling remaining permits Over-the-Counter (OTC) at licensed vendors.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citation:</u>
710.10	Amendment	41 Ill. Reg. 2581; February 24, 2017
710.22	Amendment	41 Ill. Reg. 2581; February 24, 2017
710.50	Amendment	41 Ill. Reg. 2581; February 24, 2017
710.70	Amendment	41 Ill. Reg. 2581; February 24, 2017
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice to:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Javonna Ackerman, Legal Counsel
Department of Natural Resources
One Natural Resources Way
Springfield IL 62702-1271

217/557-0126

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

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 710
THE TAKING OF WILD TURKEYS – SPRING SEASON

Section

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

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10, 2.11 and 2.20 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10, 2.11 and 2.20].

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

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Reg. 9389; amended at 21 Ill. Reg. 3125, effective March 3, 1997; amended at 22 Ill. Reg. 2192, effective January 2, 1998; amended at 22 Ill. Reg. 19568, effective October 23, 1998; amended at 23 Ill. Reg. 11956, effective September 21, 1999; amended at 24 Ill. Reg. 7984, effective May 24, 2000; amended at 24 Ill. Reg. 17778, effective November 27, 2000; amended at 25 Ill. Reg. 14176, effective October 22, 2001; amended at 26 Ill. Reg. 18028, effective December 6, 2002; amended at 27 Ill. Reg. 17075, effective October 22, 2003; amended at 29 Ill. Reg. 3935, effective February 24, 2005; amended at 29 Ill. Reg. 20484, effective December 2, 2005; amended at 31 Ill. Reg. 1958, effective January 16, 2007; amended at 31 Ill. Reg. 16476, effective November 28, 2007; amended at 32 Ill. Reg. 19742, effective December 3, 2008; amended at 34 Ill. Reg. 4868, effective March 19, 2010; amended at 35 Ill. Reg. 3705, effective February 16, 2011; amended at 35 Ill. Reg. 20588, effective December 9, 2011; amended at 37 Ill. Reg. 1898, effective February 4, 2013; amended at 37 Ill. Reg. 20688, effective December 12, 2013; amended at 38 Ill. Reg. 22780, effective November 18, 2014; amended at 39 Ill. Reg. 10951, effective July 27, 2015; amended at 40 Ill. Reg. 10630, effective July 20, 2016; amended at 41 Ill. Reg. 85, effective December 22, 2016; amended at 41 Ill. Reg. _____, effective _____.

Section 710.20 Statewide Turkey Permit Requirements

- a) All turkey hunters must have a current, valid Spring Wild Turkey Hunting Permit. Lifetime licenses issued after August 15, 2006 shall not qualify a non-resident of Illinois for a resident turkey permit. To take, or attempt to take, a wild turkey, Illinois residents must first obtain a "Wild Turkey Hunting Permit" from the Department of Natural Resources for a fee of \$15. Lifetime licenses issued after August 15, 2006 shall not qualify a non-resident of Illinois for a resident turkey permit. Non-resident turkey hunters shall be charged the maximum fee as allowed by Section 2.11 of the Wildlife Code [520 ILCS 5/2.11] for each wild turkey hunting permit. All hunters, except those exempted by Section 3.1 of the Wildlife Code [520 ILCS 5/3.1] are also required to obtain a hunting license before hunting wild turkey. Fees for spring turkey permits are as follows. Permits are issued for a specific county or area and are valid only in the county or area designated on the permit. Applications for wild turkey permits shall be completed and submitted by visiting one of the Illinois Department of Natural Resources' DNR Direct License vendors, by applying on-line at www.dnr.illinois.gov, by calling DNR Direct License sales at 1-888-6PERMIT (1-888-673-7648) or by mailing to:
- 1) Permits issued via lottery by Permit Office:
Illinois Resident lottery permit – \$15

DEPARTMENT OF NATURAL RESOURCES

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Nonresident lottery permit – \$125

- 2) Over-the-Counter (OTC) Permits sold by license vendors pursuant to subsection (g); all prices include vendor's issuing fee:

Illinois Resident OTC Permit – \$15.50

Nonresident OTC Permit – \$125.50

- b) Permits are issued for a specific county or area and are valid only in the county or area designated on the permit. Applications for wild turkey permits shall be completed and submitted by visiting one of the Illinois Department of Natural Resources' DNR-Direct License vendors, by applying on-line at www.dnr.illinois.gov, or by writing to:

Department of Natural Resources – Spring Turkey
One Natural Resources Way
P.O. Box 19446
Springfield, Illinois 62794-9446

- ~~b~~) Applicants must supply all information necessary to complete the application. Incomplete applications will be rejected and fees returned. Each applicant must submit payment for his/her individual application at the time of application. Not more than 6 applications may be submitted for group hunters.
- ~~d~~) Applications from Illinois residents will be accepted through December 1 for the First Lottery Drawing. Applications received in the permit office after December 1 will be included in the next computerized drawing. Permits are not transferable and refunds will not be granted. Permits will be allocated in a computerized drawing to be held in Springfield. Applicants rejected in this drawing will receive preference in the next year's drawing for spring season permits subject to guidelines outlined in subsection (~~h~~~~g~~).
- ~~e~~) Permits not issued during the first computerized drawing will be available in a Second Lottery Drawing. Applications for this drawing will be accepted through the first working day after January 10. Applications received after this date will be included in the next drawing. All hunters not receiving a permit in the first computerized drawing and non-residents are eligible to apply for permits remaining for this Second Lottery Drawing. All resident permit applications will receive preference over non-resident applications.

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- fe) Any hunter who has not received a permit, and hunters that have received only one permit, may apply for a first or a second permit in a third computerized lottery drawing for the remaining permits. All resident permit applications will receive preference over non-resident applications. Applications for this Third Lottery Drawing will be accepted through the first working day after February 8. Applications received after this date will be rejected and fees refunded~~included in the next drawing~~.
- f) ~~Permits remaining after the three lotteries will be available in a Fourth (and final) Lottery Drawing. All applications received on or before the first working day after March 8 will be processed in this final Lottery. Applications received after this date will be rejected and fees refunded. This drawing period is open to hunters applying for their first, second and/or third permits.~~
- g) Permits remaining after the Third Lottery Drawing will be available over-the-counter (OTC) from agents designated by the Department (pursuant to 17 Ill. Adm. Code 2520) beginning the second Tuesday in March on a first-come, first-served basis. Permits will be sold until quotas are exhausted, or until the close of the specific turkey season segment (i.e., 1-5) in Zone (north vs. south) for which the permit is being requested. Persons may purchase one or more permits during this period, subject to availability, except that no one may exceed the limit of three permits in total for spring turkey hunting, including youth and landowner permits.
- hg) The following criteria must be met to obtain preference in the first computerized drawing:
- 1) The applicant must apply using the official agency application.
 - 2) The applicant must be a resident of the State, be eligible to receive a spring turkey permit, and not had turkey hunting privileges revoked.
 - 3) The applicant must apply for the same county and season choices which he/she listed on the previous year's application. Preference will not be granted for special hunt areas as listed in Section 710.25 or for permit areas listed in Section 710.50(c).
- ih) A \$3 service fee will be charged for replacement permits issued by the Department.

DEPARTMENT OF NATURAL RESOURCES

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- j) The periods for accepting applications for the lotteries may be extended if applications are not available to the public by November 1. A news release will announce the extension of the application periods.
- k) It shall be unlawful to:
- 1) Submit applications before the second computerized lottery drawing for more than one permit for the same person.
 - 2) Submit applications before the third computerized lottery drawing for more than two permits for the same person.
 - 3) Apply for or receive more than three permits for the spring turkey season. [The three-permit total includes any landowner permit or youth turkey permit received.](#)
 - 4) Provide false and/or deceptive information on a permit application form. In addition to criminal charges, individuals found guilty of violating this section shall have their application rejected, permit revoked, and fees forfeited.

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

Section 710.30 Turkey Hunting Regulations

- a) It is unlawful:
- 1) to use live or electronic turkey decoys, recorded calls, dogs, or bait (an area is considered as baited during the presence of and for 10 consecutive days following the removal of the bait);
 - 2) to take any wild turkey except a hen with a visible beard or a gobbler (male);
 - 3) to take, or attempt to take, more than three wild turkeys during the spring season, one must have a valid permit for each turkey that is taken;
 - 4) to use any weapon except a shotgun or bow and arrow. #4 shot is the

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largest and #7½ is the smallest size shot that may be legally used or possessed while turkey hunting;

- 5) to hunt except from ½ hour before sunrise to 1:00 p.m. during each day of the season;
- 6) for any person having taken the legal limit of wild turkeys to further participate with a weapon in any hunting party for the purpose of taking additional wild turkeys;
- 7) for any person to possess while in the field during wild turkey season any turkey permit issued to another person (permits are non-transferable);
- 8) to transport or leave a wild turkey without first attaching the temporary harvest tag to the leg in the manner prescribed on the permit~~affixing the adhesive backed turkey permit securely around the leg~~. Immediately upon kill and before the turkey is moved, transported or field dressed, the hunter must properly attach the temporary harvest tag to the leg~~out the designated notch on the leg tag to invalidate it, and the tag must be affixed to the turkey~~. Successful hunters must register their harvest by 3:00 p.m. on the same calendar day as the turkey was taken by calling the toll-free telephone check-in system at 1-866-ILCHECK or by accessing the on-line check-in system at www.dnr.illinois.gov. Hunters must provide all information requested by the check-in system, and will be provided with a confirmation number to verify that they checked in their harvest. The confirmation number must be written by the hunter on the leg tag. The leg tag must remain attached to the leg of the turkey until it is at the legal residence of the person who legally took or possessed the turkey and the turkey has been checked in. The turkey must remain whole (or field dressed) until it has been checked in;
- 9) for any person to shoot a wild turkey while it is in a tree before 7:00 a.m.;
- 10) for any person to hunt wild turkeys without possessing a Wild Turkey Hunting Permit which shall include the hunter's signature recorded on the permit and carried on the person while hunting, except that a person without a weapon may accompany a turkey hunter as a caller or observer;
- 11) for any person to use a turkey call that imitates sounds made by a turkey

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

- b) Archers may use:
- 1) Longbows, recurve bows or compound bows with minimum pull of 40 pounds at some point within a 28-inch draw. Minimum arrow length is 20 inches. Any mechanical device capable of maintaining a drawn or partially drawn position on a bow without the hunter exerting full string tension is illegal.
 - 2) Crossbows, so long as one or more of the following conditions are met:
 - A) If the user is a person age 62 and older with a valid photo ID containing proof of age; or
 - B) If the user is a disabled person to whom the Department has issued a permit to use a crossbow, as provided by 17 Ill. Adm. Code 760.
- c) Broadheads must be used. Broadheads may have fixed or expandable cutting surfaces, but they must have a minimum $\frac{7}{8}$ inch diameter when fully opened. Broadheads with fixed cutting surfaces must be metal or flint-, chert-, or obsidian-knapped; broadheads with expandable cutting surfaces must be metal. Any mechanical device capable of maintaining a drawn position or partially drawn position on a bow is illegal. All other bows and arrows, including electronic arrow tracking systems using radio telemetry, are illegal.
- d) Specifications for legal crossbows and bolts are contained in 17 Ill. Adm. Code 760.

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

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

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

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
100.2050	Amendment
100.2055	New Section
100.5270	Amendment
100.7050	Amendment
100.7070	Amendment
100.7100	Amendment
- 4) Statutory Authority: 35 ILCS 35/10
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking adds new Section 100.2055 and amends Sections 100.2050, 100.5270, 100.7050, 100.7070 and 100.7100 of the income tax regulations to reflect changes in the IITA provisions regarding the exemption amounts and tax rates.
- 6) Published studies or reports and sources of underlying data used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
100.3380	Amendment	40 Ill. Reg. 15878; December 2, 2016
100.3390	Amendment	40 Ill. Reg. 15878; December 2, 2016
100.3370	Amendment	40 Ill. Reg. 16711, December 30, 2016
- 11) Statement of Statewide Policy Objective: This rulemaking does not create a State mandate, nor does it modify any existing State mandates.

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NOTICE OF PROPOSED AMENDMENTS

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

Brian Stocker
Staff Attorney
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield IL 62796

217782-2844

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: This rulemaking provides guidance to small businesses on income tax rates and exemption amounts.
 - 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 2017

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

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

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

SUBPART A: TAX IMPOSED

Section	
100.2000	Introduction
100.2050	Net Income (IITA Section 202)
100.2055	Standard Exemption (IITA Section 204)
100.2060	Compassionate Use of Medical Cannabis Pilot Program Act Surcharge (IITA Section 201(o))

SUBPART B: CREDITS

Section	
100.2100	Replacement Tax Investment Credit Prior to January 1, 1994 (IITA Section 201(e))
100.2101	Replacement Tax Investment Credit (IITA 201(e))
100.2110	Investment Credit; Enterprise Zone and River Edge Redevelopment Zone (IITA Section 201(f))
100.2120	Jobs Tax Credit; Enterprise Zone and Foreign Trade Zone or Sub-Zone and River Edge Redevelopment Zone (IITA Section 201(g))
100.2130	Investment Credit; High Impact Business (IITA 201(h))
100.2140	Credit Against Income Tax for Replacement Tax (IITA 201(i))
100.2150	Training Expense Credit (IITA 201(j))
100.2160	Research and Development Credit (IITA Section 201(k))
100.2163	Environmental Remediation Credit (IITA 201(l))
100.2165	Education Expense Credit (IITA 201(m))
100.2170	Tax Credits for Coal Research and Coal Utilization Equipment (IITA 206)
100.2171	Angel Investment Credit (IITA 220)
100.2180	Credit for Residential Real Property Taxes (IITA 208)
100.2185	Film Production Services Credit (IITA Section 213)
100.2190	Tax Credit for Affordable Housing Donations (IITA Section 214)
100.2193	Student-Assistance Contributions Credit (IITA 218)
100.2195	Dependent Care Assistance Program Tax Credit (IITA 210)
100.2196	Employee Child Care Assistance Program Tax Credit (IITA Section 210.5)

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- 100.2197 Foreign Tax Credit (IITA Section 601(b)(3))
100.2198 Economic Development for a Growing Economy Credit (IITA 211)
100.2199 Illinois Earned Income Tax Credit (IITA Section 212)

SUBPART C: NET OPERATING LOSSES OF UNITARY BUSINESS GROUPS
OCCURRING PRIOR TO DECEMBER 31, 1986

Section

- 100.2200 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Scope
- 100.2210 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (IITA Section 202) – Definitions
- 100.2220 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Current Net Operating Losses: Offsets Between Members
- 100.2230 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Carrybacks and Carryforwards
- 100.2240 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Effect of Combined Net Operating Loss in Computing Illinois Base Income
- 100.2250 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Deadline for Filing Claims Based on Net Operating Losses Carried Back From a Combined Apportionment Year

SUBPART D: ILLINOIS NET LOSS DEDUCTIONS FOR LOSSES
OCCURRING ON OR AFTER DECEMBER 31, 1986

Section

- 100.2300 Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2310 Computation of the Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2320 Determination of the Amount of Illinois Net Loss for Losses Occurring On or After December 31, 1986

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AUTHORITY: Implementing the Illinois Income Tax Act [35 ILCS 5] and authorized by Section 1401 of the Illinois Income Tax Act [35 ILCS 5/1401].

SOURCE: Filed July 14, 1971, effective July 24, 1971; amended at 2 Ill. Reg. 49, p. 84, effective November 29, 1978; amended at 5 Ill. Reg. 813, effective January 7, 1981; amended at 5 Ill. Reg. 4617, effective April 14, 1981; amended at 5 Ill. Reg. 4624, effective April 14, 1981; amended at 5 Ill. Reg. 5537, effective May 7, 1981; amended at 5 Ill. Reg. 5705, effective May 20, 1981; amended at 5 Ill. Reg. 5883, effective May 20, 1981; amended at 5 Ill. Reg. 6843, effective June 16, 1981; amended at 5 Ill. Reg. 13244, effective November 13, 1981; amended at 5 Ill. Reg. 13724, effective November 30, 1981; amended at 6 Ill. Reg. 579, effective December 29, 1981; amended at 6 Ill. Reg. 9701, effective July 26, 1982; amended at 7 Ill. Reg. 399, effective December 28, 1982; amended at 8 Ill. Reg. 6184, effective April 24, 1984; codified at 8 Ill. Reg. 19574; amended at 9 Ill. Reg. 16986, effective October 21, 1985; amended at 9 Ill. Reg. 685, effective December 31, 1985; amended at 10 Ill. Reg. 7913, effective April 28, 1986; amended at 10 Ill. Reg. 19512, effective November 3, 1986; amended at 10 Ill. Reg. 21941, effective December 15, 1986; amended at 11 Ill. Reg. 831, effective December 24, 1986; amended at 11 Ill. Reg. 2450, effective January 20, 1987; amended at 11 Ill. Reg. 12410, effective July 8, 1987; amended at 11 Ill. Reg. 17782, effective October 16, 1987; amended at 12 Ill. Reg. 4865, effective February 25, 1988; amended at 12 Ill. Reg. 6748, effective March 25, 1988; amended at 12 Ill. Reg. 11766, effective July 1, 1988; amended at 12 Ill. Reg. 14307,

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effective August 29, 1988; amended at 13 Ill. Reg. 8917, effective May 30, 1989; amended at 13 Ill. Reg. 10952, effective June 26, 1989; amended at 14 Ill. Reg. 4558, effective March 8, 1990; amended at 14 Ill. Reg. 6810, effective April 19, 1990; amended at 14 Ill. Reg. 10082, effective June 7, 1990; amended at 14 Ill. Reg. 16012, effective September 17, 1990; emergency amendment at 17 Ill. Reg. 473, effective December 22, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 8869, effective June 2, 1993; amended at 17 Ill. Reg. 13776, effective August 9, 1993; recodified at 17 Ill. Reg. 14189; amended at 17 Ill. Reg. 19632, effective November 1, 1993; amended at 17 Ill. Reg. 19966, effective November 9, 1993; amended at 18 Ill. Reg. 1510, effective January 13, 1994; amended at 18 Ill. Reg. 2494, effective January 28, 1994; amended at 18 Ill. Reg. 7768, effective May 4, 1994; amended at 19 Ill. Reg. 1839, effective February 6, 1995; amended at 19 Ill. Reg. 5824, effective March 31, 1995; emergency amendment at 20 Ill. Reg. 1616, effective January 9, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 6981, effective May 7, 1996; amended at 20 Ill. Reg. 10706, effective July 29, 1996; amended at 20 Ill. Reg. 13365, effective September 27, 1996; amended at 20 Ill. Reg. 14617, effective October 29, 1996; amended at 21 Ill. Reg. 958, effective January 6, 1997; emergency amendment at 21 Ill. Reg. 2969, effective February 24, 1997, for a maximum of 150 days; emergency expired July 24, 1997; amended at 22 Ill. Reg. 2234, effective January 9, 1998; amended at 22 Ill. Reg. 19033, effective October 1, 1998; amended at 22 Ill. Reg. 21623, effective December 15, 1998; amended at 23 Ill. Reg. 3808, effective March 11, 1999; amended at 24 Ill. Reg. 10593, effective July 7, 2000; amended at 24 Ill. Reg. 12068, effective July 26, 2000; emergency amendment at 24 Ill. Reg. 17585, effective November 17, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18731, effective December 11, 2000; amended at 25 Ill. Reg. 4640, effective March 15, 2001; amended at 25 Ill. Reg. 4929, effective March 23, 2001; amended at 25 Ill. Reg. 5374, effective April 2, 2001; amended at 25 Ill. Reg. 6687, effective May 9, 2001; amended at 25 Ill. Reg. 7250, effective May 25, 2001; amended at 25 Ill. Reg. 8333, effective June 22, 2001; amended at 26 Ill. Reg. 192, effective December 20, 2001; amended at 26 Ill. Reg. 1274, effective January 15, 2002; amended at 26 Ill. Reg. 9854, effective June 20, 2002; amended at 26 Ill. Reg. 13237, effective August 23, 2002; amended at 26 Ill. Reg. 15304, effective October 9, 2002; amended at 26 Ill. Reg. 17250, effective November 18, 2002; amended at 27 Ill. Reg. 13536, effective July 28, 2003; amended at 27 Ill. Reg. 18225, effective November 17, 2003; emergency amendment at 27 Ill. Reg. 18464, effective November 20, 2003, for a maximum of 150 days; emergency expired April 17, 2004; amended at 28 Ill. Reg. 1378, effective January 12, 2004; amended at 28 Ill. Reg. 5694, effective March 17, 2004; amended at 28 Ill. Reg. 7125, effective April 29, 2004; amended at 28 Ill. Reg. 8881, effective June 11, 2004; emergency amendment at 28 Ill. Reg. 14271, effective October 18, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 14868, effective October 26, 2004; emergency amendment at 28 Ill. Reg. 15858, effective November 29, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 2420, effective January 28, 2005; amended at 29 Ill. Reg. 6986, effective April 26, 2005; amended at 29 Ill. Reg. 13211, effective August 15, 2005; amended at 29 Ill. Reg. 20516,

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effective December 2, 2005; amended at 30 Ill. Reg. 6389, effective March 30, 2006; amended at 30 Ill. Reg. 10473, effective May 23, 2006; amended by 30 Ill. Reg. 13890, effective August 1, 2006; amended at 30 Ill. Reg. 18739, effective November 20, 2006; amended at 31 Ill. Reg. 16240, effective November 26, 2007; amended at 32 Ill. Reg. 872, effective January 7, 2008; amended at 32 Ill. Reg. 1407, effective January 17, 2008; amended at 32 Ill. Reg. 3400, effective February 25, 2008; amended at 32 Ill. Reg. 6055, effective March 25, 2008; amended at 32 Ill. Reg. 10170, effective June 30, 2008; amended at 32 Ill. Reg. 13223, effective July 24, 2008; amended at 32 Ill. Reg. 17492, effective October 24, 2008; amended at 33 Ill. Reg. 1195, effective December 31, 2008; amended at 33 Ill. Reg. 2306, effective January 23, 2009; amended at 33 Ill. Reg. 14168, effective September 28, 2009; amended at 33 Ill. Reg. 15044, effective October 26, 2009; amended at 34 Ill. Reg. 550, effective December 22, 2009; amended at 34 Ill. Reg. 3886, effective March 12, 2010; amended at 34 Ill. Reg. 12891, effective August 19, 2010; amended at 35 Ill. Reg. 4223, effective February 25, 2011; amended at 35 Ill. Reg. 15092, effective August 24, 2011; amended at 36 Ill. Reg. 2363, effective January 25, 2012; amended at 36 Ill. Reg. 9247, effective June 5, 2012; amended at 37 Ill. Reg. 5823, effective April 19, 2013; amended at 37 Ill. Reg. 20751, effective December 13, 2013; recodified at 38 Ill. Reg. 4527; amended at 38 Ill. Reg. 9550, effective April 21, 2014; amended at 38 Ill. Reg. 13941, effective June 19, 2014; amended at 38 Ill. Reg. 15994, effective July 9, 2014; amended at 38 Ill. Reg. 17043, effective July 23, 2014; amended at 38 Ill. Reg. 18568, effective August 20, 2014; amended at 38 Ill. Reg. 23158, effective November 21, 2014; emergency amendment at 39 Ill. Reg. 483, effective December 23, 2014, for a maximum of 150 days; amended at 39 Ill. Reg. 1768, effective January 7, 2015; amended at 39 Ill. Reg. 5057, effective March 17, 2015; amended at 39 Ill. Reg. 6884, effective April 29, 2015; amended at 39 Ill. Reg. 15594, effective November 18, 2015; amended at 40 Ill. Reg. 1848, effective January 5, 2016; amended at 40 Ill. Reg. 10925, effective July 29, 2016; amended at 40 Ill. Reg. 13432, effective September 7, 2016; amended at 40 Ill. Reg. 14762, effective October 12, 2016; amended at 40 Ill. Reg. 15575, effective November 2, 2016; amended at 41 Ill. Reg. 4193, effective March 27, 2017; amended at 41 Ill. Reg. 6379, effective May 22, 2017; amended at 41 Ill. Reg. _____, effective _____.

SUBPART A: TAX IMPOSED

Section 100.2050 Net Income (IITA Section 202)

- a) *A taxpayer's net income under the ~~Illinois Income Tax Act (IITA)~~ is that portion of the taxpayer's base income (determined under IITA Section 203) for the taxable year ~~that which~~ is allocable or apportionable to Illinois under the provisions of Article 3 of the ~~IITAA~~Act, less the Illinois net loss deduction allowed by IITA Section 207 and the ~~exemptions~~standard exemption allowed by IITA*

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Section 204 and Section 100.2055. (IITA Section 202) In computing net income, any Illinois net operating loss deduction shall be subtracted before the subtraction for the ~~exemptions~~standard exemption.

- b) For tax years ending on or after December 31, 1986, net income for income tax (IITA Section 201(a) and (b)) and for replacement tax (IITA Section 201(c) and (d)) are identical amounts. For prior tax years, the net income amount for replacement tax was usually a greater amount than net income for income tax. For purposes of the net loss deduction that may be subtracted from net income in ~~those~~such prior years, the amount deductible for income tax purposes shall govern, and the amount that may be deducted for replacement tax purposes in a given tax year shall be the same amount as may be deducted for income tax purposes.

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

Section 100.2055 Standard Exemption (IITA Section 204)

- a) *In computing net income, there shall be allowed as an exemption the sum of the basic amounts provided under subsections (b) and (c) plus the additional exemptions allowed under subsection (d), multiplied by a fraction, the numerator of which is the amount of the taxpayer's base income allocable to this State for the taxable year and the denominator of which is the taxpayer's total base income for the taxable year. (IITA Section 204(a))*
- b) Each taxpayer shall be allowed an exemption in the basic amount equal to:
- 1) in the case of an individual:
 - A) for taxable years ending prior to December 31, 1998, \$1,000; (IITA Section 204(b))
 - B) for taxable years ending on or after December 31, 1998 and prior to December 31, 1999, \$1,300; (IITA Section 204(b)(1))
 - C) for taxable years ending on or after December 31, 1999 and prior to December 31, 2000, \$1,650; (IITA Section 204(b)(2))

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- D) for taxable years ending on or after December 31, 2000, and prior to December 31, 2012, \$2,000; (IITA Section 204(b)(3))
- E) for taxable years ending on or after December 31, 2012 and prior to December 31, 2013 and for taxable years beginning on or after June 1, 2017, \$2,050; (IITA Section 204(b)(4)) and
- F) for taxable years ending on or after December 31, 2013 and beginning prior to June 1, 2017, \$2,050 plus the cost-of-living adjustment under subsection (e). (IITA Section 204(b)(5), which is subject to sunset under IITA Section 250, effective for taxable years beginning on or after June 1, 2017, the fifth anniversary of the effective date of Public Act 97-0652.)
- 2) for taxable years ending on or after December 31, 1992, a taxpayer whose Illinois base income exceeds the basic amount and who is claimed as a dependent on another person's tax return under the Internal Revenue Code shall not be allowed any basic amount under this subsection (b). (IITA Section 204(b))
- 3) in the case of a corporation, \$1000 for taxable years ending prior to December 31, 2003 and \$0 for taxable years ending on or after December 31, 2003. (IITA Section 204(b))
- 4) in the case of an organization exempt from tax under IITA Section 205(a), \$0. (See IITA Section 205.)
- 5) in all other cases, \$1000. (See IITA Section 204(b).)
- c) Each individual taxpayer shall be allowed an additional exemption equal to the basic amount for each exemption in excess of one allowable to that individual taxpayer for the taxable year under 26 USC 151. (IITA Section 204(c))
- d) Additional Exemptions
- 1) Each individual taxpayer is allowed:

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- A) an additional exemption of \$1,000 for the taxpayer if he or she has attained the age of 65 before the end of the taxable year; (IITA Section 204(d)(1))
- B) an additional exemption of \$1,000 for the taxpayer if he or she is blind at the end of the taxable year; (IITA Section 204(d)(2))
- C) an additional exemption of \$1,000 for the spouse of the taxpayer if the spouse has attained the age of 65 before the end of the taxable year plus an additional exemption of \$1,000 for the spouse of the taxpayer if the spouse is blind as of the end of the taxable year and, in either case:
- i) a joint return is not made by the taxpayer and his or her spouse;
- ii) for the calendar year in which the taxable year of the taxpayer begins, the spouse has no gross income and is not the dependent of another taxpayer. (IITA Section 204(d)(1) and (2))
- 2) For purposes of this subsection (d), an individual is blind only if his or her central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or if his or her visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the widest diameter of the visual fields subtends an angle no greater than 20 degrees. A spouse who dies before the end of a taxpayer's taxable year and who is blind at the time of his or her death shall be treated as blind as of the end of the taxable year. (IITA Section 204(d)(2))
- e) The cost-of-living adjustment for any calendar year and for taxable years ending prior to the end of the subsequent calendar year is equal to \$2,050 times the percentage (if any) by which the Consumer Price Index for the preceding calendar year exceeds the Consumer Price Index for the calendar year 2011. For purposes of this subsection (e):
- 1) The Consumer Price Index for any calendar year is the average of the Consumer Price Index as of the close of the 12-month period ending on August 31 of that calendar year.

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- 2) *The term "Consumer Price Index" means the last Consumer Price Index for All Urban Consumers published by the United States Department of Labor or any successor agency.*
- 3) *If any cost-of-living adjustment is not a multiple of \$25, that adjustment shall be rounded to the next lowest multiple of \$25. (IITA Section 204(d-5))*
- f) *In the case of a taxable year for a period of less than 12 months, the standard exemption allowed under this Section shall be prorated on the basis of the number of days in that year to 365. (IITA Section 401(b))*

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

SUBPART Q: COMBINED RETURNS

Section 100.5270 Computation of Combined Net Income and Tax

- a) Determination of Base Income~~base income~~. The combined base income shall be determined by first computing the combined group's combined taxable income and then modifying this amount by the combined group's combined Illinois addition and subtraction modification amounts.
- 1) Combined Net Income~~net income~~. The designated agent will determine combined base income by treating all members of the unitary business group (including ineligible members) as if they constituted a federal consolidated group and by applying the federal regulations for determining consolidated taxable income, except that the separate return limitation year provisions and the limitations on consolidation of life and non-life companies in 26 CFR~~Treasury Reg. Section~~ 1.1502-47 shall not apply. (See Treasury Reg. Section 1.1502-11, 26 CFR 1.1502-11.) A consolidated net operating loss deduction, as defined in Treasury Reg. Section 1.1502-21, 26 CFR 1.1502-21 shall be added back to taxable income, in whole or in part, in accordance with subsections (a)(2), (4) and (5)~~below~~. Pursuant to IITA Section 203(e)(2)(E), combined base income shall be determined as if the election provided by 26 USC~~Section~~ 243(b)(2)~~of the Internal Revenue Code~~ had been in effect.

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~~EXAMPLE~~Example 1. Corporations A and B properly make an election under IITA Section 502(e), or are properly required to file a combined return under IITA Section 502(e). On a separate return basis, A's federal taxable income would be a loss of (\$500). This amount does not include an excess capital loss of \$75 pursuant to ~~26 USC Internal Revenue Code Section~~ 1211(a). B's federal taxable income is \$1,000 of which \$100 is capital gain. As a result of applying ~~26 CFR Treasury Reg. Section~~ 1.1502-11 and ~~26 CFR Section~~ 1.1502-22 (~~26 CFR 1.1502-22~~), the combined federal taxable income for A and B is \$425.

- 2) Combined Illinois ~~Net Loss~~net loss. The combined group's current year combined taxable income may be less than zero, in which case it shall be determined by applying the provisions of ~~26 CFR Treasury Reg.~~ 1.1502-21(f) (consolidated net operating loss) to the unitary business group.

~~EXAMPLE~~Example 2. Same facts as Example 1 in subsection (a)(1) ~~above~~—except that Corporation C has also properly joined in the election, or is properly required to join in the combined return filing, and its federal taxable income is a loss of (\$800). If there are no addition or subtraction modifications and all of the group's base income is apportioned to Illinois, the group's combined Illinois net loss for the taxable year will be (\$375).

- 3) Carrybacks and ~~Carryover~~carryovers. Carrybacks and carryovers, if any, shall be determined for each member and not for the group. A pro rata share of the loss is attributable to each of the loss members. For Illinois net losses that occurred in taxable years ending on or after December 31, 1986, the amount of any carryback or carryover shall be determined by applying Sections 100.2340, 100.2350(c)(3) and (c)(4) ~~of this Part~~. For federal net operating losses that occurred in taxable years ending prior to December 31, 1986, the amount of any carryback or carryforward shall be determined by applying Section 100.2230 ~~of this Part~~.

~~EXAMPLE~~Example 3. Same facts as Example 2 in subsection (a)(2) ~~above~~. Assuming the taxable year ends prior to December 31, 1986, the group's combined net operating loss of (\$375) will be divided between A and C as follows for purposes of carryback and carryover:

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$$\text{Corp. A: } 500/1,300 \times (375) = 144$$

$$\text{Corp. C: } 800/1,300 \times (375) = 231$$

- 4) NOL Addition Modification ~~addition modification~~ of Federal Net Operating Loss Deductions ~~federal net operating loss deductions~~ from a Loss Incurred ~~loss incurred~~ in a Taxable Year Ending ~~taxable year ending~~ on or after December 31, 1986. IITA Section 203(b)(2)(D) requires that the amount of any federal net operating loss deduction taken in arriving at taxable income for federal tax purposes, other than from a loss in a taxable year ending prior to December 31, 1986, shall be added back to taxable income in the computation of base income. See Section 100.2320(a) ~~of this Part~~.
- 5) NOL Addition Modification ~~addition modification~~ of Pre-December ~~pre December~~ 31, 1986, federal losses. IITA Section 203(b)(2)(E) requires an addition modification subject to two limitations for taxable years in which a federal net operating loss carryforward from a taxable year ending prior to December 31, 1986, is an element of taxable income. Consequently, each member allowed to carryback or forward a portion of the group's combined net operating loss from a year in which that combined loss was used to offset a portion of the group's combined excess addition modifications must take as an addition modification in the carryback or carryover year its respective share of the NOL addition modification required by IITA Section 203(b)(2)(E). In accordance with Section 100.2240 ~~of this Part~~, the respective shares shall be determined in the same manner as the determination of the amount of NOL carryback or carryover.

EXAMPLE~~Example~~ 4. Same facts as Example 2 in subsection (a)(2) ~~above~~ except that the group had combined excess addition modifications of \$100. This amount will be divided among the loss members as follows:

$$\text{Corp. A: } 500/1,300 \times 100 = 38$$

$$\text{Corp. C: } 800/1,300 \times 100 = 62$$

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- b) Combined Base Income Allocable ~~base income allocable~~ to Illinois. Combined base income allocable to Illinois is the sum of the combined business income or loss apportioned to Illinois plus the combined nonbusiness income or loss allocated to Illinois plus the combined ~~business nonunitary partnership~~ income or loss ~~apportioned~~ ~~allocated~~ to Illinois by partnerships in which the members are partners (other than partnerships that apportion business income under Section 100.3380(d)), less the combined net loss deduction.
- 1) Combined Business Income Apportionable ~~business income apportionable~~ to Illinois. In the case of a combined group required to apportion its business income using the three-factor (payroll, property and sales) formula under IITA Section 304(a) ~~of the HTA~~, the designated agent will apportion the unitary business group's combined business income by using the total Illinois payroll, property and sales of each member of the combined group and the total everywhere payroll, property and sales of each member of the unitary business group (including ineligible members). In the case of groups composed exclusively of one-factor apportionment taxpayers (financial, insurance, or transportation), the unitary business group's combined business income will be apportioned by using the combined group's total Illinois financial, insurance, or transportation factors and total everywhere factors of the unitary business group. Items of income and deduction arising from transactions between members of the unitary business groups must be eliminated whenever necessary to avoid distortion of the denominators used by the unitary business group in calculating apportionment factors, or of the numerators used by the combined group or by ineligible members of the group in calculating apportionment factors.
- A) EXAMPLE ~~Example~~ 1:
- i) Corporations A, B, and C constitute a unitary business group. Corporations A and B are eligible to make the election under IITA Section 502(e) for tax years ending before December 31, 1993. However, under Public Law 86-272, Corporation C is not taxable in Illinois.
- ii) Based on these facts, if the election to be treated as one taxpayer is made, the combined Illinois sales factor must be determined by dividing the combined group's total

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combined Illinois sales (that is, excluding any sales of Corporation C shipped to purchasers in Illinois) by the total combined sales of the unitary business group everywhere. If the same facts are applied to a tax year ending on or after December 31, 1993, the same result will occur in the mandatory combined return situation.

B) EXAMPLE~~Example~~ 2:

- i) Same facts as in Example 1, except these additional facts also exist. Under Public Law 86-272, Corporations B and C are taxable in South Carolina, but corporation A is not.
 - ii) Based on these facts, if the election to be treated as one taxpayer is made, or the taxpayers are required to be treated as one taxpayer, the combined Illinois sales factor must be determined by dividing the combined group's total Illinois sales (including any sales of Corporation A shipped to purchasers in South Carolina from any place of storage in Illinois, i.e., throwback sales) by the total sales of the unitary business group everywhere.
- 2) Combined Nonbusiness Income~~nonbusiness~~ and Business Income~~nonunitary partnership income~~ Apportioned~~allocable~~ to Illinois by Partnerships in which the Members are Partners (other than partnerships that apportion business income under Section 100.3380(d)). The designated agent shall compute the amount of combined nonbusiness income or loss allocable to Illinois by first determining the amount for each member of the combined group and then combining these amounts. Similarly, the designated agent shall compute the amount of combined business~~nonunitary partnership~~ income or loss apportioned~~allocable~~ to Illinois by partnerships in which the members are partners (other than partnerships that apportion business income under Section 100.3380(d)) by first determining the amount for each member and then combining these amounts.
- 3) Combined Illinois Net Loss Deduction~~net loss deduction~~. The designated agent shall compute the combined Illinois net loss deduction for losses originating in tax years ending on or after December 31, 1986 by

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determining the amount of deduction available for each member of the combined group in accordance with Sections 100.2330, 100.2340 and 100.2350 ~~of this Part~~ and then by combining these amounts.

- c) Combined ~~Exemption~~exemption. Under the election or requirement to be treated as one taxpayer, there is one exemption per combined return. The designated agent shall compute the combined exemption by multiplying the amount of the exemption allowed under IITA Section 204 and Section 100.2055~~\$1,000~~ by a fraction, the numerator of which is combined base income allocable to Illinois and the denominator of which is the group's combined base income. The exemption amount for members of unitary groups not making the election, or subject to the requirement, and for members of unitary groups ineligible to make the election, or not subject to the requirement, is computed by multiplying the amount of the exemption allowed under IITA Section 204 and Section 100.2055~~\$1,000~~ by a fraction, the numerator of which is that member's base income allocable to Illinois, and the denominator of which is the group's combined base income.
- d) Combined ~~Credits~~credits
- 1) Applicability of ~~Credits~~credits. The designated agent will compute any credit allowed by the IITA based on the combined activities of the members of the combined group and ~~that such~~ credit will be applied against the combined liability of the combined group.
 - 2) Credits ~~Based based on~~ Members' Activities~~members' activities~~. The investment credits provided in IITA Sections 201(e), (f) and (h) and 206(b) are available when certain property is purchased and placed in service by a taxpayer. The combined group shall be entitled to a combined credit, assuming the other statutory or regulatory requirements applicable to the given credit are satisfied, even if one of the members purchases the qualified property and another member uses the property in a qualified manner.
 - 3) Effective January 1, 1994, the investment credit provided in IITA Section 201(e) is allowed for a taxpayer who is *primarily engaged in manufacturing, or in mining coal or fluorite, or in retailing*. In the case of a combined group, the determination of eligibility shall be made for the combined group as a whole, rather than for any individual member. The determination of whether a combined group is primarily engaged in a

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qualifying activity shall be made by applying the 50% of gross receipts test in Section 100.2101(f) ~~of this Part~~ by taking into account the gross receipts of only the eligible members of the combined group. Gross receipts of corporations which would otherwise be members of the combined group, but which have no taxable presence in Illinois or which cannot be combined for any other reason, are not considered in this determination. In determining whether a combined group is primarily engaged in retailing, gross receipts from transactions between eligible members of the combined group shall be eliminated from both the numerator and the denominator of the computation. In determining whether a combined group is primarily engaged in manufacturing or in the mining of coal or fluorite, gross receipts from manufacturing or the mining of coal or fluorite shall include:

- A) gross receipts from sales of products manufactured or coal or fluorite mined by one eligible member of the combined group to another eligible member of the combined group for use or consumption, and not for resale, provided, however, that the amount of ~~those such~~ gross receipts shall be subject to adjustment by the Department under the provisions of IITA Section 404 ~~of the HFA~~; and
 - B) gross receipts from sales to persons outside the combined group by one eligible member of the combined group of items manufactured, or coal or fluorite mined, by another eligible member of the combined group.
- 4) The additional credit provided in IITA Section 201(e) and the credit provided in IITA Section 201(g) are based on specified increases in employment in Illinois. For purposes of determining entitlement to these credits during a combined-return year, the increase in employment shall be determined with respect to the employment of all members of the combined group in Illinois and not an individual member's employment. For purposes of determining the increase in employment in Illinois for a common taxable year, the Illinois employment of all taxpayers who are members of the combined group during that common taxable year shall be used; that is, both prior and current year Illinois employment of current members who were not members of the combined group in the prior year shall be included in the determination, while prior and current year Illinois

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employment of taxpayers who ceased to be members of the combined group during the current or prior year shall be excluded. The application of this subsection (d)(4) is illustrated by the following examples:

EXAMPLEExample 1. Corporations A, B and C were members of a unitary business group which elected to file a combined return for 1989. Corporation D was not a member of the ABC combined group in 1989, but becomes a member of combined group ABCD filing a combined return for 1990. During 1989, Corporations A, B and C employed a total of 150 persons in Illinois and Corporation D employed 50 people in Illinois, for a total of 200.

During 1990, Corporations A, B and C employed 100 persons in Illinois and Corporation D employed 100 persons in Illinois, again for a total of 200.

IITA Section 201(e), which provides for a Replacement Tax Investment Credit for qualified property placed in service by the taxpayer during the year, allows an additional 0.5% credit for ~~that such~~ property to a taxpayer whose Illinois employment has increased by at least 1% over its Illinois employment in the immediately preceding year. Combined group ABCD cannot qualify for the additional 0.5% credit during 1990 because the combined Illinois employment of Corporations A, B, C and D remained unchanged between 1989 and 1990. Because eligibility is determined at the combined group level, no additional credit can be allowed for qualified property placed in service by Corporation D in 1990, even though Corporation D's Illinois employment doubled between 1989 and 1990.

EXAMPLEExample 2. Corporations P, Q, R and S filed a combined Illinois return for calendar year 1990. On January 1, 1991, Corporation S was sold to an unrelated purchaser. Corporations P, Q and R filed a combined Illinois return for calendar year 1991.

Combined group PQRS employed 400 people in Illinois during 1990, 100 of whom were actually employees of Corporation P and 100 of whom were actually employees of Corporation S.

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Combined group PQR employed 350 people in Illinois during 1991, 50 of whom were actually employees of Corporation P.

Combined group PQR can qualify for the additional 0.5% Replacement Tax Investment Credit allowed under IITA Section 201(e) for qualified property placed in service during 1990 because the Illinois employment of the three members of the combined group increased from 300 in 1989 to 400 in 1990. Because the eligibility is determined at the combined group level, property placed in service by Corporation P during 1990 may qualify for the additional 0.5% credit even though Corporation P's Illinois employment actually decreased.

~~EXAMPLE~~ Example 3. Prior to its 2013 repeal by Public Act 98-109, IITA Section 201(g) ~~allowed~~ allows a Jobs Tax Credit equal to \$500 per eligible employee hired to work in an enterprise zone during a taxable year. The taxpayer must hire 5 or more eligible employees during the taxable year in order to qualify for the credit. The credit is taken in the taxable year following the year the employee is hired. Corporations W, X, Y and Z filed a combined Illinois return for calendar year 1990. Corporation Z was sold to an unrelated purchaser on December 31, 1990. Corporations W, X and Y filed a combined return for 1991.

During 1990, WXYZ hired 5 eligible employees to work in an enterprise zone, 3 of whom were actually hired by Corporation Z. Combined group WXY may claim a Jobs Tax Credit of \$2,500 for 1991 because it hired 5 eligible employees during 1990. The fact that Corporation Z, which hired 3 of the employees, left the combined group at the beginning of 1991 does not alter the fact that the combined group earned the Jobs Tax Credit nor entitle Corporation Z to any portion of the credit for its separate company return for 1991.

- 5) The research and development credit provided in IITA Section 203(j) is based on increasing research activities in this State (see Section 100.2160 ~~of this Part~~). For purposes of determining entitlement to the credit during a combined-return year, the increase in research activities shall be determined with respect to research activities conducted by all members of

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the combined group in Illinois and not an individual member's research activities. The following series of examples illustrate the application of the research and development credit in combined return situations involving Corporations A, B and C that incurred the following expenses for qualified research activities in Illinois:

	1990	1991	1992	1993
Corp. A	50,000	50,000	50,000	0
Corp. B	25,000	25,000	100,000	200,000
Corp. C	75,000	125,000	100,000	100,000
	150,000	200,000	250,000	300,000

- A) EXAMPLEExample 1. A, B, and C filed combined returns for the years ending December 31, 1990, December 31, 1991, December 31, 1992 and December 31, 1993. The proper amount of the Research and Development Credit for the year ending December 31, 1993 is determined based upon the combined activities on the combined return and is calculated as follows:

Total qualified expenditures for 1993	300,000
Average qualified expenditures for 1990-92	200,000
Excess of 1993 expenditures over base period.....	100,000
Research and development credit for 1993	6,500

- B) EXAMPLEExample 2. A and B filed a combined return for the year ending December 31, 1990. C filed a separate return for the year ending December 31, 1990. A purchased the common stock of C on January 1, 1991. A, B and C filed combined returns for the years ending December 31, 1991, December 31, 1992 and December 31, 1993. The \$75,000 of expenses for qualified research activities in Illinois incurred by C for the year ending December 31, 1990 should be included in the calculation of the average qualified expenditures for the base period. The credit for the combined return would be calculated as follows:

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Total qualified expenditures for 1993	300,000
Average qualified expenditures for 1990-92	200,000
Excess of 1993 expenditures over base period	100,000
Research & Development Credit for 1993	6,500

C) EXAMPLE Example 3. A, B and C filed combined returns for the years ending December 31, 1990, December 31, 1991 and December 31, 1992. On January 1, 1993, A sold the common stock of C to P (an unrelated corporation). For the year ending December 31, 1993, C was included in the combined return filed by P. In determining the proper amount of the Research and Development Credit for the combined return filed by A and B for the year ending December 31, 1993, the expenses for qualified research activities in Illinois incurred by C of \$75,000, \$125,000 and \$100,000 for the years ending December 31, 1990, December 31, 1991 and December 31, 1992, respectively, may not be included in the calculation of the average qualified expenditures for the base period for A and B for the year ending December 31, 1993. The credit for the combined return for A and B for the year ending December 31, 1993 would be calculated as follows:

Total qualified expenditures for 1993	200,000
Average qualified expenditures for 1990-92	100,000
Excess of 1993 expenditures over base period	100,000
Research & Development Credit for 1993	6,500

6) Credit Carryforward~~carryforward~~. Any combined credit carryforward shall be available to the combined group for the next combined-return year. For purposes of the credits allowed with respect to certain qualifying property under IITA Sections 201(e), (f), and (h) and 206(b), where a member becomes ineligible to join in the election, or is no longer required to be part of the combined return, the credit carryforward shall be available to the remaining members if thosesuch members continue to

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both own and use the property for which the credit was claimed in a qualifying manner for 48 months after the placed-in-service date. The credit carryforward shall be available to the former member that has become ineligible if that former member both owns and uses the property for which the credit was claimed in a qualifying manner for the remainder of the 48-month period after the placed-in-service date. If a credit carryforward is available to the former member that has become ineligible, the amount of the carryforward is equal to the combined unused credit multiplied by a fraction, the numerator of which is the credit attributable to the qualified property of ~~that~~ former member for the combined unused credit year, and the denominator of which is the qualified property of the combined group for ~~the~~ unused credit year.

~~EXAMPLE~~Example 1. In 1985, Corporation A purchased \$300,000 of eligible property, \$200,000 of which was used by A and \$100,000 of which was transferred to and used by Corporation B. A and B filed a combined return for that year which showed an income tax liability of \$1,000 and an investment credit of \$1,500. The group's unused credit was \$500. In 1987, B left the group, and during that year it owned and continued to use the \$100,000 of eligible property. Its credit carryforward would be computed as follows:

$$\$500 \times \$100,000/\$300,000 = \$166.67$$

- 7) Recapture. For purposes of credits which are recaptured when property ceases to be qualified property or is moved out of Illinois or when property is moved outside of an enterprise zone within 48 months of the placed-in-service date, the members of the combined group are responsible for the recapture of any personal property replacement tax or income tax.

~~EXAMPLE~~Example 2. Same facts as in the Example 1 in subsection (d)(6) ~~above~~ except in 1987 Corporation A transferred its eligible property (originally purchased for \$200,000, in 1985) to Corporation B. Corporation B was acquired by Corporation C in 1987 and, immediately afterward, B sold all the eligible property (originally purchased for a total of \$300,000) to an unrelated third party. B and C file a combined return for that year and they must

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increase their tax liability by \$1,000 due to the credit that was allowed on the combined return filed by A and B in 1985.

- e) Ineligible ~~Members~~ members. If a unitary business group contains one or more ~~an~~ ineligible members (e.g., a partnership that is not required to apply the apportionment method prescribed in Section 100.3380(d), a subchapter-i.e., an S Corporation or, for years ending prior to December 31, 1987, a corporation with a different taxable year), the ineligible members shall file ~~a~~ separate unitary returns. In the separate unitary return, the apportionment percentage of ~~that any such~~ ineligible member shall be determined by dividing the Illinois factor or factors of that member by the combined everywhere factor or factors of all members of the unitary business group. The apportionment percentage shall then be multiplied by the combined business income of the unitary business group to determine the business income of ~~that such~~ ineligible member apportionable to Illinois. The taxable income of the members ~~that joined in the election~~ shall be their combined taxable income as determined under subsection (a)(1) ~~of this Section~~. If a corporation is ineligible because it has a different taxable year, it shall use either method of accounting available to part-year members and set forth in subsection (f)(2) ~~of this Section~~. If two or more corporations are ineligible because they have an accounting period that is different from other members making the election, they may elect to file their own combined return if they have the same taxable year. The foregoing rule also applies in the case of erroneous inclusion of a member in a group otherwise required to file a combined return.
- f) Part-year Members ~~members~~
- 1) General Rule ~~rule~~. If a corporation becomes a member of a unitary business group after the beginning of the combined return year or ceases to be a member of the unitary business group during the combined return year, two tax returns will be affected for that taxable year. The combined return shall include the separate company items of ~~that such~~ corporation for the part of the year it was a member of the unitary business group. Separate company items of a part-year member for any portion of its taxable year prior to the date it joins or after the date it leaves the unitary business group shall either be reported in a short-year separate return filed by ~~that such~~ part-year member (if it is subject to Illinois income tax during that period) or included in any combined return filed on behalf of a unitary business group to which ~~that such~~ part-year member belongs during that portion of the year.

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- 2) Accounting. The part-year member shall use either Method 1 or Method 2 (described in Section 100.5265(b) ~~of this Part~~) to determine its separate company items for the portion of the year before it becomes a member and the portion of the year after it becomes a member of the combined group.

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

SUBPART S: REQUIREMENT AND AMOUNT OF WITHHOLDING

Section 100.7050 Computation of Amount Withheld (IITA Section 702)

- a) Amount ~~Withheld~~~~withheld~~. Every employer required to deduct and withhold a tax on compensation paid in Illinois to an individual shall deduct and withhold for each payroll period an amount equal to the tax rate in effect for the date the compensation is paid times 3% (.03) ~~of~~ the amount by which ~~that~~~~such~~ individual's compensation exceeds the proportionate part of his or her withholding exemption attributable to the payroll period for which ~~that~~~~such~~ compensation is payable. "Payroll period" for Illinois withholding purposes shall have the same definition as in 26 USC 3401 and shall include "miscellaneous payroll period" as that term is defined and used in that section and the regulations thereunder.
- b) Methods of Computations ~~computations~~
 - 1) General Rules~~rules~~. Employers required to withhold Illinois income tax on compensation paid in this State shall compute the amount of tax to be withheld for each payroll period pursuant to the methods and rules provided for withholding on ~~that~~~~such~~ compensation under the Internal Revenue Code.
 - 2) Direct Percentage Computations ~~percentage computations~~
 - A) An employer may elect a direct percentage computation to determine the amount of withholding utilizing the following allowances per claimed exemption (see Section 100.7150 ~~of this Part~~) for the appropriate payroll period. A tax rate in effect for the date the compensation is paid ~~of 3% (.03)~~ is to be used in the determination of the amount of tax to be withheld. For compensation paid in years prior to 1998, the exemption is:

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Weekly	\$ 19.23
Bi-Weekly	38.46
Semi-monthly	41.67
Monthly	83.33
Quarterly	250.00
Semi-annually	500.00
Annually	1,000.00
Daily or Miscellaneous	2.74

For years after 1997, the basic amount of the exemption is changed from \$1,000. For those years, the amount of an exemption allocable to a period of less than a year should be taken from the applicable version of Booklet IL-700-T, Illinois ~~Employer's Withholding Tax Guide and~~ Withholding Tax Tables, available from the Department. If the Booklet IL-700-T is not available, these amounts can be computed by multiplying the above amounts by a fraction equal to the ~~basic amount~~ of exemption allowed for the year divided by \$1,000.

- B) The steps in computing the amount to be withheld under the percentage method of withholding are as follows:
- i) Step 1: Determine the amount of one withholding exemption for the particular payroll period from the preceding table;
 - ii) Step 2: Multiply the amount determined in Step 1 by the number of exemptions claimed by the employee;
 - iii) Step 3: Subtract the amount determined in Step 2 from the employee's compensation;
 - iv) Step 4: Multiply the difference determined in Step 3 by the tax rate in effect for the date the compensation is paid~~3% (-03)~~. The result is the amount of tax to be withheld for the particular payroll period.
- C) If an employee has claimed no withholding exemptions, either by

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filing a withholding exemption certificate claiming zero exemptions or by not filing a withholding exemption certificate, the amount to be withheld is the tax rate in effect for the date the compensation is paid times 3% (.03) of the compensation payable for each payroll period.

- 3) Tables. An employer may elect to use the withholding tables set out in the Booklet IL-700-T, Illinois Employer's Withholding Tax Guide and Withholding Tax Tables, available from the Department.
- 4) Other Methods ~~methods~~
 - A) An employer may use any other method for computing the amount of tax to be deducted and withheld for each payroll period thatwhich is permitted for withholding for federal income tax purposes.
 - B) If theany such other method for the computation of the amount of tax to be deducted and withheld for federal income tax purposes required prior approval of the Commissioner of Internal Revenue, then the Department shall be notified of thatsuch federal approval by the submission of a copy of the employer's request and the Commissioner's approval.
- c) Supplemental Wage Payments~~wage payments~~. An employee's compensation may consist of wages paid for a payroll period and supplemental wages, such as bonuses, commissions, and overtime pay, paid for the same or a different period or without regard to a particular period. When such supplemental wages are paid, the amount of tax required to be withheld shall be determined in accordance with the same methods provided for withholding on thosesuch wages under the Internal Revenue Code and the regulations thereunder. However, an employer may elect to compute the amount of tax to be withheld using the tax rate in effect for the date the compensation is paid a flat rate of 3% (.03).
- d) Vacation Paypay. An amount~~Amount~~ of so-called "vacation allowances" shall be subject to withholding as though they were regular wage payments made for the period covered by the vacation. If the vacation allowance is paid in addition to the regular wage payment for thatsuch period, the allowance shall be treated as a supplemental wage paymentpayments.

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

Section 100.7070 Voluntary Withholding (IITA Section 701)

Any individual receiving periodic payments may enter into an agreement with the payor to provide for withholding of Illinois income tax on ~~thosesuch~~ payments. An agreement under this section between the payor and the individual shall be in writing and shall be governed by the provisions of Section 100.7060(b) ~~of this Part~~. The amount of tax to be deducted and withheld from each payment shall be equal to an amount mutually agreed upon in the written agreement or ~~computed using the tax rate in effect for the date the compensation is paid~~ 3% ~~(.03)~~ and shall be considered as a tax withheld from compensation for the purposes of IITA Article 6 and Article 7 ~~of the Illinois Income Tax Act~~. A payor who has entered into an agreement under this ~~Section section~~ shall be considered an employer required to deduct and withhold tax for the purposes of IITA Article 7 and IITA Section 1002 and shall accordingly be required to register as a withholding agent and file the reports and returns required of all employers withholding tax.

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

SUBPART T: AMOUNT EXEMPT FROM WITHHOLDING

Section 100.7100 Withholding Exemption (IITA Section 702)

- a) General ~~Rulesrules~~. An employee is entitled to a withholding exemption equal to the basic amount under IITA Section 204 and Section 100.2055 of this Part multiplied by the number of withholding exemptions to which he or she is entitled for federal income tax withholding purposes plus additional exemptions in the amounts allowed under IITA Section 204 and Section 100.2055 ~~amount of \$1,000 if the taxpayer or the taxpayer's spouse is age 65 or older or is blind~~. Since the Act does not provide for itemized deductions for individuals in the computation of net income, no additional withholding allowances based on ~~thosesuch~~ deductions (as provided under 26 USC 3402(m)) are permitted). ~~The basic amount is \$1,000 for years prior to 1998; \$1,300 for 1998; \$1,650 for 1999; and \$2,000 for subsequent years.~~
- b) Married ~~Employeesemployees~~. A married employee may not claim a withholding exemption for any dependent (as defined in 26 USC 152) unless, if he or she filed a separate federal income tax return, he or she could claim that dependent on ~~thatsuch~~ separate return. He or she may claim any withholding exemption to

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which his [or her](#) spouse may be entitled (except for dependents) for federal withholding purposes if the spouse has not claimed ~~that such~~ exemption on an Illinois withholding exemption certificate. However, a married employee is not entitled to claim any withholding exemption in respect of a spouse unless they expect to file a joint Illinois income tax return.

- c) Examples. Section 100.7100(a) and (b) ~~of this Part~~ may be illustrated by the following examples:
- 1) ~~EXAMPLE~~[Example](#) 1: A and B are married and intend to file separate federal returns. A and B are residents of Illinois. A, is employed and works for a company in State X. None of the compensation received from his employer is subject to Illinois withholding (see Section 100.7010 ~~of this Part~~). B works in Illinois and her salary is subject to Illinois withholding. For federal withholding purposes, A claims no exemption and B claims two exemptions, one for herself and one for her spouse, who has not claimed a withholding exemption for himself on a federal withholding exemption certificate filed with his employer. Under IITA Section 502(c), A and B must file a return in Illinois on a separate basis. B may claim only one withholding exemption for Illinois withholding purposes (i.e., her own exemption) even though she is entitled to claim two exemptions for federal withholding purposes.
 - 2) ~~EXAMPLE~~[Example](#) 2: Assume the same facts as Example 1, except that A and B have both attained the age of 65. Accordingly, B claims four withholding exemptions for federal purposes. However, for Illinois withholding purposes B may claim only her own two exemptions; one exemption equal to the basic amount for herself and one additional \$1,000 exemption for having attained the age of 65.
 - 3) ~~EXAMPLE~~[Example](#) 3: Assume the same facts as Example 1, except that A and not B claims the two exemptions on a federal withholding exemption certificate. B is entitled to claim one withholding exemption (her own) for Illinois withholding purposes. However, if A and B expect to file a joint federal return and accordingly a joint Illinois return, B may claim two withholding exemptions for Illinois withholding purposes.
 - 4) ~~EXAMPLE~~[Example](#) 4: Assume the same facts as Example 1, except that A has two dependents who qualify as his dependents under 26 USC 152.

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

Only A may claim these dependents as withholding exemptions for both federal and Illinois purposes.

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

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Transitional Bilingual Education
- 2) Code Citation: 23 Ill. Adm. Code 228
- 3) Section Number: 228.10 Proposed Action:
Amendment
- 4) Statutory Authority: Implementing Article 14C and authorized by Section 2-3.39(1) of the School Code.
- 5) A Complete Description of the Subjects and Issues Involved: The proposed amendments update the definitions of "Prescribed Screening Instrument" and "English Language Proficiency Assessment" in the rules for Transitional Bilingual Education. The screening instrument is an assessment schools use to identify English Learners (ELs) and determine appropriate program placements for them. In March 2017 the Division of English Language Learning was made aware that the current screening instrument would no longer be available for use by school districts. ISBE has chosen WIDA Screener (2016) as the prescribed screening instrument and ACCESS for ELLs 2.0® as the English language proficiency assessment. Both assessment tools were created and maintained by the World-class Instructional Design and Assessment (WIDA) Consortium, Wisconsin Center for Education Research.

When parents move into a school district, they complete a home language survey that indicates what languages are spoken at home. Districts are required to screen students who come from a home where a language other than English is spoken. Potential ELs are assessed using the prescribed screener at the time they are initially enrolled in the district. Students who test below the state cut score for English proficiency are eligible for bilingual/English as a second language services and are placed in a Transitional Bilingual Education program or Transitional Program of Instruction. Each year after, these students take the state English language proficiency assessment (ACCESS for ELLs 2.0) to determine their proficiency level. When ELs reach the state proficiency level, they are transitioned into a general education classroom.

- 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

STATE BOARD OF EDUCATION

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- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? Yes; see the definition of "English Language Development Standards".
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: 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 of the publication of this Notice to:
- Lindsay M. Bentivegna
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 in which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent Regulatory Agendas because: it was not anticipated at the time the Regulatory Agendas were prepared.

The full text of the Proposed Amendments is identical with the text of the Emergency Amendments for this Part and begins in this issue of the *Illinois Register* on page 6687.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of Part: Procedures for Implementing the Electronic Canvass
- 2) Code Citation: 26 Ill. Adm. Code 219
- 3) Section Number: 219.APPENDIX A Proposed Action: Amendment
- 4) Statutory Authority: Implementing Section 5/22-6 of the Election Code [10 ILCS 5/22-6] and authorized by Section 18A-15 of the Election Code [10 ILCS 5/18A-15].
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking corrects a numbering error in the Vote File Record Structure table of APPENDIX A.
- 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 rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: See number 5 above.
- 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.
Springfield IL 62708

217/782-4141
fax: 217/782-5959 (fax)
kmenzel@elections.il.gov

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENT

- 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: Basic knowledge of how to use a web browser and tabulation software is needed to prepare and submit the electronic canvass. Specific instructions will be provided for all steps that need to be completed.
- 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 Amendment begins on the next page:

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENT

TITLE 26: ELECTIONS
CHAPTER 1: STATE BOARD OF ELECTIONS

PART 219
PROCEDURES FOR IMPLEMENTING THE ELECTRONIC CANVASS

Section

- 219.10 General Provisions
- 219.20 Office, Candidate and Party ID Numbers
- 219.30 File Specification and Export Procedures
- 219.40 New System Requirements

219.APPENDIX A Illinois eCanvass File Format

AUTHORITY: Implementing Section 5/22-6 of the Election Code [10 ILCS 5/22-6] and authorized by Section 18A-15 of the Election Code [10 ILCS 5/18A-15].

SOURCE: Adopted at 39 Ill. Reg. 4020, effective February 27, 2015; amended at 41 Ill. Reg. _____, effective _____.

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Section 219.APPENDIX A Illinois eCanvass File Format

Master File Record Structure

Column Start	Length	Date Type	Ballot Style	Precinct	Party
1	2	Record Type (Integer)	Record Type = 1	Record Type = 2	Record Type = 3
3	7	Unique System Id (Integer)	Ballot Style ID [1]	Precinct ID [6]	(Vendor) Party ID [9]
10	50	Name (String)	Ballot Style Name [2]	Precinct Name [7]	Party Name [10]
60	20	Code (String)			
80	7	Display List Order (Integer)			
87	7	Party ID (Vendor or State Number)	Ballot Style (Vendor) Party ID [3]		(SBE) Party ID [11]
94	1	Varies/Record Dependent (Boolean 0 or 1)	Is Federal [4] 0 = Non-Federal Ballot Style 1 = Federal Ballot Style		
95	2	Vote For (Integer)	Proposition Only [5] 00 = No 01 = Yes		
97	7	Varies/Record Dependent (Integer)		Registration [8]	

(Master File Record Structure Cont.)

District	Contest	Candidate
Record Type = 4	Record Type = 5	Record Type = 6

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENT

District ID [12]	(Vendor) Contest ID [15]	(Vendor) Candidate ID [21]
District Name [13]	Contest Name [16]	Candidate Name [22]
	(SBE) Contest ID [17]	(SBE) Candidate ID [23]
District List Order [14]	Contest List Order [18]	Candidate List Order [24]
	(SBE) Party ID [11]	(Vendor) Candidate Party ID [25]
	Is Proposal [19] 0 = Normal Contest 1 = Proposal	Is Write-in [31] 0 = Regular Candidate 1 = Write-In Candidate
	Vote For [20]	
	District ID [12]	(Vendor) Contest ID [15]

Vote File Record Structure

Column Start	Length	Date Type
1	7	Precinct ID (Integer) [6]
87	7	Ballot Style ID (Integer) [1]
1514	7	(Vendor) Contest ID (Integer) [15] 0 = Turnout Record [26]
2221	7	(Vendor) Candidate Id (Integer) [21] 9999999 = Over Votes [27, 28] 9999998 = Under Votes [27, 29] 9999997 = Blank Ballot [27, 30] 0 = Turnout Record [26]
2928	7	Vote Count (Integer)

Definitions

STATE BOARD OF ELECTIONS

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- 1 Ballot Style ID – A unique (to the jurisdiction) numeric identifier for the given ballot
style
- 2 Ballot Style Name – A unique (to the jurisdiction) name assigned to the given ballot style
- 3 Ballot Style (Vendor) Party ID – Only applicable in a primary election, this party ID
identifies the party for a given ballot style
- 4 Is Federal – Designates if a ballot style contains only federal contests
- 5 Proposition Only – Only applicable in a primary election, this identifies a ballot style as
only having questions of public policy (referenda)
- 6 Precinct ID – Unique (to the jurisdiction) numeric identifier for the given precinct
- 7 Precinct Name – A unique (to the jurisdiction) name to identify the precinct
- 8 Registration – The number of registered voters within a precinct. This number should
reflect only the "active" registered voters from that precinct
- 9 (Vendor) Party ID – Unique Identifier for the political parties active in a given election,
assigned by the jurisdiction or tabulation vendor
- 10 Party Name – Name of a given political party
- 11 (SBEL) Party ID – ID assigned to a given political party by SBEL; SBEL party ID for a
contest will reflect the party for a contest in a primary election; in a General Election this
ID will be designated as "99" (Nonpartisan) since the office does not have a party
affiliation in a General Election
- 12 District ID – Unique (to the jurisdiction) ID assigned by the jurisdiction to a given
political district/unit of government
- 13 District Name – A unique text representation of the district/unit of government (e.g., 4TH
APPELLATE COURT)
- 14 District List Order – A hierarchical number representing the order in which districts
appear on the ballot
- 15 (Vendor) Contest ID – A unique ID number assigned to an office/contest by the
jurisdiction or tabulation vendor
- 16 Contest Name – A unique text representation of the contest/office (e.g., 4TH
APPELLATE COURT – SMITH VACANCY)
- 17 (SBEL) Contest ID – ID assigned to a given office/contest by SBEL; should be zero in
the case that an ID is not assigned by SBEL for the given contest
- 18 Contest List Order – A hierarchical number representing the order in which
offices/contests appear on the ballot
- 19 Is Proposal – Designates if a contest/office is actually a question of public policy
(referenda)
- 20 Vote For – Number of candidates to be elected/nominated within a given office/contest
- 21 (Vendor) Candidate ID – Unique ID assigned to a candidate by jurisdiction/vendor
- 22 Candidate Name – Name of candidate or position on a referendum question

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- ²³ (SBEL) Candidate ID – ID assigned by SBEL for the given candidate; in the event that
no ID is assigned by SBEL, this ID shall be zero
- ²⁴ Candidate List Order – A hierarchical number representing the order in which candidates
appear on the ballot
- ²⁵ (Vendor) Candidate Party ID – ID assigned by the jurisdiction or vendor to the candidate
- ²⁶ Turnout Record – In the vote file, a turnout record will have a contest ID of zero and a
candidate ID of zero, and will have one record per precinct and ballot style combination;
the turnout record will effectively report the number of times a ballot style was counted
within a particular precinct
- ²⁷ Reporting of Under Votes, Over Votes and Blank Ballots – Under votes, over votes and
blank ballots shall be designated in the candidate ID field with codes of 9999998,
9999999 and 9999997, respectively, and shall have a corresponding contest ID
- ²⁸ Under Votes – The number of times that the contest was on a tabulated ballot when votes
cast are less than the Vote For number
- ²⁹ Over Votes – The number of times that the contest was on a tabulated ballot when votes
cast are more than the Vote For number
- ³⁰ Blank Ballots – For a given contest, the number of times a ballot is cast when the contest
has no candidates
- ³¹ Is Write-in – Identifies that the candidate is a write-in candidate

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

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Access to Records of the Illinois Criminal Justice Information Authority
- 2) Code Citation: 2 Ill. Adm. Code 1755
- 3)

<u>Section Numbers</u> :	<u>Adopted Actions</u> :
1755.100	New Section
1755.105	New Section
1755.200	New Section
1755.205	New Section
1755.210	New Section
1755.300	New Section
1755.305	New Section
1755.310	New Section
1755.315	New Section
1755.400	New Section
1755.405	New Section
1755.410	New Section
1755.415	New Section
1755.420	New Section
1755.425	New Section
1755.430	New Section
1755.435	New Section
1755.500	New Section
1755.505	New Section
1755.510	New Section
1755.APPENDIX A	New Section
- 4) Statutory Authority: 5 ILCS 140/1 et seq. and 5 ILCS 100/5-15
- 5) Effective Date of Rules: July 1, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules including any material incorporated is on file in the Agency's principal office and is available for public inspection

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

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- 9) Date Notice of Proposed published in the *Illinois Register*: Pursuant to Section 5-15 of the Illinois Administrative Code [5 ILCS 100/5-15], this rulemaking was not required to be published at First Notice.
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No. This part was adopted Pursuant to Section 5-15 of the Illinois Administrative Code [5 ILCS 100/5-15].
- 11) Difference between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Not applicable
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part establishes the Freedom of Information Act for the Illinois Criminal Justice Information
- 16) Information and questions regarding these adopted rules shall be directed to:

Illinois Criminal Justice Information Authority
Attention: Simeon Kim, Associate General Counsel
300 West Adams Street, Suite, 200
Chicago IL 60606

312/793-0449
email: simeon.kim@illinois.gov

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

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF ADOPTED RULES

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE E: MISCELLANEOUS STATE AGENCIES
CHAPTER XI: ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

PART 1755
ACCESS TO RECORDS OF THE ILLINOIS CRIMINAL JUSTICE
INFORMATION AUTHORITY

SUBPART A: INTRODUCTION

Section	
1755.100	Summary and Purpose
1755.105	Definitions

SUBPART B: CLASSIFICATION OF RECORDS

Section	
1755.200	Records that Will Be Disclosed
1755.205	Records that Will Be Withheld from Disclosure
1755.210	Statutory Exemptions

SUBPART C: PROCEDURES FOR REQUESTING
RECORDS FROM THE AGENCY

Section	
1755.300	Submittal of Requests for Records
1755.305	Information To Be Provided in Requests for Records
1755.310	Requests for Records for Commercial Purposes
1755.315	Records Maintained Online

SUBPART D: AGENCY RESPONSE TO REQUESTS FOR RECORDS

Section	
1755.400	Timeline for Agency Response
1755.405	Requests for Records that the Agency Considers Unduly Burdensome
1755.410	Recurrent Requesters
1755.415	Requests for Records that Require Electronic Retrieval
1755.420	Denials of Requests for Records
1755.425	Requests for Review of Denials – Public Access Counselor

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1755.430 Circuit Court Review
1755.435 Administrative Review

SUBPART E: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

Section

1755.500 Inspection and Copying of Records
1755.505 Fees for Records
1755.510 Reduction and Waiver of Fees

1755.APPENDIX A Fee Schedule for Duplication and Certification of Records

AUTHORITY: Implementing and authorized by Section 3(h) of the Freedom of Information Act [5 ILCS 140/3(h)], implementing Section 7(o) of the Illinois Criminal Justice Information Act [20 ILCS 3930/7(o)] and Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15].

SOURCE: Adopted at 41 Ill. Reg. 6481, effective July 1, 2017.

SUBPART A: INTRODUCTION

Section 1755.100 Summary and Purpose

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

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

Section 1755.105 Definitions

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

"Act" means the Illinois Criminal Justice Information Act [20 ILCS 3930].

"Agency" means the Illinois Criminal Justice Authority as established by the Act.

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

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

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

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

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

"Director" means the Executive Director of the Authority.

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

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

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

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

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

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

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

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

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

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

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

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

SUBPART B: CLASSIFICATION OF RECORDS

Section 1755.200 Records that Will Be Disclosed

Upon request meeting the requirements of this Part, the Agency shall disclose to the requester all records requested except that it shall not disclose certain records as provided in Section 1755.205 or 1755.210. Records covered under this Section shall include, but are not limited to:

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

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- c) *Settlement agreements. All settlement agreements entered into by or on behalf of the Agency are records subject to inspection and copying by the public, provided that information exempt from disclosure under Section 1755.205 or 1755.210 may be redacted. (Section 2.20 of FOIA)*

Section 1755.205 Records that Will Be Withheld from Disclosure

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

Section 1755.210 Statutory Exemptions

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

SUBPART C: PROCEDURES FOR REQUESTING
RECORDS FROM THE AGENCY**Section 1755.300 Submittal of Requests for Records**

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

Illinois Criminal Justice Information Authority
300 West Adams Street, Suite 200
Chicago IL 60606

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Attn: FOI Officer

- e) E-mailed requests should be sent to CJA.FOIA@illinois.gov, contain the request in the body of the e-mail, and indicate in the subject line of the e-mail that it contains a FOIA request. Faxed FOIA requests should be faxed to 312/793-8422, Attn: FOI Officer.

Section 1755.305 Information To Be Provided in Requests for Records

A request for records should include:

- a) The complete name, mailing address and telephone number of the requester;
- b) As specific a description as possible of the records sought. Requests that the Agency considers unduly burdensome or categorical may be denied. (See Section 3(g) of FOIA and Section 1755.405 of this Part.);
- c) A statement as to the requested medium and format for the Agency to use in providing the records sought: for example, paper, specific types of digital or magnetic media, or videotape;
- d) A statement as to the requested manner for the Agency to use in providing the records sought: for example, inspection at Agency headquarters or providing paper or electronic copies;
- e) A statement as to whether the request is for a commercial purpose.

Section 1755.310 Requests for Records for Commercial Purposes

- a) *It is a violation of FOIA for a person to knowingly obtain a record for a commercial purpose without disclosing that it is for a commercial purpose if requested to do so by the Agency. (Section 3.1(c) of FOIA)*
- b) *The Agency shall respond to a request for records to be used for a commercial purpose within 21 working days after receipt. The response shall:*
 - 1) *Provide to the requester an estimate of the time required by the Agency to provide the records requested and an estimate of the fees to be charged,*

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which the Agency may require the person to pay in full before copying the requested documents;

- 2) *Deny the request pursuant to one or more of the exemptions set out in Section 1755.205 or 1755.210;*
 - 3) *Notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or*
 - 4) *Provide the records requested. (Section 3.1(a) of FOIA)*
- c) *Unless the records are exempt from disclosure, the Agency shall comply with a request within a reasonable period considering the size and complexity of the request, and giving priority to records requested for non-commercial purposes. (Section 3.1(b) of FOIA)*

Section 1755.315 Records Maintained Online.

- a) *Notwithstanding any provision of FOIA to the contrary, a public body is not required to copy a public record that is published on the public body's website. The public body shall notify the requester that the public record is available online and direct the requester to the website where the record can be reasonably accessed.*
- b) *If the person requesting the public record is unable to reasonably access the record online after being directed to the website pursuant to subsection (a), the requester may resubmit his or her request for the record stating his or her inability to reasonably access the record online, and the public body shall make the requested record available for inspection or copying as provided in Section 3 of FOIA. (Section 8.5 of FOIA)*

SUBPART D: AGENCY RESPONSE TO REQUESTS FOR RECORDS

Section 1755.400 Timeline for Agency Response

- a) *Except as stated in subsection (b) or (c), the Agency will respond to any written request for records within 5 business days after its receipt of the request. Failure to comply with a written request, extend the time for response, or deny a request*

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within 5 business days after its receipt shall be considered a denial of the request. If the Agency fails to respond to a request within the requisite periods in this subsection (a) but thereafter provides the requester with copies of the requested records, it will not impose a fee for those copies. If the Agency fails to respond to a request received, it will not treat the request as unduly burdensome as provided under Section 1755.405. (Section 3(d) of FOIA) A written request from the Agency to provide additional information shall be considered a response to the FOIA request.

- b) *The time limits prescribed in subsection (a) may be extended for not more than 5 business days from the original due date for any of the following reasons:*
- 1) *The requested records are stored in whole or in part at locations other than the office having charge of the requested records;*
 - 2) *The request requires the collection of a substantial number of specified records;*
 - 3) *The request is couched in categorical terms and requires an extensive search for the records responsive to it;*
 - 4) *The requested records have not been located in the course of routine search and additional efforts are being made to locate them;*
 - 5) *The requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 or 7.5 of FOIA or should be revealed only with appropriate deletions;*
 - 6) *The request for records cannot be complied with by the Agency within the time limits prescribed by subsection (a) without unduly burdening or interfering with the operations of the Agency; or*
 - 7) *There is a need for consultation, which shall be conducted with all practicable speed, with another public body or among two or more components of a public body having a substantial interest in the determination or in the subject matter of the request. (Section 3(e) of FOIA)*

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- c) *The person making a request and the Agency may agree in writing to extend the time for compliance for a period to be determined by the parties. If the requester and the Agency agree to extend the period for compliance, a failure by the Agency to comply with any previous deadlines shall not be treated as a denial of the request for the records. (Section 3(e) of FOIA)*
- d) *When additional time is required for any of the reasons set forth in subsection (b), the Agency will, within 5 business days after receipt of the request, notify the person making the request of the reasons for the extension and the date by which the response will be forthcoming. Failure to respond within the time permitted for extension shall be considered a denial of the request. If the Agency fails to respond to a request within the time permitted for extension but thereafter provides the requester with copies of the requested public records, it may not impose a fee for those copies. If the Agency issues an extension and subsequently fails to respond to the request, it will not treat the request as unduly burdensome under Section 1755.405. (Section 3(f) of FOIA)*

Section 1755.405 Requests for Records that the Agency Considers Unduly Burdensome

- a) *The Agency will fulfill requests calling for all records falling within a category unless compliance with the request would unduly burden the Agency, there is no way to narrow the request, and the burden on the Agency outweighs the public interest in the information. Before invoking this exemption, the Agency will extend to the requester an opportunity to confer with it in an attempt to reduce the request to manageable proportions. (Section 3(g) of FOIA) The amended request must be in writing.*
- b) *If the Agency determines that a request is unduly burdensome, it shall do so in writing, specifying the reasons why it would be unduly burdensome and the extent to which compliance will so burden the operations of the Agency. The response shall be treated as a denial of the request for information. (Section 3(g) of FOIA)*
- c) *Repeated requests from the same person for records that are unchanged or identical to records previously provided or properly denied under this Part shall be deemed unduly burdensome. (Section 3(g) of FOIA)*

Section 1755.410 Recurrent Requesters

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- a) *Notwithstanding any provision of this Part to the contrary, the Agency will respond to a request from a recurrent requester, as defined in Section 1755.105, within 21 business days after receipt. The response shall:*
- 1) *provide to the requester an estimate of the time required by the Agency to provide the records requested and an estimate of the fees to be charged, which the Agency may require the person to pay in full before copying the requested documents;*
 - 2) *deny the request pursuant to one or more of the exemptions set out in this Part;*
 - 3) *notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or*
 - 4) *provide the records requested.*
- b) *Within 5 business days after receiving a request from a recurrent requester, the Agency will notify the requester that the Agency is treating the request as a recurrent request, of the reasons why the Agency is treating the request as a recurrent request, and that the Agency will send an initial response within 21 business days after receipt in accordance with subsection (a). The Agency will also notify the requester of the proposed responses that can be asserted pursuant to subsection (a).*
- c) *Unless the records are exempt from disclosure, the Agency will comply with a request within a reasonable period considering the size and complexity of the request. (Section 3.2 of FOIA)*

Section 1755.415 Requests for Records that Require Electronic Retrieval

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

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Section 1755.420 Denials of Requests for Records

- a) The Agency will deny requests for records when:
 - 1) Compliance with the request would unduly burden the Agency, as determined pursuant to Section 1755.405, and the requester has not reduced the request to manageable proportions; or
 - 2) The records are exempt from disclosure pursuant to Section 7 or 7.5 of FOIA or Section 1755.205 or 1755.210 of this Part.
- b) The denial of a request for records must be in writing.
 - 1) The notification shall include a description of the records denied; *the reason for the denial, including a detailed factual basis for the application of any exemption claimed; and the names and titles or positions of each person responsible for the denial* (Section 9(a) of FOIA);
 - 2) *Each notice of denial shall also inform the person of the right to review by the Public Access Counselor and provide the address and phone number for the Public Access Counselor* (Section 9(a) of FOIA); and
 - 3) *When a request for records is denied on the grounds that the records are exempt under Section 7 or 7.5 of FOIA, the notice of denial shall specify the exemption claimed to authorize the denial and the specific reasons for the denial, including a detailed factual basis and a citation to the supporting legal authority* (Section 9(b) of FOIA).
- c) A requester may treat the Agency's failure to respond to a request for records within 5 business days after receipt of the written request as a denial for purposes of the right to review by the Public Access Counselor.
- d) If the Agency has given written notice pursuant to Section 1755.400(d), failure to respond to a written request within the time permitted for extension may be treated as a denial for purposes of the right to review by the Public Access Counselor.

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- e) *Any person making a request for records shall be deemed to have exhausted his or her administrative remedies with respect to that request if the Agency fails to act within the time periods provided in Section 1755.400. (Section 9(c) of FOIA)*

Section 1755.425 Requests for Review of Denials – Public Access Counselor

- a) *A person whose request to inspect or copy a record is denied by the Agency may file a request for review with the Public Access Counselor established in the Office of the Attorney General not later than 60 days after the date of the final denial. The request for review shall be in writing, be signed by the requester, and include a copy of the request for access to records and any response from the Agency. (Section 9.5(a) of FOIA)*
- b) *A person whose request to inspect or copy a record is made for a commercial purpose may not file a request for review with the Public Access Counselor. A person whose request to inspect or copy a record was treated by the Agency as a request for a commercial purpose may file a request for review with the Public Access Counselor for the limited purpose of reviewing whether the Agency properly determined that the request was made for a commercial purpose. (Section 9.5(b) of FOIA)*
- c) *Within 7 business days after the Agency receives a request for review from the Public Access Counselor, the Agency shall provide copies of records requested and shall otherwise fully cooperate with the Public Access Counselor. (Section 9.5(c) of FOIA)*
- d) *Within 7 business days after it receives a copy of a request for review and request for production of records from the Public Access Counselor, the Agency may, but is not required to, answer the allegations of the request for review. The answer may take the form of a letter, brief, or memorandum. The Public Access Counselor shall forward a copy of the answer to the person submitting the request for review, with any alleged confidential information to which the request pertains redacted from the copy. (Section 9.5(d) of FOIA)*
- e) *The requester may, but is not required to, respond in writing to the answer within 7 business days and shall provide a copy of the response to the Agency. (Section 9.5(d) of FOIA)*

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- f) *In addition to the request for review, and the answer and response to the request, if any, a requester or the Agency may furnish affidavits or records concerning any matter germane to the review. (Section 9.5(e) of FOIA)*
- g) *A binding opinion from the Attorney General shall be binding upon both the requester and the Agency, subject to administrative review under Section 1755.435. (Section 9.5(f) of FOIA)*
- h) *If the Attorney General decides to exercise his or her discretion to resolve a request for review by mediation or by a means other than issuance of a binding opinion, the decision not to issue a binding opinion shall not be reviewable. (Section 9.5(f) of FOIA)*
- i) *Upon receipt of a binding opinion concluding that a violation of FOIA has occurred, the Agency will either take necessary action immediately to comply with the directive of the opinion or shall initiate administrative review under Section 1755.435. If the opinion concludes that no violation of FOIA has occurred, the requester may initiate administrative review under Section 1755.435. (Section 9.5(f) of FOIA)*
- j) *If the Agency discloses records in accordance with an opinion of the Attorney General, the Agency is immune from all liabilities by reason thereof and shall not be liable for penalties under FOIA. (Section 9.5(f) of FOIA)*
- k) *If the requester files suit under Section 1755.430 with respect to the same denial that is the subject of a pending request for review, the requester shall notify the Public Access Counselor. (Section 9.5(g) of FOIA)*
- l) *The Attorney General may also issue advisory opinions to the Agency regarding compliance with FOIA. A review may be initiated upon receipt of a written request from the Director of the Agency or the Agency's Chief Legal Counsel, which shall contain sufficient accurate facts from which a determination can be made. The Public Access Counselor may request additional information from the Agency in order to assist in the review. If the Agency relies in good faith on an advisory opinion of the Attorney General in responding to a request, the Agency is not liable for penalties under FOIA, so long as the facts upon which the opinion is based have been fully and fairly disclosed to the Public Access Counselor. (Section 9.5(h) of FOIA)*

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Section 1755.430 Circuit Court Review

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

Section 1755.435 Administrative Review

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

SUBPART E: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

Section 1755.500 Inspection and Copying of Records

- a) The Agency may make available records for personal inspection at the Agency's headquarters office located at 300 West Adams Street, Chicago, or at another location agreed to by both the Agency and the requester. No original record shall be removed from State-controlled premises except under constant supervision of the agency responsible for maintaining the record. The Agency may provide records in duplicate forms, including, but not limited to, paper copies, data processing printouts, videotape, microfilm, audio tape, reel to reel microfilm, photographs, computer disks and diazo.
- b) *When a person requests a copy of a record maintained in an electronic format, the Agency shall furnish it in the electronic format specified by the requester, if feasible. If it is not feasible to furnish the records in the specified electronic format, then the Agency shall furnish it in the format in which it is maintained by the Agency, or in paper format at the option of the requester. (Section 6(a) of FOIA)*
- c) A requester may inspect records by appointment only, scheduled subject to space availability. The Agency will schedule inspection appointments to take place during normal business hours, which are 8:30 a.m. to 5:00 p.m. Monday through Friday, exclusive of State holidays. If the requester must cancel the viewing

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appointment, the requester shall so inform the Agency as soon as possible before the appointment.

- d) In order to maintain routine Agency operations, the requester may be asked to leave the inspection area for a specified period of time.
- e) The requester will have access only to the designated inspection area.
- f) Requesters shall not be permitted to take briefcases, folders or similar materials into the room where the inspection takes place. An Agency employee may be present during the inspection.
- g) The requester shall segregate and identify the documents to be copied during the course of the inspection.

Section 1755.505 Fees for Records

- a) In accordance with Section 1755.510, unless a fee is otherwise fixed by statute, the Agency will provide copies of records and certifications of records in accordance with the fee schedule set forth in Appendix A.
- b) *In calculating its actual cost for reproducing records or for the use of the equipment of the Agency to reproduce records, the Agency will not include the costs of any search for and review of the records or other personnel costs associated with reproducing the records. (Section 6(b) of FOIA)*
- c) In order to expedite the copying of records that the Agency cannot copy, due to the volume of the request or the operational needs of the Agency, in the timelines established in Section 1755.400, the requester may provide, at the requester's expense, the copy machine, all necessary materials, and the labor to copy the public records at the Agency headquarters in Section 1755.500, or at another location agreed to by both the Agency and the requester. No original record shall be removed from State-controlled premises except under constant supervision of the agency responsible for maintaining the record.
- d) Copies of records will be provided to the requester only upon payment of any fees due. *The Agency may charge the requester for the actual cost of purchasing the recording medium, whether disc, diskette, tape, or other medium, but the Agency will not charge the requester for the costs of any search for and review of the*

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records or other personnel costs associated with reproducing the records.
(Section 6(a) of FOIA) Payment must be by check or money order sent to the Agency, payable to "Treasurer, State of Illinois".

- e) If a contractor is used to inspect or copy records, the following procedures shall apply:
- 1) The requester, rather than the Agency, must contract with the contractor;
 - 2) The requester is responsible for all fees charged by the contractor;
 - 3) The requester must notify the Agency of the contractor to be used prior to the scheduled on-site inspection or copying;
 - 4) Only Agency personnel may provide records to the contractor;
 - 5) The Agency must have verification that the requester has paid the Agency, if payment is due, for the copying of the records before providing the records to the contractor; and
 - 6) The requester must provide to the Agency the contractor's written agreement to hold the records secure and to copy the records only for the purpose stated by the requester.
- f) *The Agency may charge up to \$10 for each hour spent by personnel in searching for and retrieving a requested record. No fees shall be charged for the first 8 hours spent by personnel in searching for or retrieving a requested record. The Agency may charge the actual cost of retrieving and transporting public records from an off-site storage facility when the public records are maintained by a third-party storage company under contract with the Agency. If the Agency imposes a fee pursuant to this subsection (f), it must provide the requester with an accounting of all fees, costs, and personnel hours in connection with the request for public records. The provisions of this subsection (f) apply only to commercial requests. (Section 6(f) of FOIA)*

Section 1755.510 Reduction and Waiver of Fees

- a) *Fees may be reduced or waived by the Agency if the requester states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the*

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public interest. In making this determination, the Agency will consider the following:

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

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Section 1755.APPENDIX A Fee Schedule for Duplication and Certification of Records

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

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

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- 1) Heading of the Part: Public Information Access, Rulemaking and Organization
- 2) Code Citation: 2 Ill. Adm. Code 1925
- 3)

<u>Section Numbers</u> :	<u>Adopted Actions</u> :
1925.210	Amendment
1925.220	Amendment
1925.300	Amendment
- 4) Statutory Authority: Freedom of Information Act [5 ILCS 140/3(h)]
- 5) Effective Date of Rules: May 26, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposed published in the *Illinois Register*: Per the Illinois Administrative Procedure Act [5 ILCS 100], First Notice publication is not required.
- 10) Has JCAR issued a Statement of Objection to these rules? No
- 11) Differences between Proposal and Final Version: No
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Not applicable
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Instead of listing the records that will be withheld from disclosure in Section 1925.210, the Board will refer the public to Section 7(1) of the Freedom of Information Act.

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Instead of listing the statutory exemptions from inspection and copying in Section 1925.220, the Board will refer the public to Section 7.5 of the Freedom of Information Act.

Updating the Board's fax number for FOIA requests.

- 16) Information and questions regarding these adopted rules shall be directed to:

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

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

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

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TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE E: MISCELLANEOUS STATE AGENCIES
CHAPTER XVIII: HEALTH FACILITIES AND SERVICES REVIEW BOARD

PART 1925
PUBLIC INFORMATION ACCESS, RULEMAKING AND ORGANIZATION

SUBPART A: INTRODUCTION

Section	
1925.100	Summary and Purpose
1925.110	Definitions
1925.120	Records and Reports

SUBPART B: CLASSIFICATION OF RECORDS

Section	
1925.200	Records that Will Be Disclosed
1925.210	Records that Will Be Withheld from Disclosure
1925.220	Statutory Exemptions

SUBPART C: PROCEDURES FOR REQUESTING
RECORDS FROM THE AGENCY

Section	
1925.300	Submittal of Requests for Records
1925.310	Information To Be Provided in Requests for Records
1925.320	Requests for Records for Commercial Purposes

SUBPART D: AGENCY RESPONSE TO REQUESTS FOR RECORDS

Section	
1925.400	Timeline for Agency Response
1925.410	Requests for Records that the Agency Considers Unduly Burdensome
1925.420	Recurrent Requesters
1925.430	Requests for Records that Require Electronic Retrieval
1925.440	Denials of Requests for Records
1925.450	Requests for Review of Denials – Public Access Counselor
1925.460	Circuit Court Review

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1925.470 Administrative Review

SUBPART E: PROCEDURES FOR PROVIDING RECORDS TO REQUESTERS

Section

1925.500 Inspection of Records
1925.510 Copying of Records; Fees
1925.520 Reduction and Waiver of Fees

SUBPART F: RULEMAKING

Section

1925.600 Rulemaking
1925.610 Request for Adoption of Rules

SUBPART G: ORGANIZATION

Section

1925.700 Name, Statutory Authority and Composition
1925.710 Membership, Officers and Committees
1925.720 Meetings
1925.730 Quorum
1925.740 Conflict of Interest
1925.750 Compliance with Illinois Ethics Laws
1925.760 Travel Expenses
1925.770 Rules of Order
1925.780 Ex Parte and Extra-Record Communication

1925.APPENDIX A Fee Schedule for Duplication and Certification of Records

AUTHORITY: Implementing and authorized by Section 3(h) of the Freedom of Information Act [5 ILCS 140/3(h)], implementing the Illinois Health Facilities Planning Act [20 ILCS 3960] and Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15].

SOURCE: Adopted at 2 Ill. Reg. 187, effective July 26, 1978; amended at 3 Ill. Reg. 8, p. 57, effective February 18, 1979; amended at 4 Ill. Reg. 25, p. 187, effective June 11, 1979; amended at 3 Ill. Reg. 52, p. 118, effective January 1, 1980; amended at 5 Ill. Reg. 4995, effective April 22, 1981; amended at 6 Ill. Reg. 7221, effective June 9, 1982; amended at 6 Ill. Reg. 11484, effective September 9, 1982; amended at 7 Ill. Reg. 7316, effective May 31, 1983; amended at 8

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Ill. Reg. 11518, effective June 27, 1984; codified at 8 Ill. Reg. 16340; amended at 9 Ill. Reg. 6276, effective April 24, 1985; amended at 11 Ill. Reg. 15649, effective September 14, 1987; amended at 24 Ill. Reg. 5671, effective March 14, 2000; amended at 24 Ill. Reg. 15060, effective September 26, 2000; amended at 25 Ill. Reg. 2718, effective January 22, 2001; old Part repealed at 38 Ill. Reg. 13899 and new Part adopted at 38 Ill. Reg. 13901, effective June 30, 2014; amended at 41 Ill. Reg. 6502, effective May 26, 2017.

SUBPART A: INTRODUCTION

SUBPART B: CLASSIFICATION OF RECORDS

Section 1925.210 Records that Will Be Withheld from Disclosure

When a request is made to inspect or copy a record that contains information that is otherwise exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the Agency shall make the remaining information available for inspection and copying. (Section 7(1) of FOIA)

- a) For exemptions from FOIA that are stated in FOIA, see Section 7(1) of the Act. Subject to this requirement and Section 7 of FOIA, the following shall be exempt from inspection and copying:
- 1) *Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law; (Section 7(1)(a) of FOIA)*
 - 2) *Private information, unless disclosure is required by another provision of FOIA, a State or federal law or a court order; (Section 7(1)(b) of FOIA)*
 - 3) *Files, documents, and other data or databases maintained by one or more law enforcement agencies and specifically designed to provide information to one or more law enforcement agencies regarding the physical or mental status of one or more individual subjects; (Section 7(1)(b-5) of FOIA)*
 - 4) *Personal information contained within records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means*

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~~the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy; (Section 7(1)(c) of FOIA)~~

- 5) ~~Records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would:~~
- A) ~~Interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request;~~
 - B) ~~Interfere with active administrative enforcement proceedings conducted by the public body that is the recipient of the request;~~
 - C) ~~Create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing;~~
 - D) ~~Unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the Agency will provide traffic accident reports, the identities of witnesses to traffic accidents, and rescue reports, except when disclosure would interfere with an active criminal investigation;~~
 - E) ~~Disclose unique or specialized investigative techniques other than those generally used and known, or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct, and disclosure would result in demonstrable harm to the Agency;~~
 - F) ~~Endanger the life or physical safety of law enforcement personnel or any other person; or~~

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- G) ~~Obstruct an ongoing criminal investigation by the Agency; (Section 7(1)(d) of FOIA)~~
- 6) ~~Records that relate to or affect the security of correctional institutions and detention facilities; (Section 7(1)(e) of FOIA)~~
- 7) ~~Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the Agency. The exemption provided in this subsection (a)(7) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents; (Section 7(1)(f) of FOIA)~~
- 8) ~~Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested. All trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this subsection (a)(8) does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this subsection (a)(8) does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm. Nothing in this subsection (a)(8) shall be construed to prevent a person or business from consenting to disclosure; (Section 7(1)(g) of FOIA)~~
- 9) ~~Proposals and bids for any contract, grant, or agreement, including information that if it were disclosed would frustrate procurement or give~~

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~~an advantage to any person proposing to enter into a contract or agreement with the body, until an award or final selection is made. Information prepared by or for the body in preparation of a bid solicitation shall be exempt until an award or final selection is made; (Section 7(1)(h) of FOIA)~~

- 10) ~~Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by the Agency when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this subsection (a)(10) does not extend to requests made by news media as defined in Section 1925.110 when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare or legal rights of the general public; (Section 7(1)(i) of FOIA)~~
- 11) ~~The following information pertaining to educational matters:~~
- ~~A) Test questions, scoring keys, and other examination data used to administer an academic exam;~~
 - ~~B) Information received by a primary or secondary school, college, or university under its procedure for the evaluation of faculty members by their academic peers;~~
 - ~~C) Information concerning a school's or university's adjudication of student disciplinary cases, but only to the extent that disclosure would unavoidably reveal the identity of the student; and~~
 - ~~D) Course materials or research materials used by faculty members; (Section 7(1)(j) of FOIA)~~
- 12) ~~Architects' plans and engineers' technical submissions, and other construction-related technical documents for projects not constructed or developed in whole or in part with public funds and for projects constructed or developed with public funds, including but not limited to power generating and distribution stations and other transmission and distribution facilities, water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or~~

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~~occupied buildings, but only to the extent that disclosure would compromise security; (Section 7(1)(k) of FOIA)~~

- 13) ~~Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act [5 ILCS 120] until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act; (Section 7(1)(l) of FOIA)~~
- 14) ~~Communications between the Agency and an attorney or auditor representing the Agency that would not be subject to discovery in litigation, and materials prepared or compiled by or for the Agency in anticipation of a criminal, civil or administrative proceeding upon the request of an attorney advising the Agency, and materials prepared or compiled with respect to internal audits of the Agency; (Section 7(1)(m) of FOIA)~~
- 15) ~~Records relating to the Agency's adjudication of employee grievances or disciplinary cases; however, this exemption shall not extend to the final outcome of cases in which discipline is imposed; (Section 7(1)(n) of FOIA)~~
- 16) ~~Administrative or technical information associated with automated data processing operations, including but not limited to software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section; (Section 7(1)(o) of FOIA)~~
- 17) ~~Records relating to collective negotiating matters between the Agency and its employees or representatives, except that any final contract or agreement shall be subject to inspection and copying; (Section 7(1)(p) of FOIA)~~
- 18) ~~Test questions, scoring keys, and other examination data used to determine the qualifications of an applicant for a license or employment; (Section 7(1)(q) of FOIA)~~

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- 19) ~~The records, documents and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding under the Eminent Domain Act [735 ILCS 30], records, documents and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents and information relating to a real estate sale shall be exempt only until a sale is consummated;~~ (Section 7(1)(r) of FOIA)
- 20) ~~Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self insurance pool or jointly self administered health and accident cooperative or pool. Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications;~~ (Section 7(1)(s) of FOIA)
- 21) ~~Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions or insurance companies, unless disclosure is otherwise required by State law;~~ (Section 7(1)(t) of FOIA)
- 22) ~~Information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs or private keys intended to be used to create electronic or digital signatures under the Electronic Commerce Security Act [5 ILCS 175];~~ (Section 7(1)(u) of FOIA)
- 23) ~~Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this subsection (a)(23) may include such things as details pertaining to the mobilization or deployment~~

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~~of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations; (Section 7(1)(v) of FOIA)~~

- 24) ~~Maps and other records regarding the location or security of generation, transmission, distribution, storage, gathering, treatment, or switching facilities owned by a utility, by a power generator, or by the Illinois Power Agency; (Section 7(1)(x) of FOIA)~~
- 25) ~~Information contained in or related to proposals, bids, or negotiations related to electric power procurement under Section 1-75 of the Illinois Power Agency Act [20 ILCS 3855] and Section 16-111.5 of the Public Utilities Act [220 ILCS 5] that is determined to be confidential and proprietary by the Illinois Power Agency or by the Illinois Commerce Commission; (Section 7(1)(y) of FOIA)~~
- 26) ~~Information about students exempted from disclosure under Section 10-20.38 or 34-18.29 of the School Code, and information about undergraduate students enrolled at an institution of higher education exempted from disclosure under Section 25 of the Illinois Credit Card Marketing Act of 2009 [110 ILCS 26]; (Section 7(1)(z) of FOIA)~~
- 27) ~~Information the disclosure of which is exempted under the Viatical Settlements Act of 2009 [215 ILCS 158]; (Section 7(1)(aa) of FOIA)~~
- 28) ~~Information regarding interments, entombments, or inurnments of human remains that are submitted to the Cemetery Oversight Database under the Cemetery Care Act [760 ILCS 100] or the Cemetery Oversight Act [225 ILCS 411], whichever is applicable. (Section 7(1)(bb) of FOIA)~~
- b) A record that is not in the possession of the Agency but is in the possession of a party with whom the Agency has contracted to perform a governmental function on behalf of the Agency, and that directly relates to the governmental function and is not otherwise exempt under FOIA, shall be considered a record of the Agency for purposes of Subpart C. (Section 7(2) of FOIA)

(Source: Amended at 41 Ill. Reg. 6502, effective May 26, 2017)

Section 1925.220 Statutory Exemptions

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~~For exemptions from FOIA that are stated in other statutes, see Section 7.5 of the Act. To the extent provided for by the following statutes, the following shall be exempt from inspection and copying:~~

- a) ~~All information determined to be confidential under Section 4002 of the Technology Advancement and Development Act [20 ILCS 700].~~
- b) ~~Library circulation and order records identifying library users with specific materials under the Library Records Confidentiality Act [75 ILCS 70].~~
- c) ~~Applications, related documents, and medical records received by the Experimental Organ Transplantation Procedures Board and any and all documents or other records prepared by the Experimental Organ Transplantation Procedures Board or its staff relating to applications it has received.~~
- d) ~~Information and records held by the Department of Public Health and its authorized representatives relating to known or suspected cases of sexually transmissible disease or any information the disclosure of which is restricted under the Illinois Sexually Transmissible Disease Control Act [410 ILCS 325].~~
- e) ~~Information the disclosure of which is exempted under Section 30 of the Radon Industry Licensing Act [420 ILCS 44].~~
- f) ~~Firm performance evaluations under Section 55 of the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act [30 ILCS 535].~~
- g) ~~Information the disclosure of which is restricted and exempted under Section 50 of the Illinois Prepaid Tuition Act [110 ILCS 979].~~
- h) ~~Information the disclosure of which is exempted under the State Officials and Employees Ethics Act [5 ILCS 430] and records of any lawfully created State or local inspector general's office that would be exempt if created or obtained by an Executive Inspector General's office under that Act.~~
- i) ~~Information contained in a local emergency energy plan submitted to a municipality in accordance with a local emergency energy plan ordinance that is adopted under Section 11-21.5-5 of the Illinois Municipal Code [65 ILCS 5].~~

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- j) ~~Information and data concerning the distribution of surcharge moneys collected and remitted by wireless carriers under the Wireless Emergency Telephone Safety Act [20 ILCS 2605].~~
- k) ~~Law enforcement officer identification information or driver identification information compiled by a law enforcement agency or the Department of Transportation under Section 11-212 of the Illinois Vehicle Code [625 ILCS 5].~~
- l) ~~Records and information provided to a residential health care facility resident sexual assault and death review team or the Executive Council under the Abuse Prevention Review Team Act [210 ILCS 28].~~
- m) ~~Information provided to the predatory lending database created pursuant to Article 3 of the Residential Real Property Disclosure Act [765 ILCS 77], except to the extent authorized under that Article.~~
- n) ~~Defense budgets and petitions for certification of compensation and expenses for court appointed trial counsel as provided under Sections 10 and 15 of the Capital Crimes Litigation Act [725 ILCS 124]. This subsection (n) shall apply until the conclusion of the trial of the case, even if the prosecution chooses not to pursue the death penalty prior to trial or sentencing.~~
- o) ~~Information that is prohibited from being disclosed under Section 4 of the Illinois Health and Hazardous Substances Registry Act [410 ILCS 525].~~
- p) ~~Security portions of system safety program plans, investigation reports, surveys, schedules, lists, data, or information compiled, collected or prepared by or for the Regional Transportation Authority under Section 2.11 of the Regional Transportation Authority Act [70 ILCS 3615] or the St. Clair County Transit District under the Bi-State Transit Safety Act [45 ILCS 111].~~
- q) ~~Information prohibited from being disclosed by the Personnel Records Review Act [820 ILCS 40].~~
- r) ~~Information prohibited from being disclosed by the Illinois School Student Records Act [105 ILCS 10].~~
- s) ~~Information the disclosure of which is restricted under Section 5-108 of the Public Utilities Act [220 ILCS 5]. (Section 7.5 of FOIA)~~

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(Source: Amended at 41 Ill. Reg. 6502, effective May 26, 2017)

SUBPART C: PROCEDURES FOR REQUESTING
RECORDS FROM THE AGENCY

Section 1925.300 Submittal of Requests for Records

- a) Any request for public records should be submitted in writing to the HFSRB FOI Officer.
- b) FOIA requests may be submitted via mail, e-mail, fax or hand delivery. Requests should be mailed or hand delivered to:

Illinois Health Facilities and Services Review Board
525 W. Jefferson Street, 2nd Floor
Springfield IL 62761
Attn: FOI Officer

- c) E-mailed requests should be sent to DPH.HFSRB.FOIA@illinois.gov, contain the request in the body of the e-mail, and indicate in the subject line of the e-mail that it contains a FOIA request. Faxed FOIA requests should be faxed to [312\)814-4566](tel:(312)814-4566)~~(312)814-1503~~, Attn: HFSRB FOI Officer.

(Source: Amended at 41 Ill. Reg. 6502, effective May 26, 2017)

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- 1) Heading of the Part: Office of Inspector General Investigations of Alleged Abuse or Neglect in State-Operated Facilities and Community Agencies
- 2) Code Citation: 59 Ill. Adm. Code 50
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
50.40	Amendment
50.50	Amendment
50.60	Amendment
50.70	Amendment
50.80	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 1-17 of the Department of Human Services Act [20 ILCS 1305].
- 5) Effective Date of Rules: May 26, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 41 Ill. Reg. 2305; February 24, 2017
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: No substantive changes were made to the text of the proposed rulemaking.
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? None were made.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No

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- 15) Summary and Purpose of Rulemaking: The Department of Human Services Act, 20 ILCS 1305/1-17, requires OIG to promulgate rules for initiating, conducting, and completing investigations into allegations of abuse/neglect. In addition, Section 50.30(f) of 59 Ill. Adm. Code 50 (Rule 50), requires every community agency to conduct the initial steps of an investigation, unless otherwise directed by OIG. This is accomplished by having an employee(s) who has been trained in the OIG approved methods and for whom there is no conflict of interest gather and document the evidence.

Agencies approved to investigate by OIG were allowed, on a case-by-case basis, to investigate non-registry reportable cases (i.e., mental abuse, simple neglect). While the Community Agency Investigative Protocol initially served as a valuable addition to OIG's investigative tools, only approximately 20% of eligible agencies availed themselves of it and, with the current budgetary crunch, it is no longer a viable expense. Therefore, OIG discontinued the Community Agency Investigative Protocol and no longer provided face-to-face Basic Investigative Skills or Investigative Refresher training for the community agencies. Instead, OIG concentrated on Rule 50 and the mandated provisions of Rule 50.30(f).

This rulemaking reflects the discontinuation of OIG's Community Agency Investigative Protocol program. Specifically, this rulemaking deletes references to any authorization for community agencies to conduct their own abuse/neglect investigations with approval from OIG. Sections 50.40(a) and 50.70(g) include other minor changes that are being made to reflect current practices in OIG.

To facilitate the discontinuance of the Community Agency Investigative Protocol, Rule 50 training has been made available in a self-playing PowerPoint format with an accompanying PDF printout of the slides. This training is located on the DHS website at <http://www.dhs.state.il.us/page.aspx?item=29410>. With the discontinuation of the Community Agency Investigative Protocol, OIG Liaisons are no longer required to attend in-person Rule 50 training but will be required to attend the biennial training as mandated in Rule 50. OIG has also requested that a liaison be maintained by each community agency to function as a point person for OIG investigations and to maintain all information collected under 59 Ill. Adm. Code 50.30(f).

- 16) Information and questions regarding these adopted rules shall be directed to:

Tracie Drew, Chief
Bureau of Administrative Rules and Procedures
Department of Human Services

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100 South Grand Avenue East
Harris Building, 3rd Floor
Springfield IL 62762

217/785-9772

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

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TITLE 59: MENTAL HEALTH
CHAPTER I: DEPARTMENT OF HUMAN SERVICESPART 50
OFFICE OF INSPECTOR GENERAL
INVESTIGATIONS OF ALLEGED ABUSE OR NEGLECT IN
STATE-OPERATED FACILITIES AND COMMUNITY AGENCIES

Section

50.10	Definitions
50.20	Reporting an Allegation of Abuse, Neglect, or Financial Exploitation and Death Reports
50.30	Responsibilities of OIG for Intake Assessment
50.40	General Responsibilities Method of Investigation
50.50	Conducting Investigations
50.60	Processing Investigative Reports, Reconsideration and Clarification Request Requirements, and the Contents of Case Files
50.70	Completed Investigations
50.80	Written Responses
50.90	Reporting by the Inspector General to the Illinois Department of Public Health Health Care Worker Registry
50.100	Removal of an Employee's Name and Finding from the Illinois Department of Public Health Health Care Worker Registry

AUTHORITY: Implementing and authorized by Section 1-17 of the Department of Human Services Act [20 ILCS 1305].

SOURCE: Adopted at 22 Ill. Reg. 19334, effective October 19, 1998; emergency amendment at 23 Ill. Reg. 4513, effective April 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 10812, effective August 23, 1999; emergency amendment at 26 Ill. Reg. 484, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 8352, effective May 24, 2002; amended at 32 Ill. Reg. 8132, effective May 16, 2008; emergency amendment at 33 Ill. Reg. 13489, effective September 10, 2009, for a maximum of 150 days; emergency expired February 6, 2010; amended at 34 Ill. Reg. 5239, effective March 25, 2010; emergency amendment at 38 Ill. Reg. 18242, effective August 13, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 19152, effective September 10, 2014; amended at 38 Ill. Reg. 22642, effective November 20, 2014; emergency amendment at 39 Ill. Reg. 13271, effective September 18, 2015, for a maximum of 150 days; amended at 39 Ill. Reg. 15134, effective November 6, 2015; amended at

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40 Ill. Reg. 1824, effective January 5, 2016; amended at 41 Ill. Reg. 6516, effective May 26, 2017.

Section 50.40 General Responsibilities~~Method of Investigation~~

- a) OIG shall notify the authorized representative when an investigation is opened, and the authorized representative will then notify the victim or guardian (if applicable) and the accused employee, in writing, when an investigation will be opened. ~~Determination of primary responsibility for investigation~~
- 1) ~~The Office of Inspector General shall determine whether OIG, or the community agency with an approved OIG investigative protocol, shall take primary responsibility for investigating the allegation. This determination shall be based on the nature of the allegation, frequency of allegations and complaints of a comparable type and knowledge of the facility or agency.~~
 - 2) ~~OIG shall determine who shall assume primary responsibility for the investigation within one day after receipt of an allegation.~~
 - 3) ~~OIG shall notify the authorized representative, the victim or guardian (if applicable) and the accused employee in writing when an investigation will be opened and to whom the primary responsibility for the investigation will be assigned.~~
 - 4) ~~OIG shall assume primary responsibility for investigating the following allegations:~~
 - A) ~~Allegations of physical abuse, sexual abuse or financial exploitation by an employee, facility or agency;~~
 - B) ~~Allegations of neglect by an employee that result in an individual's death or other serious deterioration of an individual's physical or mental condition.~~
 - 5) ~~For any other allegation, OIG may designate primary responsibility for the investigation to the community agency on a case-by-case basis using the OIG investigative protocol. If at any time during the course of the investigation, the community agency requests that OIG assume primary~~

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~~responsibility for the investigation, OIG shall do so.~~

- ~~6)~~ ~~When OIG designates primary responsibility for the investigation to the agency, OIG will provide investigative guidance and be available for assistance and shall retain the right to assume primary responsibility for the investigation at any time.~~
- ~~b)7)~~ If an investigation results in a substantiated finding of physical abuse, sexual abuse, egregious neglect or financial exploitation, it shall result in the accused employee's identity and the OIG finding being reported to the Health Care Worker Registry in accordance with Section 50.90.
- ~~c)8)~~ OIG investigations may include, but are not limited to, site visits, telephone contacts, requests for written statements and responses from the community agency or the facility.
- ~~d)9)~~ Nothing in this Part precludes a community agency or facility from taking immediate action that may include protecting the individuals from danger or harm, notifying appropriate law enforcement officials, or taking any other administrative action deemed necessary by the community agency or facility, unless otherwise directed by OIG. The agency shall request approval from OIG prior to conducting its own full investigation beyond what is outlined in Section 50.30(f)(4).

(Source: Amended at 41 Ill. Reg. 6516, effective May 26, 2017)

Section 50.50 Conducting Investigations

- a) Depending on the nature of the allegation, an investigation shall consist of, but not be limited to, the following procedures ~~whether done by OIG, the community agency or the facility~~:
- 1) Ensure that the victim is not in imminent danger;
 - 2) Protect the integrity of the investigation at all times;
 - 3) Secure the scene of the incident;
 - 4) Identify and separate witnesses;

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- 5) Preserve and secure all evidence;
 - 6) Obtain statements from persons involved, including victims, accused employees, and witnesses by face-to-face interviews, in writing, or by telephone; and
 - 7) Obtain copies of pertinent documents relating to the investigation, i.e., progress notes, incident or injury reports, patient or resident records, photographs, etc.
- b) Confidentiality
Any allegations or investigations of reports of abuse, neglect and financial exploitation shall remain confidential until a final report is completed (Section 1-17(m) of the Act). The identity of any person as a complainant shall remain confidential in accordance with the Freedom of Information Act [5 ILCS 140] or unless identification is authorized by the complainant. Information concerning diagnosis and treatment for alcohol or drug abuse shall be disclosed to OIG by community agencies only in accordance with federal regulations at 42 CFR 2. Information concerning tests for human immunodeficiency virus (HIV) and diagnosis and treatment for acquired immune deficiency syndrome (AIDS) shall be disclosed to OIG by community agencies only in accordance with the AIDS Confidentiality Act [410 ILCS 305]. All personal health related information contained in OIG investigative reports shall remain confidential in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) (P.L. 104-191) (45 CFR 160, 162 and 164).
- c) All investigations shall be conducted in a manner that respects the dignity and human rights of all persons involved.
- d) Representation during ~~Interviews~~interviews:
An employee may request representation at an interview with OIG if he or she has reasonable grounds to believe that the interview may be used to support disciplinary action against him or her. If the investigator denies the request, the employee's statement may not be used in any subsequent disciplinary proceeding against that employee. No representative of the agency or facility that employs the interviewee may be present at an investigatory interview. Union representation for AFSCME employees, Council 31 (State-operated facilities), shall be granted in accordance with the applicable union contract.

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- e) No person shall interfere with or obstruct an OIG interview or investigation. This is a violation of Section 1-17(i)(2) of the Act.
- f) ~~If the community agency has responsibility for conducting the investigation, OIG shall be available on request to answer questions and provide advice or technical assistance regarding the investigatory process.~~g) OIG shall be granted access, for the purpose of investigating abuse, neglect or financial exploitation, to any facility or program operated, funded, licensed or certified by the Department that is subject to the provisions of Section 1-17 of the Act.
- 1) When advance notice to an authorized representative or his or her designee is not provided, OIG shall, on arrival at the community agency or facility site, request that an on-duty and on-site employee notify the authorized representative or his or her designee of OIG's arrival.
 - 2) Facilities and community agencies shall obtain and provide OIG with all written statements and any requested documents in a timely manner.
- ~~g)h)~~ If OIG determines that:
- 1) An individual's health or safety is in imminent danger, the Inspector General shall immediately notify the Secretary or his or her designee and the authorized representative of the community agency or facility or his or her designee.
 - 2) There is reason to believe that a violation of an existing Department rule may have occurred, OIG shall notify the authorized representative of the community agency or his or her designee and the appropriate Department office or division.

(Source: Amended at 41 Ill. Reg. 6516, effective May 26, 2017)

Section 50.60 Processing Investigative Reports, Reconsideration and Clarification Request Requirements, and the Contents of Case Files

- a) Processing ~~Investigative Reports~~investigative reports
- 1) ~~The investigative report shall be submitted to the Inspector General within~~

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~~60 days from assignment unless there are extenuating circumstances including, but not limited to, the unavailability of witnesses or official documents.~~2) Upon receipt of an investigative report, the Inspector General will determine whether to accept the findings. ~~The Inspector General may require additional documentation or further investigation by the community agency or may determine that further investigation by OIG is warranted.~~

- 2)3) When the Inspector General determines that abuse, neglect or financial exploitation of an individual is substantiated against an employee, the Inspector General shall note in the investigative report any aggravating or mitigating circumstances as those terms are defined in this Part.
- 3)4) When the Inspector General substantiates neglect against an employee, the Inspector General shall make a determination in the investigative report if the neglect is egregious.
- 4)5) Finalizing Investigative Reports~~investigative reports~~ and Notifications~~notifications~~ to Community Agencies and Facilities~~community agencies and facilities~~
- A) ~~Cases investigated by OIG.~~ After determining the finding, for substantiated cases or unsubstantiated and unfounded cases with recommendations, the Inspector General shall notify the community agency or facility by submitting to it a copy of the investigative report. For unsubstantiated and unfounded cases without recommendations, a letter of finding will be sent to the facility or agency.
- B) ~~Cases investigated by community agencies. After determining the finding, the Inspector General shall notify the community agency that the finding was accepted, or if additional information is required to complete the investigation.~~C) The community agency or facility shall submit a written response when required as described in Section 50.80.
- 5)6) After determining the finding in all cases, in addition to the facility or agency, the Inspector General shall also notify the following parties:

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- A) the complainant;
- B) the individual who was allegedly abused, neglected or financially exploited or his or her legal guardian (if applicable); and
- C) the person alleged to have committed the offense.

~~6)7)~~ The notice provided to the following parties shall identify the outcome of the investigation and include a statement of the right to request clarification or reconsideration of the finding:

- A) the individual who was allegedly abused, neglected or financially exploited or his or her legal guardian (if applicable);
- B) the person alleged to have committed the offense; and
- C) the facility or agency.

~~7)8)~~ In substantiated cases, the Inspector General shall provide the perpetrator with a redacted copy of the investigative report.

- b) Reconsideration and clarification requirements: Requests that the Inspector General provide clarification of the findings or reconsideration of the findings must be submitted within 15 days after receipt of the report or notification of the findings.
 - 1) All clarification and reconsideration requests must be in writing.
 - 2) Community agency or facility clarification and reconsideration requests must be on letterhead signed by the authorized representative.
 - 3) All clarification and reconsideration requests must clearly identify the nature of the request and reconsideration requests must include new information that could change the finding.
 - 4) If a reconsideration request is denied or after clarification has been provided, the community agency or facility shall submit a written response as set forth in Section 50.80.

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- 5) If the Inspector General determines further investigation is necessary based on the request for reconsideration or clarification of the findings, an amended investigative report shall be issued.
- e) ~~Contents of case files~~
- 1) ~~An investigative file submitted by a community agency after an investigation is completed shall include:~~
 - A) ~~All investigatory materials, including physical and documentary evidence, such as photographs, interview statements and records;~~
 - B) ~~An investigative report to the Inspector General with a recommendation as to whether the findings of the investigation indicate that the allegation should be substantiated, unsubstantiated, or unfounded;~~
 - C) ~~A written response when required by Section 50.80(a).~~
 - 2) ~~In addition to subsections (c)(1)(A) and (B), when abuse, neglect or financial exploitation is substantiated, investigative files shall include:~~
 - A) ~~An assessment of the egregiousness of actions in reports that substantiated neglect.~~
 - B) ~~Identification of the mitigating and aggravating circumstances, if any.~~
 - 3) ~~In addition to subsections (c)(1)(A) and (B), when OIG has conducted the investigation, investigative files shall include: on a prescribed form, a written response from the community agency or facility that addresses the actions that it will take or has taken to protect individuals from abuse, neglect or financial exploitation, prevent recurrences, and eliminate problems, including implementation and completion dates for all such actions, as a result of the findings or recommendations contained in the investigation. (See Section 50.80.)~~

(Source: Amended at 41 Ill. Reg. 6516, effective May 26, 2017)

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Section 50.70 Completed Investigations

- a) The investigative report and the investigation shall be considered complete 30 calendar days after the notice required in Section 50.60(a)(5)(A) ~~and (B)~~ has been sent to the facility or agency, barring cases when a reconsideration request has been granted to any requestor.
- b) Distribution of Completed Investigative Reports~~completed investigative reports~~
- 1) *Within ~~10~~ days after the transmittal of a completed investigative report substantiating an allegation, or if a recommendation is made, the Inspector General shall provide the investigative report on the case to the Secretary and to the director of the facility or agency where the abuse, neglect or financial exploitation occurred. (Section 1-17(m) of the Act)*
 - 2) The Inspector General shall provide a completed investigative report within 10 calendar days to Equip for Equality, Inc., and the Illinois Guardianship and Advocacy Commission.
 - 3) The Inspector General shall provide a completed investigative report of all substantiated cases from Department facilities serving individuals with developmental disabilities within 10 calendar days to the Illinois Department of Public Health and the Department's Office of Developmental Disabilities.
 - 4) The Inspector General shall provide a completed investigative report of all substantiated cases from Department facilities serving individuals with mental illness within 10 calendar days to the Department's Office of Mental Health.
 - 5) If the Inspector General substantiates abuse, neglect or financial exploitation at a community agency serving individuals with developmental disabilities or recommends administrative action, the investigative report shall be provided to the Department's Office of Developmental Disabilities within 10 calendar days.
 - 6) If the Inspector General substantiates abuse, neglect or financial exploitation at a community agency serving individuals with mental illness or recommends administrative action, the investigative report shall

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be provided to the Department's Office of Mental Health within 10 calendar days.

- 7) The Inspector General shall provide a completed investigative report of all cases ~~of substantiating~~ abuse, neglect or financial exploitation ~~or recommending administrative action~~ in community agencies within 10 calendar days ~~after closure~~ to the Department's Bureau of Accreditation, Licensure and Certification.
 - 8) The Inspector General shall provide a completed investigative report in all cases substantiating abuse, neglect or financial exploitation against a Department employee within 10 calendar days to the Department's Bureau of Labor Relations.
 - 9) The Inspector General shall provide a completed investigative report substantiating abuse, neglect or financial exploitation if a legal issue is involved within 10 calendar days to the Department's General Counsel.
 - 10) When an accused employee in a substantiated case is licensed by the Department of Financial and Professional Regulation, the Inspector General shall provide a copy of the investigative report to that agency.
- c) ~~The facility or agency shall inform the victim and the legal guardian (if applicable) and the accused employee whether the reported allegation was substantiated, unsubstantiated or unfounded. If the authorized representative or designee is unable to reach the guardian by phone, a letter of notification shall be sent within 24 hours.~~d) The Office of the Inspector General shall inform the accused employee of the results of a reconsideration request or of any changes in the finding that resulted from a reconsideration request within 15 days.
- d)e) If the finding substantiates physical abuse, sexual abuse, egregious neglect or financial exploitation, the Inspector General shall report the identity of the accused employee and finding to the Health Care Worker Registry. The Inspector General shall notify the accused employee of the right to appeal the action that will place his or her identity on the Health Care Worker Registry as described in Section 50.90 ~~of this Part~~.
- e)f) Release of Investigative Reports~~investigative reports~~

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- 1) *All investigative reports prepared by the Office of the Inspector General shall be considered confidential and shall not be released except as provided by the law of this State or as required under applicable federal law. (Section 1-17(m) of the Act)*
- 2) Substantiated findings shall be released in accordance with the Act, the Mental Health and Developmental Disabilities Confidentiality Act [740 ILCS 110] and the Freedom of Information Act [5 ILCS 140].
- 3) *Unsubstantiated and unfounded investigative reports shall not be disclosed except as allowed pursuant to Section 6 of the Abused and Neglected Long Term Care Facility Residents Reporting Act [210 ILCS 30] or a valid court order. (Section 1-17(m) of the Act)*
- 4) The identity of any person as a complainant shall remain confidential in accordance with the Freedom of Information Act [5 ILCS 140], or unless authorized by the complainant in writing. The identity of a required reporter shall only remain confidential under certain circumstances as determined by OIG on a case-by-case basis.

~~f.g)~~ Recommendations for ~~Sanctionssanctions~~

- 1) The Inspector General may recommend to the ~~Secretary of the Illinois Department of Public Health and the~~ Department of Human Services that sanctions be imposed against facilities or community agencies to protect residents, including:
 - A) appointment of on-site monitors or receivers;
 - B) transfer or relocation of an individual or individuals;
 - C) closure of units; and
 - D) Termination of any one or more of the following:
 - i) Department licensing;
 - ii) Department funding; or

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- iii) Department certification.
- 2) The Inspector General may seek the assistance of the Attorney General of Illinois or the State's attorney for imposing sanctions listed in subsection ~~(f)(1)(g)(1)~~.

(Source: Amended at 41 Ill. Reg. 6516, effective May 26, 2017)

Section 50.80 Written Responses

- a) For any case in which OIG substantiates abuse or neglect or makes one or more recommendations, the community agency or facility shall submit a written response on a prescribed form to the respective DHS program division office.
 - 1) The written response shall address the actions that it will take or has taken to protect individuals from abuse or neglect, prevent recurrence and eliminate problems. Each substantiated finding or recommendation shall be addressed separately.
 - 2) All written responses shall include the following information:
 - A) Investigative findings and/or recommendations by OIG;
 - B) Specific actions for each finding or recommendation, identifying the persons the actions address, if any;
 - C) Persons responsible for implementing each action;
 - D) For each action, the actual or anticipated completion date;
 - E) Signature of the Authorized Representative or, if the Authorized Representative is named in the investigation, the President of the Board of Directors.
 - 3) The written response shall be submitted to the respective Department Program Division within 30 calendar days after receiving the investigative report. ~~If OIG has assigned the investigation to a community agency with an approved investigative protocol, the written response shall be submitted within 30 calendar days after the Inspector General accepts the~~

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~~investigative report.~~

- 4) If a reconsideration request is received by OIG, the written response is due within 15 calendar days after the following:
 - A) The date the community agency or facility is notified that the reconsideration is denied;
 - B) The date the community agency or facility receives a revised cover letter based on a granted reconsideration indicating the finding remains substantiated, or there are recommendations.
 - 5) If a reconsideration request is granted and the revised cover letter indicates the finding is unsubstantiated or unfounded and there are no recommendations, a written response is no longer required.
- b) Division Responsibilities
- 1) The respective DHS program division shall promptly review the submitted written response and may require the community agency or facility to plan or take additional administrative actions in response to the findings and/or recommendations.
 - 2) When the division agrees with the written response, the division's director, or designee, shall approve the written response by signing and dating the form. The actions listed on the written response do not need to be completed for the division to approve it.
 - 3) To ensure timely implementation of identified actions, the division shall promptly do the following:
 - A) Notify the community agency, facility and OIG of the approval; and
 - B) Send to OIG the approved written response and any documentation received that confirms implementation of the designated actions.
- c) Implementation Status Reports

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- 1) Community Agency or Facility
 - A) If the actions listed in the written response have not been completed by the time the division notifies the community agency or facility that the written response is approved, the Authorized Representative shall send OIG an implementation status report within 30 days of the date the written response was approved.
 - B) The implementation status report shall detail the status of each administrative action taken or planned, including the actual or anticipated completion date.
 - C) An updated implementation status report must be sent to OIG every 60 days thereafter until all administrative actions have been completed.
 - D) Upon completion of actions for which at least one implementation status report was submitted, the community agency or facility shall promptly do the following:
 - i) Notify OIG in writing of the completion date and the names of any persons who were the subject of the action; and
 - ii) Submit to OIG documentation confirming implementation of each of those actions.
 - 2) OIG may review approved written responses and notify any community agency or facility when an implementation status report is overdue. Failure of the community agency or facility to comply with implementation status reports is a violation of the statute.
- d) Compliance Reviews
- 1) OIG shall conduct a review of the following:
 - A) Any written response in which an action takes more than 120 days after approval to complete; and
 - B) A random sample of written responses approved by the division.

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The sample shall be chosen at least quarterly, shall be at least 10% of all written responses approved during that time period, and shall be proportionate by community agency and facility cases among the approved written responses.

- 2) OIG shall determine compliance with the completed action as approved, which may include, but not be limited to, written and verbal requests for documentation, phone contacts or site visits.
- 3) Community agencies and facilities shall fully cooperate with OIG during these compliance reviews, including providing access as defined in Section 50.10. Cooperation with compliance reviews additionally includes the following:
 - A) Arranging for interviews as requested and providing copies of any personnel action taken as a result of the findings or recommendations; and
 - B) Responding promptly to OIG requests for documentation and related information.

(Source: Amended at 41 Ill. Reg. 6516, effective May 26, 2017)

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- 1) Heading of the Part: Administration of Medication in Community Settings
- 2) Code Citation: 59 Ill. Adm. Code 116
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
116.10	Amendment
116.20	Amendment
116.30	Amendment
116.40	Amendment
116.50	Amendment
116.60	Amendment
116.70	Amendment
116.80	Amendment
116.90	Amendment
116.100	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 15.4 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/15.4].
- 5) Effective Date of Rules: May 26, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 40 Ill. Reg. 8512; June 24, 2016
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: Various grammatical and technical changes and clarifications were made to Sections 116.20, 116.40, 116.50 and 116.60.
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? None were made.
- 13) Will this rulemaking replace an emergency rule currently in effect? No

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- 14) Are there any rulemaking pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking is proposed in response to PA 98-901, which revised 20 ILCS 1705/15.4, a Section of the Mental Health and Developmental Disabilities Act. PA 98-901 provides that the Department shall develop a training program for authorized direct care staff to administer medications under the supervision and monitoring of a registered professional nurse, expands the definition of medication and establishes procedures in relation to direct care staff administering insulin.
- 16) Information and questions regarding these adopted rules shall be directed to:

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

217/785-9772

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

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TITLE 59: MENTAL HEALTH
CHAPTER I: DEPARTMENT OF HUMAN SERVICESPART 116
ADMINISTRATION OF MEDICATION
IN COMMUNITY SETTINGS

Section	
116.10	Purpose
116.20	Definitions
116.30	Master Nurse-Trainer and Nurse-Trainers
116.40	Training and Authorization of Non-Licensed Staff by Nurse-Trainers
116.50	Administration of Medications
116.60	Medication Self-Administration
116.70	Medication Administration Record and Required Documentation
116.80	Storage and Disposal of Medications
116.90	Individual Health Supports and Assessment
116.100	Quality Assurance
116.110	Administrative Requirements

AUTHORITY: Implementing and authorized by Section 15.4 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/15.4].

SOURCE: Emergency rule adopted at 23 Ill. Reg. 11988, effective September 13, 1999, for a maximum of 150 days; adopted at 24 Ill. Reg. 2656, effective February 7, 2000; amended at 41 Ill. Reg. 6534, effective May 26, 2017.

Section 116.10 Purpose

The purpose of this Part is to ensure the safety of individuals in programs funded by the Department of Human Services ~~(DHS)~~ by regulating the storage, distribution, and administration of medications in specific settings, as well as; training of non-licensed staff in the administration of medications. This applies exclusively to all programs for individuals with a developmental disability in settings of 16 persons or fewer that are funded or licensed by ~~DHS~~ the Department of Human Services and that distribute or administer medications and all intermediate care facilities for the developmentally disabled with 16 beds or fewer that are licensed by the Illinois Department of Public Health.

(Source: Amended at 41 Ill. Reg. 6534, effective May 26, 2017)

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Section 116.20 Definitions

The words and phrases used in this Part shall mean the following, except whenwhere a different meaning is clearly intended from the context:

"Administer" or "Administration:" — An act in which a single dose of medication is instilled into the body of, applied to the body of, or otherwise given to a person for immediate consumption or use, ~~exclusive of injection or other similar methods of transmission.~~

"Adverse drug reaction:" — A person's response to medication that has an undesirable effect and may be harmful to the health of a person. The reaction may be temporary and resolve itself without lasting effects or it may require interventions to be resolved.

"Agency:" — Any organization that operates a residential program for persons with developmental disabilities.

"Authorized direct care staff:" — Non-licensed persons who have successfully completed a medication administration training program specified by the ~~Illinois~~ Illinois Department of Human Services (~~DHS~~) and conducted by a Nurse-Trainer~~nurse trainer~~. This authorization, that can only be conferred by a Nurse-Trainer, is specific to an individual receiving ~~services~~services in a specific agency and does not transfer to another agency or individual. [20 ILCS 1705/15.4(b)] ~~or individual.~~

"Community residence:" — Any residence funded by DHS and provided by a licensed agency, or a residential setting certified or approved by DHS, or an intermediate care facility for 16 or fewer persons with developmental disabilities, licensed by the Illinois Department of Public Health (~~DPH~~) as an Intermediate Care Facility for the Developmentally Disabled (~~ICF/DD-16~~), 16 beds or fewer.

"Competency-based:" — Training thatwhich is tied to an identified set of skills and knowledge and requires documentation of an acceptable level of performance of a task or achievement of an outcome.

"Controlled substance:" — Any drug or other substance listed pursuant to a schedule in the Illinois Controlled Substances Act [720 ILCS 570].

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"Days:" ~~– Unless otherwise indicated, all references to days in within the text of this Part refer refers to working days.~~

"DD ~~Medical~~Clinical Director:" ~~– The physician serving as the Medical Director of the Division of Developmental Disabilities within the, Division of Disability and Behavioral Health Services, Illinois Department of Human Services (DHS-DD), or his or her designee.~~

"Delegation:" ~~– The transfer of responsibility for the performance of selected tasks by the registered nurse (RN) to authorized direct care staff qualified, competent assistive personnel in a selected situation, based upon the RN's plan of care. The RN retains professional accountability for the outcome of the delegated task and all the nursing care of the individual. No redelegation by authorized direct care staff assistive personnel may occur.~~

"Department:" ~~or "DHS"~~ ~~– The Illinois Department of Human Services (DHS).~~

"Distribute or distribution:" ~~– The act of controlling access to medications and allowing access by individuals to their medications at prescribed times.~~

~~"DPA." The Illinois Department of Public Aid.~~

~~"DPH:"~~ ~~– The Illinois Department of Public Health.~~

~~"Findings" – An indicated determination by the Department of Children and Family Services under 89 Ill. Adm. Code 300, a substantiated case or verified determination by the Department on Aging under 89 Ill. Adm. Code 270, or a substantiated finding by the Department of Human Services Office of Inspector General under 59 Ill. Adm. Code 50.~~

~~"Functional literacy:"~~ ~~– An individual's ability to read, write, speak, compute and solve problems at levels of proficiency necessary to function on the job, as assessed by standardized techniques.~~

~~"Guardian:"~~ ~~– The parent of a child under the age of 18 whose parental rights have not been terminated or a person appointed by a court to be guardian of the individual.~~

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"HFS" – The Illinois Department of Healthcare and Family Services.

"Insulin in an injectable form" – A subcutaneous injection via an insulin pen pre-filled by the manufacturer. [20 ILCS 1705/15.4(b)]

"Individual:" ~~–~~ Any person with a developmental disability receiving services from a program.

"Intermediate care facility for the developmentally disabled" ~~or "(ICF/DD-16)";~~ A residence licensed by ~~DPH~~the Illinois Department of Public Health to provide health or habilitative care on a long-term basis for 16 or fewer individuals with developmental disabilities.

"Licensed person or personnel:" ~~–~~ A physician, a registered professional nurse, an advanced practice nurse, a licensed practical nurse, a dentist, a pharmacist, a physician assistant, an optometrist, or a podiatrist licensed in the State of Illinois.

"Master ~~Nurse-Trainer~~nurse-trainer." ~~–~~ An ~~agent~~employee of DHS who is a registered professional nurse who has been designated by the DD ~~Medical~~Clinical Director to train/educate ~~Nurse-Trainers~~nurse-trainers.

"Medication:" ~~–~~ Means oral and topical medications, insulin in an injectable form, oxygen, epinephrine auto-injectors, and vaginal and rectal creams and suppositories as ~~A drug~~ prescribed for the individual by a physician, a physician assistant, an advanced practice nurse, a dentist, a podiatrist, or a certified optometrist, including ~~medication~~drugs to be taken on a PRN basis and over-the-counter ~~medication~~drugs. "Oral" includes inhalants and medications administered through enteral tubes, utilizing aseptic technique. "Topical" includes eye, ear and nasal medications, patches, as well as creams for male and female genitalia. [20 ILCS 1705/15.4(b)]

"Medication error:" ~~–~~ The administration of medication other than as prescribed, resulting in the wrong medication being ~~given;~~taken, or medication being ~~given~~taken at the wrong time, ~~or~~ in the wrong dosage, ~~or~~ via the wrong route, or by the wrong person; ~~;~~ or medication omitted entirely. It is meant to include a lack of documentation of medication administration or any error in that documentation. Medication errors must be ~~documented and reported to the DHS Bureau of Quality Enhancement or to the Illinois Department of Public Health Regional Office (if the individual is a resident of an ICF/DD-16) in accordance~~

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~~with written instructions from the Department's Bureau of Quality Enhancement or DPH rules (77 Ill. Adm. Code 350). All medication errors~~ are subject to review by DHS or DPH, whichever is applicable. Medication errors that meet the reporting criteria ~~in DHS' pursuant to the Department's~~ rules on Office of Inspector General Investigations of Alleged Abuse or Neglect or Deaths in State-Operated and Community Agency Facilities (59 Ill. Adm. Code 50) shall be reported to the Office of Inspector General.

"Medication administration record" or "MAR:" – A written record of medications prescribed for, and administered to, an individual.

"Non-licensed staff training program:" – *A standardized competency-based medication administration training program approved by ~~DHS~~the Illinois Department of Human Services. It ~~is~~ is conducted by a Nurse-Trainer~~nurse-trainer~~ for the purpose of training persons employed or under contract to provide direct care or treatment to individuals receiving services to administer medications and implement self-administration of medication training to individuals under the supervision ~~and monitoring~~and monitoring of ~~the~~the Nurse-Trainer~~nurse-trainer~~. It incorporates adult learning styles, teaching strategies, classroom management, curriculum overview, including ethical-legal aspects, and standardized competency-based evaluations on administration of medications and self-administration of medication training programs.* [20 ILCS 1705/15.4(b)]

"Normalization:" – A philosophy under which persons with a developmental disability are provided or restored to patterns and conditions of everyday life ~~that~~which are as close as possible to norms and patterns of the mainstream of society.

"Nurse-Trainer~~Nurse-trainer~~:" – A registered professional nurse and/or advanced practice nurse who has successfully completed the DHS Nurse-Trainer Training Program~~nurse-trainer training program~~.

"Nurse-Trainer Training Program:" – *A standardized competency-based medication administration program provided by ~~DHS~~the Illinois Department of Human Services and conducted by a DHS Master-Nurse Trainer~~master nurse-trainer~~. Nurse-Trainers~~Nurse-trainers~~ shall train persons employed or under contract to administer medication to individuals and provide self-administration of medication training to individuals under the supervision and monitoring of the Nurse-Trainer~~nurse-trainer~~. It incorporates adult learning styles, teaching*

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strategies, classroom management and a curriculum overview, including the ethical and legal aspects of supervising those administering medication. [20 ILCS 1705/15.4(b)]

"Patent or proprietary medications:" — Medications and household remedies that are generally considered and accepted as harmless and nonpoisonous when used according to the directions on the label and for which there are written physician orders for their use.

"Physician:" — A physician licensed to practice medicine in all of its branches.

"PRN:" — Prescribed medications, to be taken as needed, for specific conditions.

"Registered professional nurse:" — A person licensed as a [registered professional nurse](#) as defined in the Illinois [Nurse Practice Act](#) ~~Nursing and Advanced Practice Nursing Act~~ [225 ILCS 65/50-10].

"Self-administration:" — An act in which an individual administers his or her own medications. To be considered "capable of self-administering medications", individual residents must, at a minimum, be able to identify prescribed medication by size, shape, or color and know when it should be taken and in what amount it should be taken each time. [20 ILCS 1705/15.4(b)]

"Substantial compliance:" — Meeting the requirements set forth in this Part, except for variations from the strict and literal performance of ~~those such~~ requirements that result in insignificant omissions and defects, given the particular circumstances and the history of those omissions and defects. Omissions that have an adverse impact on an individual's health and safety shall be considered significant and shall be considered substantial noncompliance.

"Supervision:" — An active process in which the [registered professional nurse](#) ~~Registered Professional Nurse~~ monitors, directs, guides, and evaluates the outcomes of an activity or task. The registered [professional nurse](#) maintains the accountability for the tasks and responsibilities, as subcomponents of total patient care, delegated to [authorized direct care staff](#) ~~qualified competent assistive personnel~~.

"Unencumbered license" — As defined in the Nurse Practice Act [225 ILCS 65/50-10], a license in good standing issued by the Illinois Department of

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Financial and Professional Regulation.

(Source: Amended at 41 Ill. Reg. 6534, effective May 26, 2017)

Section 116.30 Master Nurse-Trainer and Nurse-Trainers

- a) The Department's ~~master~~ Master Nurse-Trainers~~nurse-trainers~~ are designated by the DD Medical~~Clinical~~ Director and shall meet the following criteria:
- 1) Demonstration of competence to teach adult learners through:
 - A) evidence of previous teaching or training experience; or
 - B) completion of courses in teaching and instructing.
 - 2) Licensure as a registered professional nurse in Illinois with an unencumbered license. ~~Possession of two years of clinical registered professional nursing experience within the last five years, at least one of which shall have been in developmental disabilities.~~
- b) All registered professional nurses seeking approval to be Nurse-Trainers~~nurse-trainers~~ to provide medication administration training to non-licensed staff shall:
- 1) Be licensed as a registered professional nurse ~~or advanced practice nurse~~ in Illinois with an unencumbered license.
 - 2) Possess one year~~two years~~ of clinical registered professional nursing experience within the last five years, ~~at least one of which shall~~ preferably have been in developmental disabilities.
 - 3) Have successfully completed the DHS Nurse-Trainer Training Program.
- c) Requests for approval as a Nurse-Trainer shall be submitted, in writing, to the DD Medical~~Clinical~~ Director. The DD Medical~~Clinical~~ Director shall approve all requests that show substantial compliance with the requirements. Previous history as a Nurse-Trainer will be considered during the review process. The decision to approve or deny requests shall be on file with the Department, which will~~shall~~ maintain a list of all approved Nurse-Trainers.

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- d) The DD ~~Medical~~~~Clinical~~ Director shall, upon request, grant conditional approval to a registered professional nurse who fulfills the requirements but has not completed the required ~~Nurse-Trainer~~~~nurse-trainer~~ course of instruction. Conditional approval shall be granted for no more than 90 calendar days following the date of conditional approval. The nurse given conditional approval shall not train or authorize non-licensed staff to administer medications, but may direct and monitor, as well as educate and train, previously authorized direct care staff on new medications or dosage changes as ~~shall be~~ required.
- e) The DD Medical Director shall revoke the Nurse-Trainer status if:
- 1) the Nurse-Trainer's registered professional nurse license is encumbered or revoked; or
 - 2) the Nurse-Trainer has one or more substantiated or indicated findings or verified determinations of physical abuse, sexual abuse, egregious neglect or financial exploitation.
- f) The DD Medical Director shall revoke the Nurse-Trainer status if, in the DD Medical Director's professional judgment:
- 1) the Nurse-Trainer has failed to adequately supervise authorized direct care staff in administering medications;
 - 2) the Nurse-Trainer has one or more findings as defined in Section 116.20 other than the types of findings listed in Section 116.30(e)(2) and those findings warrant revocation of the nurse's Nurse-Trainer status; or
 - 3) the Nurse-Trainer otherwise failed to carry out responsibilities in substantial compliance with this Part.
- g) If the nurse's Nurse-Trainer status is revoked, the DD Medical Director shall notify the nurse of the revocation. The revocation letter will include the basis for the revocation, the effective date, and information about the nurse's right to appeal the revocation.
- 1) A nurse who receives a revocation letter including notice of an opportunity for an administrative hearing must submit a request for a hearing to the bureau as listed in the revocation letter. The request is to be

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provided in one of the formats indicated in the revocation letter and must be received by the date set forth in the letter. Failure to comply with this Section shall constitute a waiver of the person's right to an administrative hearing. If the nurse requests an appeal:

- A) The Department shall be required to establish by a preponderance of the evidence that the DD Medical Director's revocation of the nurse's Nurse Trainer status is warranted.
 - B) Hearings under this Section shall be conducted in accordance with the Department's rules on the conduct of hearings and appeals (89 Ill. Adm. Code 508). In the event there is a conflict between 89 Ill. Adm. Code 508 and this Part, the provisions of this Part shall prevail.
 - C) The nurse may not function as a Nurse-Trainer during the appeal process.
- 2) If the nurse does not request a hearing or if the hearing results in a decision that the DD Medical Director's revocation of the nurse's Nurse-Trainer status is warranted, the DD Medical Director shall revoke the nurse's Nurse-Trainer status and notify the nurse, and any agency known to the Department where the nurse is acting as a Nurse-Trainer, of the revocation of the nurse's Nurse-Trainer status.

(Source: Amended at 41 Ill. Reg. 6534, effective May 26, 2017)

Section 116.40 Training and Authorization of Non-Licensed Staff by Nurse-Trainers

- a) Only a Nurse-Trainer~~nurse-trainer~~ may delegate, ~~and~~ supervise and authorize the ~~task~~task of medication administration to authorized direct care staff.
- b) Prior to training non-licensed staff to administer medication to an individual, the Nurse-Trainer must have an understanding and knowledge of the individual's physical and mental status, medical history, medication orders and medications prescribed to initially train and authorize unlicensed staff to administer medications and to provide any additional medication related training of non-licensed authorized staff. The following is acceptable evidence of that understanding and knowledge; ~~Prior to training non-licensed staff to administer~~

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~~medication each nurse-trainer shall perform the following for each individual to whom medications will be administered by non-licensed staff [20 ILCS 1705/15.4(c)] once they are trained and authorized direct care staff:~~

- 1) ~~The registered nurse completing the assessment of an individual's health as required by Section 116.90(a) must sign and date the assessment. To be valid, this assessment can be no more than one year prior to the date of the training of the non-licensed staff. An assessment of the individual's physical and mental status and medical history.~~
- 2) ~~If the Nurse-Trainer initially training and authorizing unlicensed staff or providing additional training is not the registered professional nurse who completed the assessment of an individual's health as required by Section 116.90(a), there must be clear evidence that the Nurse-Trainer has reviewed an individual's current assessment within the last 365 calendar days and considered other relevant information before doing any training or providing direction about medication administration for that individual. An evaluation of the medication orders and medications prescribed.~~
- c) Non-licensed direct care staff who are to be authorized to administer medications under the delegation of ~~Nurse-Trainer~~the registered professional nurse shall meet the following criteria:
 - 1) be age 18 or older;
 - 2) complete high school or its equivalency (G.E.D.);
 - 3) demonstrate functional literacy;
 - 4) satisfactorily complete the Health and Safety component of the Direct Support Persons Core Training Program or a DHS approved equivalent Developmental Disabilities Aide Training Program prior to the beginning of medication administration training;
 - 5) be initially trained and evaluated by a ~~Nurse-Trainer~~nurse-trainer in a competency-based, standardized medication curriculum specified by DHS;
 - 6) ~~receive specific additional competency based training and assessment by a nurse-trainer as deemed necessary by the nurse-trainer whenever a change~~

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~~of medication or dosage occurs or a new individual that requires medication enters the program;~~

- ~~67)~~ score 80% or above onpass the written portion of the comprehensive examination furnished by DHS based on the information conveyed to them during a medication administration classroom course; and
- ~~78)~~ score 100% on a written or oral competency-based evaluation specifically pertinent to those medications that ~~thesesuch~~ staff are responsible to administer.
- d) Initial competency-based training toward delegation for medication administration shall include:
- 1) Best practice standards related to the rights of individuals, legal and ethical responsibilities, agency procedures and communication pertaining to medication administration.
 - 2) Best practice nursing techniques associated with medication administration.
 - 3) Classes of drugs and their effects and common side-effects.
 - 4) Specific information regarding the individuals to whom the staff will administer medication and the medication the staff will administer.
 - 5) Techniques to ~~observecheck~~, ~~evaluate~~, report and ~~documentrecord~~ medication effects, side effects, adverse outcomes and vital signs when those skills are necessary for the safe administration of medication to that individual.
 - 6) A final, individual-specific, competency-based evaluation performed by a ~~Nurse-Trainer~~nurse trainer for each medication administered to persons at the program for whom the staff provide supports.
- e) The Nurse-Trainer may delegate the administration of insulin subcutaneously using an insulin pen pre-filled with insulin by the manufacturer to authorized staff after the authorized staff has successfully completed a DHS approved advanced training program specific to diabetes and insulin administration.

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- 1) Authorized direct care staff must consult with the Nurse-Trainer before administering any subcutaneous insulin dosage determined by a blood glucose test result.
 - 2) Authorized direct care staff may not calculate the insulin dosage needed when the dose is dependent upon a blood glucose test report.
 - 3) Authorized direct care staff may not administer insulin to individuals who require blood glucose monitoring greater than 3 times daily, unless directed to do so by the Nurse-Trainer.
- f) Staff, after training, may administer epinephrine by auto-injector as prescribed by a physician as an emergency measure when an individual experiences a serious allergic reaction (e.g., anaphylactic shock). The administration of epinephrine by auto-injector by staff is not the responsibility of the Nurse-Trainer.
- 1) The agency is responsible for the training of all staff who may administer epinephrine by auto-injector. Training for staff in the use of epinephrine auto-injectors can be obtained through the American Heart Association, American Red Cross, or American Safety and Health Institute, or from a registered professional nurse or licensed practical nurse, as delegated by a registered nurse or physician.
 - 2) Two unexpired epinephrine auto-injectors should be in close proximity to the individual for whom the medication is prescribed and available for immediate use at all times. For the purpose of this Part, close proximity means:
 - A) Within arm's reach of the individual responsible for administering the epinephrine auto injection when away from the residence; or
 - B) In a known location with easy, immediate access when at the residence.
 - 3) Emergency medical services must be summoned immediately after the use of an epinephrine auto-injector.
- g) The Nurse-Trainer may authorize direct care staff to administer medications

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through an enteral tube after the authorized staff has successfully completed a DHS approved advanced training program specific to enteral tubes, their maintenance and medication administration.

- he) *Authorized direct care staff shall be re-evaluated by a Nurse-Trainer~~nurse-trainer~~ at least annually or more frequently at the discretion of the registered professional nurse. Any retraining shall be to the extent that is necessary to ensure competency of the authorized direct care staff to administer medication [20 ILCS 1705/15.4(c)], as judged by a Nurse-Trainer~~nurse-trainer~~.*
- i) Authorized direct care staff shall receive specific additional competency-based training and assessment by a Nurse-Trainer, as deemed necessary by the Nurse-Trainer, whenever a change of medication, including, but not limited to, dosage, time and route, occurs or a new individual who requires medication enters the program.
- je) *Direct care staff who fail to qualify for competency to administer medications shall be given additional education and testing to meet criteria for delegation authority to administer medications. Any direct care staff person who fails to qualify as an authorized direct care staff after initial training and testing must, within three months, be given another opportunity for retraining and retesting. A direct care staff person who fails to meet criteria for delegated authority to administer medication, including, but not limited to, failure of the written test on two occasions, shall be given consideration for shift transfer or reassignment, if possible. No employee shall be terminated for failure to qualify during the three month time period following initial testing. Refusal to complete training and testing required by this Section may be grounds for immediate dismissal- [20 ILCS 1705/15.4(h)].*
- ke) *No authorized direct care staff person delegated to administer medication shall be subject to suspension or discharge for errors resulting from the staff person's acts or omissions when performing the functions unless the staff person's actions or omissions constitute willful and wanton conduct [20 ILCS 1705/15.4(i)].*
- lh) *Authorization of staff to administer medication shall be revoked if, in the opinion of the Nurse-Trainer~~registered professional nurse-trainer~~, the authorized direct care staff person is no longer competent to administer medication [20 ILCS 1705/15.4(c)]. The degree of retraining and reassessment of competency should occur at the discretion of the Nurse-Trainer~~nurse-trainer~~.*

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- mi) Clear documentation of training, retraining, and evaluation shall be kept in each staff or contractual person's personnel file by each agency where authorized direct care staff are employed.

(Source: Amended at 41 Ill. Reg. 6534, effective May 26, 2017)

Section 116.50 Administration of Medications

- a) Medications shall be administered in accordance with the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705] and the Illinois ~~Nurse~~Nursing and Advanced Practice Nursing Act [225 ILCS 65].
- b) With the exception of subcutaneous insulin administration by insulin pen by authorized staff and emergency epinephrine administration by epinephrine auto-injector by staff trained in epinephrine administration, non-licensed~~Non-licensed~~ staff shall not administer any medication in an injectable form.
- c) Medications that are regularly available without a prescription at a commercial pharmacy (although need not be purchased there) may be purchased for stock when they are prescribed as PRN or regularly scheduled (such as daily, weekly or monthly, but not limited to those schedules) by a physician or any other person licensed to prescribe medications in Illinois. The following conditions shall apply:
- 1) The medication must be stored in the original container, with the original label intact.
 - 2) No labeling other than the original container labeling is allowed. This labeling may not be obscured in any way.
 - 3) The prescription instructions, as written by the physician or any other person licensed to prescribe medications in Illinois and as interpreted by the Nurse-Trainer, will be placed on the MAR as required by Section 116.70(b) and followed as written.
 - 4) Providers may not repackage medications.
 - 5) The provider shall communicate with all appropriate parties regarding

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regularly prescribed stock medications during an individual's absence from his or her residence during a medication administration period.

- d) ~~Authorized direct care staff shall not administer PRN medications unless there is a written protocol approved by a nurse trainer and prescribing practitioner for each individual and for each medication. A written protocol shall include the following information:~~
- ~~1) the name of the individual;~~
 - ~~2) the name, route, and dosage form of the medication;~~
 - ~~3) dosage or quantity to be taken;~~
 - ~~4) frequency or times of administration;~~
 - ~~5) conditions for which the medication may be given;~~
 - ~~6) contraindications for the medications;~~
 - ~~7) a maximum or stop dosage;~~
 - ~~8) any necessary special directions and precautions for the medication's preparation and administration;~~
 - ~~9) common severe side or adverse effects or interactions and the action required if they occur; and~~
 - ~~10) proper storage.~~
- de) Medications that are regularly available without prescription at a commercial pharmacy, such as uncontrolled cough syrups, laxatives and analgesics, shall be given to an individual only upon written order of the physician or other person licensed to prescribe medications in Illinois. A facility may stock for use as PRN medications, and in accordance with subsection (d) above, only drugs that are regularly available without prescription at a commercial pharmacy, such as: uncontrolled cough syrups, laxatives, and analgesics. These shall be given to an individual only upon the written order of the physician, dentist, or podiatrist; shall be administered from the original containers; and shall be recorded in the

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~~individual's medication administration record (MAR).~~

- e) Over-the-counter substances, such as skin care lotion, lip balm, sunscreen, mouthwash, non-medicated foot powder, and cough drops, are generally considered comfort treatments. As such, they are not subject to the requirements of this Part. When, however, these substances are prescribed by a physician or other person licensed to prescribe medications in Illinois, these substances become subject to this Part.
- f) PRN medications shall be administered within one hour after the need is identified.
- g) *A registered professional nurse, advanced practice nurse, physician~~licensed to practice medicine in all of its branches~~, or physician assistant shall be on duty or on call at all times in any program covered by this Part [20 ILCS 1705/15.4(j)].*

(Source: Amended at 41 Ill. Reg. 6534, effective May 26, 2017)

Section 116.60 Medication Self-Administration

- a) *As part of the normalization process, in order for each individual to attain the highest possible level of independent functioning, all individuals shall be permitted to participate in their total health care program [20 ILCS 1705/15.4(d)]. Every program shall include, but not be limited to, individual training in promoting wellness, prevention of disease, and medication self-administration procedures.*
 - 1) *Every program shall adopt written policies and procedures for assisting individuals in obtaining preventative health and medication self-administration skills in consultation with the registered professional nurse [20 ILCS 1705/15.4(d)].*
 - 2) *Individuals shall be evaluated to determine their self-administration of medication capabilities by a ~~Nurse-Trainer~~nurse-trainer through the use of DHS required, standardized screening and assessment instruments.*
 - 3) *When the results of the screening and assessment indicate an individual not to be independently capable to self-administer his or her own medications, programs shall be developed in consultation with the*

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Community Support Team (CST) or Interdisciplinary Team (IDT) to provide individuals with ~~[20 ILCS 1705/15.4(d)]~~ medication self-administration training as identified in each individual's treatment/service plan ~~[20 ILCS 1705/15.4(d)]~~.

- b) Each individual shall be presumed to be competent to self-administer medications if he or she has been determined to be:
- 1) capable by a registered professional nurse or advanced practice nurse;
 - 2) approved to self-administer medication by the individual's ~~Community Support Team (CST)~~ or ~~Interdisciplinary Team (IDT)~~; and
 - 3) authorized by a written order of a physician ~~licensed to practice medicine in all of its branches~~.
- c) Training of individuals to self-administer medication shall minimally include instruction, for each medication prescribed, in the following areas:
- 1) identification of a medication by any of the following methods:
 - A) name;
 - B) purpose;
 - C) size;
 - D) shape;
 - E) color; or
 - F) other distinguishing feature;

~~name of medication or identification within the existing agency pharmacy protocol;~~
 - 2) dosage or quantity to be taken;
 - 3) route of administration;

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- 4) frequency or times of administration;
 - 5) purpose of medication, special instructions, common side-effects and potential consequences of not taking the medication or of not taking the medication properly; and
 - 6) when to seek medical assistance, ~~and any action to be taken in the event of a missed dose, medication error, or adverse drug reaction.~~
- d) When requested to do so by an individual, authorized direct care staff may assist an individual in the self-administration of medications by taking the medication from the locked area where it is stored and handing it to the individual. If the individual is physically unable to open the container, a staff member may open the container for the individual. Agency staff may also assist physically impaired individuals, such as those who have arthritis, cerebral palsy, or Parkinson's disease, in the removal of the medication from the container and in consuming or applying the medication.
- e) Each individual shall remain under observation by authorized direct care staff and be assisted by the staff to correct or prevent medication errors and to safeguard against adverse drug reactions. Observation frequency shall be determined by the Nurse-Trainer and the individual's Community Support or Interdisciplinary Team to maintain an individual's safety when independently self-administering his or her medication. All observation and assistance shall be noted in the ~~progress section of the~~ individual's file-clinical record.
- f) Individuals specifically determined to be competent, by a physician who has issued a written order, to self-administer their own medications may maintain possession of the key or combination of the lock to their own medication storage area. A duplicate key or a copy of the combination shall be kept ~~by the program~~ in a secure location for emergency use by licensed personnel or authorized direct care staff, ~~should such as if~~ the individual ~~should~~ lose or misplace the key or forget the combination.
- g) A medication administration record need not be kept for those individuals for whom the attending physician has given permission to have access to their own medications and to be fully responsible for taking their own medications. However, each agency shall develop and implement a quality assurance procedure

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to ensure that self-administered medications are taken in accordance with prescribed orders. Documentation must include medication name, dosage and frequency, and the identity of the prescribing physician or other person licensed to prescribe medications in Illinois.

(Source: Amended at 41 Ill. Reg. 6534, effective May 26, 2017)

Section 116.70 Medication Administration Record and Required Documentation

- a) All medications, including patent or proprietary medications (e.g., cathartics, headache remedies, or vitamins, but not limited to those) shall be given only upon the written order of a physician, advanced practice nurse, or physician assistant. ~~Rubber stamp signatures are not acceptable.~~ All orders shall be given as prescribed by the physician and at the designated time. Telephone orders may be taken by a registered professional nurse or licensed practical nurse. All orders shall be immediately written on the individual's ~~clinical~~ record or a "telephone order form" and signed by the nurse taking the order. These orders shall be countersigned or documented by facsimile prescription or electronically signed by the physician within 10ten working days.
- b) Medication Administration Record
 - 1) ~~Except as provided in Section 116.60(g), an individualized MARAn individual medication administration record~~ shall be kept for each individual for medications administered, including PRN medications, and shall contain at least the following:
 - A) the individual's name;
 - B) the name and dosage form of the medicationdrug;
 - C) the name of the prescribing physician, physician assistant, dentist, podiatrist, or certified optometrist;
 - D) dose or quantity to be taken;
 - E) frequency or times of administration;
 - F) route of administration;

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- G) date and time given;
 - H) most recent date of the order;
 - I) allergies to medication; and
 - J) special considerations, including special directions and precautions for the medication's preparation and administration and contraindications for the medication.
- 2) PRN medication must be documented on the MAR in accordance with Section 116.70(b)(1). In addition, the following information must be included on the MAR:
- A) conditions for which the medication may be given; and
 - B) maximum or stop dosage.
- 32) The MAR medication administration record for the current month shall be kept with the medications or in the individual's ~~clinical~~ record. ~~If logs are kept in the individual's clinical record, the record shall be present when and where the medications are taken so that the appropriate notation can be made in the log.~~
- 43) The MAR medication administration record shall be completed and initialed immediately after ~~the~~ medication is administered by the registered professional nurse, licensed practical nurse, or authorized direct care staff. Each MAR medication administration record shall have a section that contains the full signature and title of each individual who initials the MAR medication administration record.
- 54) All changes in medication shall be noted on the MAR medication administration record by a licensed practical nurse, registered professional nurse, advanced practice nurse, pharmacist, physician, physician assistant, dentist, podiatrist, or certified optometrist and reported to the Nurse-Trainer ~~registered professional nurse in charge of the program~~ prior to the next dose. Upon the direct instruction of a Nurse-Trainer, authorized direct care staff may indicate on the MAR completion of the following

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actions:

- A) discontinuation of a medication;
 - B) change in medication schedule; and/or
 - C) application of a medication information label issued with a medication by a licensed pharmacy.
- 65) Individual refusal to take medications shall be noted ~~on~~ the MAR medication administration record. ~~Authorized~~ A progress note by authorized direct care staff shall document ~~be written~~ in the individual's clinical ~~record~~ indicating the reasons for refusal and notify the registered professional nurse, Nurse-Trainer, or person licensed to prescribe medication in Illinois to receive direction on any action to be taken. Refusal of medication by an individual is not considered a medication error. shall be notified.
- 76) For individuals who are independently self-administering medications, no MAR medication administration record shall be required. However, any medication that individuals take shall be listed in their ~~clinical~~ records, including dosage, frequency, and identity of the prescribing physician, physician assistant, dentist, podiatrist, or certified optometrist. Each agency shall develop and implement a quality assurance system to ensure that self-administered medications are taken in accordance with prescribed orders.
- c) In the event of a medication error, authorized direct care staff shall immediately report the error to the registered professional nurse, Nurse-Trainer or person licensed to prescribe medication in Illinois ~~advanced practice nurse, physician, physician assistant, dentist, podiatrist, or certified optometrist~~ to receive direction on any action to be taken. All medication errors shall be documented in the individual's clinical ~~record~~ and a medication error report shall be completed within eight hours or before the end of the shift in which the error was discovered, whichever is earlier. The medication error report shall be sent to the Nurse-Trainer ~~nurse-trainer~~ for review and further action within 7 calendar days after the occurrence. A copy of the medication error report shall be maintained as part of the agency's quality assurance program. Medication errors must be documented and reported to the DHS Bureau of Quality Enhancement (or the Illinois

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~~Department of Public Health Regional Office if an individual of an ICF/DD-16 is involved) in accordance with written instructions from the Department's Bureau of Quality Enhancement or DPH rules (77 Ill. Adm. Code 350). All medication errors~~ are subject to review by DHS or DPH, whichever is applicable. Medication errors that meet the reporting criteria ~~of DHS' pursuant to the Department's~~ rules on Office of Inspector General Investigations of Alleged Abuse or Neglect or Deaths in State-Operated and Community Agency Facilities (59 Ill. Adm. Code 50) shall be reported to the Office of Inspector General.

- d) In the event of suspected drug reaction, authorized direct care staff shall immediately report the signs and symptoms to the registered professional nurse, advanced practice nurse, physician, physician assistant, dentist, podiatrist, or certified optometrist to receive direction on any action to be taken. All adverse drug reactions shall be documented in the individual's ~~clinical~~ record and an adverse drug reaction report shall be completed within eight hours or before the end of the shift in which the reaction was discovered, whichever is earlier. The adverse drug reaction report shall be sent to the prescriber and the ~~Nurse-Trainernurse-trainer~~ for review and further action. A copy of the adverse drug reaction report shall be maintained as a part of the agency's quality assurance program.
- e) An inventory and a record of use of controlled substances shall be maintained by the registered professional nurse in the program, and each substance shall require a separate sheet indicating the:
- 1) name of the individual;
 - 2) name of the prescriber;
 - 3) ~~serial number of the~~ prescription number;
 - 4) name of the drug and strength;
 - 5) amount used;
 - 6) amount remaining;
 - 7) time and date administered;

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- 8) name of the individual who administered the medication; and
- 9) documentation of a shift count done by authorized direct care staff. Any discrepancies shall be reported to the ~~Nurse-Trainer~~nurse-trainer for review and action in accordance with written policy.
 - A) A shift count must be completed when the responsibility for administering medications changes from one authorized direct care staff or nurse to another authorized direct care staff or nurse.
 - B) The authorized direct care staff or nurse passing on responsibility for medication administration will count the controlled substances with the authorized direct care staff or nurse assuming responsibility for medication administration.
 - C) The count completed when a controlled substance is administered is not considered a shift count.
- f) Host Family Community Integrated Living Arrangements as described in 59 Ill. Adm. Code 115 must develop a quality assurance procedure to ensure accurate inventory and record of use of controlled substances.

(Source: Amended at 41 Ill. Reg. 6534, effective May 26, 2017)

Section 116.80 Storage and Disposal of Medications

- a) All ~~medications~~drugs shall be stored in locked compartments or within the locked medicine container, cabinet or closet.
- b) Access to medications shall be limited to licensed personnel and authorized direct care staff. Each program shall maintain an up-to-date list of authorized direct care staff ~~on its premises~~.
- c) Each program shall have a written procedure for safeguarding medications kept in an individual's room or possession and shall require medications to be stored when individual safety cannot otherwise be assured.
- d) All medications shall be stored in their original containers.

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- e) All prescription medications that are given to individuals at the direction of the physician, registered professional nurse, advanced practice nurse, pharmacist, physician assistant, dentist, podiatrist, or certified optometrist shall have a label with the same information as would appear on a pharmacy label in accordance with Section 22 of the Illinois Pharmacy Practice Act [225 ILCS 85] to show:
- 1) the name and address of the pharmacy where the prescription is sold or dispensed;
 - 2) the name or initials of the person authorized to practice pharmacy;
 - 3) the date on which the prescription was filled;
 - 4) the name of the patient;
 - 5) the ~~prescription number~~~~serial number of the prescription~~ as filed in the prescription files;
 - 6) the last name of the practitioner who prescribed the prescription;
 - 7) the directions for use as contained in the prescription; and
 - 8) the proprietary name or names or the established name of the ~~medications~~~~drugs~~, the dosage, and the quantity.
- f) Disposal of all medications shall be in accordance with federal and State laws.

(Source: Amended at 41 Ill. Reg. 6534, effective May 26, 2017)

Section 116.90 Individual Health Supports and Assessment

- a) The registered professional nurse shall assess an individual's health status at least annually or more frequently at the discretion of the registered professional nurse.
- b) A physician, advanced practice nurse or physician assistant shall assess an individual's health status at least annually or more frequently at the discretion of the physician or at the request of the agency or the registered professional nurse.

(Source: Amended at 41 Ill. Reg. 6534, effective May 26, 2017)

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Section 116.100 Quality Assurance

- a) A registered professional nurse, advanced practice nurse, licensed practical nurse, pharmacist or physician shall review the following for all individuals:
- 1) medication orders;
 - 2) medication labels and medications listed on the MAR medication administration record to ensure that they match physician orders; and
 - 3) MAR medication administration records (for persons who are not self-medicating) to ensure that they are completed appropriately for:
 - A) medication administered as prescribed;
 - B) refusal by the individual; and
 - C) full signatures provided for all initials used.
- b) Reviews, as described in subsection (a), shall occur at least quarterly, but may be done more frequently at the discretion of the registered professional nurse and/or advanced practice nurse.
- c) At least annually, the agency, inclusive of the Nurse-Trainer, shall summarize and analyze all medication errors to identify patterns and trends and establish corresponding corrective action. The analysis and corrective action must be documented and that documentation shall be retained by the agency for at least five years. ~~A quality assurance review of medication errors for the purpose of monitoring and recommending corrective action shall be conducted within seven days after occurrence and included in the annual review.~~
- d) ~~Documentation of the review and the review date shall be retained for at least five years.~~
- de) All quality assurance records shall be confidential and may only be disclosed in accordance with the provisions of Part 21 of Article VIII, Part 21, of the Code of Civil Procedure [735 ILCS 5/8-2101 through 8-2105].

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- f) ~~Nothing in this Part shall limit or restrict the reporting of medication errors as possible abuse or neglect or the investigation by the Office of Inspector General of possible abuse or neglect in accordance with the Department's rules on Office of Inspector General Investigations of Alleged Abuse or Neglect and Deaths in State-Operated and Community Agency Facilities (59 Ill. Adm. Code 50).~~

(Source: Amended at 41 Ill. Reg. 6534, effective May 26, 2017)

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- 1) Heading of the Part: Administrative Hearings
- 2) Code Citation: 89 Ill. Adm. Code 508
- 3) Section Number: 508.10 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 5-10(a)(i) and 10-5 of the Illinois Administrative Procedure Act [5 ILCS 100/5-10(a)(i) and 100/10-5], the Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301], Sections 2-105 and 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/2-105 and 5-104], Section 5 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/5], and the Illinois Grant Funds Recovery Act [30 ILCS 705].
- 5) Effective Date of Rule: May 26, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including any material incorporated, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 40 Ill. Reg. 8541; June 24, 2016
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: No substantive changes were made to the text of the proposed rulemaking.
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No

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- 15) Summary and Purpose of Rulemaking: This rulemaking is necessary to update the applicability of 89 Ill. Adm. Code 508 to include 59 Ill. Adm. Code 116. Amendments to 59 Ill. Adm. Code 116 include a process to revoke a nurse's Nurse-Trainer status that gives the nurse a right to appeal and have a hearing regarding the revocation of the nurse's Nurse-Trainer status. All hearings under 59 Ill. Adm. Code 116 are to be conducted in accordance with 89 Ill. Adm. Code 508.
- 16) Information and questions regarding this adopted rule shall be directed to:

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

217/ 785-9772

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

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NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICESPART 508
ADMINISTRATIVE HEARINGS

Section	
508.10	Authority – Applicability of This Part
508.20	Definitions
508.30	Appearance – Representation by Counsel
508.40	Emergency Action
508.50	Notice and Initiation of an Administrative Hearing
508.60	Motions
508.70	Filing
508.80	Service
508.90	Prehearing Conferences
508.100	Discovery
508.110	Hearings
508.120	Subpoenas
508.130	Administrative Law Judge's Report and Recommendations
508.140	Proposal for Decision
508.150	Final Orders
508.160	Records of Proceedings
508.170	Miscellaneous

AUTHORITY: Implementing and authorized by Sections 5-10(a)(i) and 10-5 of the Illinois Administrative Procedure Act [5 ILCS 100/5-10(a)(i) and 100/10-5], the Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301], Sections 2-105 and 5-104 of the Mental Health and Developmental Disabilities Code [405 ILCS 5/2-105 and 5-104], Section 5 of the Mental Health and Developmental Disabilities Administrative Act [20 ILCS 1705/5], and the Illinois Grant Funds Recovery Act [30 ILCS 705].

SOURCE: Adopted by emergency rule at 23 Ill. Reg. 4468, effective April 2, 1999, for a maximum of 150 days; adopted at 23 Ill. Reg. 11157, effective August 24, 1999; amended at 28 Ill. Reg. 1122, effective December 31, 2003; amended at 41 Ill. Reg. 6562, effective May 26, 2017.

Section 508.10 Authority – Applicability of This Part

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- a) This Part on practice and procedure for administrative hearings is promulgated pursuant to Section 5-10(a)(i) of the Illinois Administrative Procedure Act (IAPA) [5 ILCS 100/5-10(a)(i)]. This Part shall apply to all administrative hearings of the Department of Human Services governed by the Department's rules at 59 Ill. Adm. Code 50 (Office of the Inspector General Investigations of Alleged Abuse or Neglect in State-Operated Facilities and Community Agencies), 59 Ill. Adm. Code 101.75 (Conduct of Hearings and Appeals for *Bogard et al. v Bradley et al. Consent Decree Class Members*), 59 Ill. Adm. Code 115 (Standards and Licensure Requirements for Community-Integrated Living Arrangements), [59 Ill. Adm. Code 116 \(Administration of Medication in Community Settings\)](#), 59 Ill. Adm. Code 117 (Family Assistance and Home-Based Support Programs for Persons with Mental Disabilities), 59 Ill. Adm. Code 119 (Minimum Standards for Certification of Developmental Training Programs), 77 Ill. Adm. Code 672 (WIC Vendor Management Code), 77 Ill. Adm. Code 2060 (Alcoholism and Substance Abuse Treatment and Intervention Licenses), 89 Ill. Adm. Code 511 (Grants and Grant Funds Recovery), 89 Ill. Adm. Code 527 (Recovery of Misspent Funds) and 89 Ill. Adm. Code 530 (Criteria for the Evaluation of Programs of Services in Community Rehabilitation Programs). All contested cases and licensing actions therein that are required by law to be preceded by a notice and opportunity to be heard shall be governed by this Part.
- b) Where a statute or rule prescribes certain alternative procedures or requirements for hearings, those procedures or requirements will be followed as though they were set forth in this Part. In the event there is a conflict between the statute or rule and this Part, the more specific rule or statute shall prevail.

(Source: Amended at 41 Ill. Reg. 6562, effective May 26, 2017)

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

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
1200.5	Amendment
1200.30	Amendment
- 4) Statutory Authority: Authorized by Section 5(i) of the Illinois Public Labor Relations Act [5 ILCS 315/5(i)].
- 5) Effective Date of Rules: May 26, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Illinois Labor Relation Board's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 40 Ill. Reg. 14568; October 28, 2016
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: All changes were typographical or stylistic in nature.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: In 2016, the Board's Springfield office relocated from One Natural Resources Way, First Floor, Springfield, Illinois 62702 to 801 South Seventh Street, Ste. 1200-A, Springfield, IL 62703. The amendment to Rule 1200.5,

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Board Information and Business Hours, reflects the updated address. The amendment also addresses the formatting of this Part.

The amendment to Section 1200.30 changes provisions addressing the computation and extensions of time for the filing of documents before the Board.

- 16) Information and questions regarding these adopted rules shall be directed to:

Anna Hamburg-Gal
Associate General Counsel
Illinois Labor Relations Board
160 N. LaSalle St. Ste. 400
Chicago IL 60601

312/793-6380
Anna.Hamburg-Gal@Illinois.gov

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

ILLINOIS LABOR RELATIONS BOARD

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

Section	
1200.3	General Statement of Purpose
1200.5	Board Information and Business Hours
1200.7	Board Meetings
1200.10	Definitions
1200.20	Filing and Service of Documents
1200.30	Computation and Extensions of Time
1200.40	Authority of Administrative Law Judges
1200.45	Motions
1200.50	Recording of Hearings and Payment of Court Reporting Services
1200.60	Closing Arguments and Briefs Before An Administrative Law Judge
1200.70	Representation of Parties
1200.80	Ex Parte Communications
1200.90	Subpoenas
1200.100	Transfer of Jurisdiction
1200.105	Consolidation of Proceedings
1200.110	Amicus Curiae Briefs (Repealed)
1200.120	Voluntary Settlement or Adjustment of Disputes
1200.130	Rules of Evidence
1200.135	Appeals Procedures, Board Review and Court Review
1200.140	Briefs
1200.143	Declaratory Rulings
1200.145	Filing of Contracts
1200.150	Conflicts of Interest
1200.160	Variances and Suspensions of Rules
1200.170	Board Member Meeting Attendance by Means other than Physical Presence

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

SOURCE: Emergency rule adopted at 8 Ill. Reg. 17314, effective September 11, 1984, for a maximum of 150 days; adopted at 9 Ill. Reg. 1846, effective January 25, 1985; amended at 11 Ill.

ILLINOIS LABOR RELATIONS BOARD

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Reg. 6428, effective March 27, 1987; amended at 12 Ill. Reg. 20096, effective November 18, 1988; amended at 14 Ill. Reg. 19896, effective November 30, 1990; amended at 17 Ill. Reg. 15588, effective September 13, 1993; amended at 20 Ill. Reg. 7391, effective May 10, 1996; amended at 27 Ill. Reg. 7365, effective May 1, 2003; emergency amendment at 27 Ill. Reg. 15557, effective September 22, 2003, for a maximum of 150 days; emergency amendment expired February 18, 2004; amended at 28 Ill. Reg. 4166, effective February 19, 2004; emergency amendment at 28 Ill. Reg. 7540, effective May 12, 2004, for a maximum of 150 days; emergency expired October 8, 2004; amended at 28 Ill. Reg. 15154, effective November 1, 2004; emergency amendment at 37 Ill. Reg. 5897, effective April 22, 2013, for a maximum of 150 days; amended at 37 Ill. Reg. 14064, effective August 23, 2013; amended at 37 Ill. Reg. 20637, effective December 13, 2013; emergency amendment at 39 Ill. Reg. 10641, effective July 15, 2015, for a maximum of 150 days; amended at 39 Ill. Reg. 15803, effective November 25, 2015; amended at 40 Ill. Reg. 10892, effective August 1, 2016; expedited correction at 41 Ill. Reg. 4520, effective August 1, 2016; amended at 41 Ill. Reg. 6566, effective May 26, 2017.

Section 1200.5 Board Information and Business Hours

- a) The Springfield office of the Illinois Labor Relations Board is located at:
- [801 South Seventh Street, Ste. 1200-A](#)~~One Natural Resources Way, First Floor~~
Springfield IL ~~62703~~[62702](tel:2177853155)
telephone: 217-785-3155
facsimile: 217-785-4146
- b) The Chicago office of the Board is located at:
- 160 N. LaSalle St., Suite S-400
Chicago IL 60601
telephone: 312-793-6400
facsimile: 312-793-6989
- c) The Board's website address is www.Illinois.gov/ilrb. The Board's designated email address for electronic filing purposes is ILRB.filing@Illinois.gov.
- d) The official business hours of the Board are 8:30 a.m. to 5:00 p.m., Monday through Friday.

(Source: Amended at 41 Ill. Reg. 6566, effective May 26, 2017)

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENTS

Section 1200.30 Computation and Extensions of Time

- a) In computing any period of time prescribed by the Act or this Part, the designated period of time begins to run the day after the act, event, or default and ends on the last day of the period so computed. If the day after the act, event or default when the period is supposed to begin to run happens to be a Saturday, Sunday or legal holiday, the period does not begin to run until the next day that is not a Saturday, Sunday or legal holiday. If the last day falls on a Saturday, Sunday, or legal holiday, the time period shall be automatically extended to the next day that is not a Saturday, Sunday or legal holiday.
- b) When a time period prescribed under the Act or this Part is less than 7 days or less, intervening Saturdays, Sundays, or legal holidays shall not be included.
- c) Service of a document upon a party by mail shall be presumed complete 3 business days after mailing, if proof of service shows the document was properly addressed. This presumption may be overcome by the addressee, with evidence establishing that the document was not delivered or was delivered at a later date. A party's failure to accept or claim a document served by mail shall not be grounds for overcoming the presumption.
- d) Requests for postponements of hearings shall be filed in accordance with Section 1200.45. Requests for postponements of investigations or scheduled conferences, as well as requests for extensions for the filing of briefs, exceptions or responses, must be made prior to the then existing deadlines. These Such requests will not be granted unless good and sufficient cause is shown and the following requirements are met:
 - 1) all requests must be in writing directed to the investigator, Administrative Law Judge, Executive Director or General Counsel responsible for the proceeding;
 - 2) the grounds for the request must be set forth in detail;
 - 3) the requesting party must specify alternative dates for scheduling the hearing or conference or for the due date of any documents;
 - 4) the position of all parties concerning both the postponement or extension requested and the proposed alternative dates must be ascertained in

ILLINOIS LABOR RELATIONS BOARD

NOTICE OF ADOPTED AMENDMENTS

advance by the requesting party and set forth in the request;

- 5) for purposes of this Section, good and sufficient cause may include a showing to the satisfaction of the Board or its agents that a postponement or extension will result in settlement of the case;
- 6) except for good cause shown, no request for postponement will be granted on any of the 3 days immediately preceding the date of a hearing, investigation or conference. All continuances must be to a date and time certain; in no event shall an indefinite continuance be granted.

(Source: Amended at 41 Ill. Reg. 6566, effective May 26, 2017)

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Public Requests and Rulemaking
- 2) Code Citation: 2 Ill. Adm. Code 2250
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
2250.10	Amendment
2250.20	Amendment
2250.30	Repealed
2250.40	Repealed
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Rules: May 25, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporation by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Agency's central office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 41 Ill. Reg. 1952; February 17, 2017
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the letter issued by JCAR? No changes were made.
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking proposes to re-title the Part, Public Requests and Rulemaking. Section 2250.10, Public Requests, will direct the Board to follow the procedures in the Illinois Freedom of Information Act [5 ILCS 140]. Provisions in Sections 2250.20 and 2250.30 are being merged and Section 2250.40 is

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

being repealed. Section 2250.20 directs the Board to comply with the rulemaking procedures contained within the Illinois Administrative Procedure Act [5 ILCS 100] and the rules promulgated under that Act.

- 16) Information and questions regarding these adopted rules shall be directed to:

Mickey Ezzo
Illinois Racing Board
100 West Randolph, Suite 5-700
Chicago IL 60601

312/814-5017
e-mail: mickey.ezzo@illinois.gov

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

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE E: MISCELLANEOUS STATE AGENCIES
CHAPTER XXXI: ILLINOIS RACING BOARD

PART 2250

PUBLIC REQUESTS AND RULEMAKING

Section

2250.10	<u>Public Requests</u> Initiation of Rulemaking Proceedings
2250.20	<u>Public Participation in</u> Rulemaking
2250.30	Requests to Initiate Rulemaking (<u>Repealed</u>)
2250.40	Emergency Rulemaking (<u>Repealed</u>)

AUTHORITY: Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Subpart A adopted at 4 Ill. Reg. 19, p. 240, effective April 29, 1980; codified at 5 Ill. Reg. 10873; Subpart B adopted at 2 Ill. Reg. 36, p. 272, effective September 9, 1978; codified at 5 Ill. Reg. 10875; Subpart A recodified from 11 Ill. Adm. Code 202 and Subpart B recodified from 11 Ill. Adm. Code 203 at 8 Ill. Reg. 16342; old Part repealed and new Part adopted at 24 Ill. Reg. 12732, effective August 1, 2000; amended at 41 Ill. Reg. 6572, effective May 25, 2017.

Section 2250.10 Public Requests~~Initiation of Rulemaking Proceedings~~

The Board shall follow the procedures in the Illinois Freedom of Information Act [5 ILCS 140] in regard to requests for information. Requests should be directed to:

Freedom of Information Officer
Illinois Racing Board
100 W. Randolph Street
Suite 5-700
Chicago IL 60601

~~The Board shall initiate rulemaking proceedings pursuant to Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].~~

(Source: Amended at 41 Ill. Reg. 6572, effective May 25, 2017)

Section 2250.20 Public Participation in Rulemaking

ILLINOIS RACING BOARD

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- a) ~~The Board shall comply with the rulemaking procedures contained within the Illinois Administrative Procedure Act [5 ILCS 100] and the rules promulgated under the Act in the adoption and filing of Board rules. Interested parties may submit comments, data, views or arguments within 45 days after publication of a proposed rulemaking in the Illinois Register.~~
- b) ~~Comments on a proposed rulemaking should be addressed to Administrative Rules Coordinator and must be received at the Board's principal office within 45 days after publication of the rulemaking in the Illinois Register.~~
- e) ~~The time for filing comments may be extended by a member of the Board or by the Chairman.~~
- b) The Chairman of the Board may order the submission of views and comments orally at a special or regularly scheduled meeting of the Board, or he/she may refer the matter to:
- 1) a standing committee ~~that~~which shall conduct a public hearing at which interested parties may submit evidence or express their views on the proposed rulemaking;
 - 2) a committee appointed by the Chairman; or
 - 3) a single Board member designated by the Chairman.
- c) Any interested person or group may request the Board to adopt, amend or repeal a rule. The request shall be directed to:
- Executive Director
Illinois Racing Board
100 W. Randolph Street
Suite 5-700
Chicago IL 60601
- d) The request shall contain the following:
- 1) The name and address of the person or group submitting the request.

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

- 2) The specific rule of the Board that the requestor believes should be amended or repealed, or the specific language the requestor believes should be adopted as a rule by the Board.
 - 3) Facts and arguments in support of the proposed rulemaking.
 - 4) The specific reason the requestor believes that the Board should initiate the rulemaking action.
 - 5) Identification of any person or group adversely affected by the proposed rulemaking.
 - 6) Specific reference to any existing rules that are inconsistent with the proposed rulemaking.
- e) ~~The Board shall consider all data, views, arguments, and comments submitted by interested parties.~~

(Source: Amended at 41 Ill. Reg. 6572, effective May 25, 2017)

Section 2250.30 Requests to Initiate Rulemaking (Repealed)

- a) ~~Any person may request the Board to adopt, amend or repeal a rule pursuant to Section 5-145 of the Illinois Administrative Procedure Act [5 ILCS 100/5-145].~~
- b) ~~Any person requesting the initiation of rulemaking shall be required to submit the following information in writing within 10 days after the original request:~~
 - 1) ~~The name and address of the person submitting the request.~~
 - 2) ~~A statement of the rule proposed for adoption.~~
 - 3) ~~Specific reference to any rules the requestor seeks to have amended or repealed.~~
 - 4) ~~Specific reference to any existing rules that are inconsistent with the proposed rulemaking.~~
 - 5) ~~The statutory authority for the proposal.~~

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- 6) ~~A brief statement of facts and arguments in support of the proposed rulemaking.~~
- 7) ~~Identification of any person adversely affected by the proposed rulemaking.~~

(Source: Repealed at 41 Ill. Reg. 6572, effective May 25, 2017)

Section 2250.40 Emergency Rulemaking (Repealed)

~~If the Board finds that an emergency reasonably constituting a threat to the public interest, safety or welfare requires adoption of a rulemaking upon fewer than 45 days notice, it may adopt an emergency rule without prior notice or hearing, pursuant to Section 5-45 of the Illinois Administrative Procedure Act [5 ILCS 100/5-45].~~

(Source: Repealed at 41 Ill. Reg. 6572, effective May 25, 2017)

ILLINOIS RACING BOARD

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Access to Public Records of the Illinois Racing Board
- 2) Code Citation: 2 Ill. Adm. Code 2251
- 3)

<u>Section Numbers</u> :	<u>Adopted Actions</u> :
2251.101	Repealed
2251.102	Repealed
2251.201	Repealed
2251.202	Repealed
2251.203	Repealed
2251.301	Repealed
2251.302	Repealed
2251.303	Repealed
2251.401	Repealed
2251.402	Repealed
2251.403	Repealed
2251.404	Repealed
2251.405	Repealed
2251.406	Repealed
2251.407	Repealed
2251.501	Repealed
2251.502	Repealed
2251.503	Repealed
2251.APPENDIX A	Repealed
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Repealer: May 25, 2017
- 6) Does this repealer contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the Agency's central office and is available for public inspection.
- 9) Notice of Proposed Repealer published in the *Illinois Register*: 41 Ill. Reg. 1958; February 17, 2017

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NOTICE OF ADOPTED REPEALER

- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the letter issued by JCAR? None were made.
- 13) Will this repealer replace any emergency rule currently in effect? No
- 14) Are there any other rulemakings pending on this Part? No
- 15) Summary and Purpose of Repealer: This rule is being repealed because the proposed amendments to Part 2250 will include a provision that requires the Board to follow the procedures in the Illinois Freedom of Information Act [5 ILCS 140].
- 16) Information and questions regarding this adopted repealer shall be directed to:

Mickey Ezzo
Illinois Racing Board
100 West Randolph, Suite 5-700
Chicago IL 60601

312/814-5017
e-mail: Mickey.ezzo@illinois.gov

ILLINOIS RACING BOARD

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Supertrifecta Exchange
- 2) Code Citation: 11 Ill. Adm. Code 310
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
310.10	Repealed
310.20	Repealed
310.30	Repealed
310.40	Repealed
310.50	Repealed
310.60	Repealed
310.70	Repealed
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Repealer: May 25, 2017
- 6) Does this repealer contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the Agency's central office and is available for public inspection.
- 9) Notice of Proposed Repealer published in the *Illinois Register*: 41 Ill. Reg. 1986; February 17, 2017
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the letter issued by JCAR? None were made.
- 13) Will this repealer replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No

ILLINOIS RACING BOARD

NOTICE OF ADOPTED REPEALER

- 15) Summary and Purpose of Rulemaking: This rule is being repealed because this pari-mutuel wager is obsolete and no longer utilized by the racetracks.
- 16) Information and questions regarding this adopted repealer shall be directed to:

Mickey Ezzo
Illinois Racing Board
100 West Randolph, Suite 5-700
Chicago IL 60601

312/814-5017
e-mail: Mickey.ezzo@illinois.gov

ILLINOIS RACING BOARD

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Hi/Low
- 2) Code Citation: 11 Ill. Adm. Code 313
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
313.10	Repealed
313.20	Repealed
313.30	Repealed
313.40	Repealed
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Repealer: May 25, 2017
- 6) Does this repealer contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the Agency's central office and is available for public inspection.
- 9) Notice of Proposed Repealer published in the *Illinois Register*: 41 Ill. Reg. 1994; February 17, 2017
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the letter issued by JCAR? None were made.
- 13) Will this repealer replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking is being repealed because this pari-mutuel wager is obsolete and no longer utilized by the racetracks.
- 16) Information and questions regarding this adopted repealer shall be directed to:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED REPEALER

Mickey Ezzo
Illinois Racing Board
100 West Randolph, Suite 5-700
Chicago IL 60601

312/814-5017
e-mail: Mickey.ezzo@illinois.gov

ILLINOIS RACING BOARD

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Show Quinella
- 2) Code Citation: 11 Ill. Adm. Code 316
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
316.10	Repealed
316.20	Repealed
316.30	Repealed
316.40	Repealed
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Repealer: May 25, 2017
- 6) Does this repealer contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the Agency's central office and is available for public inspection.
- 9) Notice of Proposed Repealer published in the *Illinois Register*: 41 Ill. Reg. 1999; February 17, 2017
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the letter issued by JCAR? None were made.
- 13) Will this repealer replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking is being repealed because this pari-mutuel wager is obsolete and no longer utilized by the racetracks.
- 16) Information and questions regarding this adopted repealer shall be directed to:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED REPEALER

Mickey Ezzo
Illinois Racing Board
100 West Randolph, Suite 5-700
Chicago IL 60601

312/814-5017
e-mail: Mickey.ezzo@illinois.gov

ILLINOIS RACING BOARD

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Countdown
- 2) Code Citation: 11 Ill. Adm. Code 317
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
317.10	Repealed
317.20	Repealed
317.30	Repealed
317.40	Repealed
317.50	Repealed
317.60	Repealed
317.70	Repealed
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Repealer: May 25, 2017
- 6) Does this repealer contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the Agency's central office and is available for public inspection.
- 9) Notice of Proposed Repealer published in the *Illinois Register*: 41 Ill. Reg. 2004; February 17, 2017
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the letter issued by JCAR? None were made.
- 13) Will this repealer replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No

ILLINOIS RACING BOARD

NOTICE OF ADOPTED REPEALER

- 15) Summary and Purpose of Rulemaking: This rulemaking is being repealed because this pari-mutuel wager is obsolete and no longer utilized by the racetracks.
- 16) Information and questions regarding this adopted repealer shall be directed to:

Mickey Ezzo
Illinois Racing Board
100 West Randolph, Suite 5-700
Chicago IL 60601

312/814-5017
e-mail: Mickey.ezzo@illinois.gov

ILLINOIS RACING BOARD

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: WPS Pick (N)
- 2) Code Citation: 11 Ill. Adm. Code 323
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
323.10	Repealed
323.20	Repealed
323.30	Repealed
323.40	Repealed
323.50	Repealed
323.60	Repealed
323.70	Repealed
323.80	Repealed
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Repealer: May 25, 2017
- 6) Does this repealer contain an automatic repeal date? No
- 7) Does this repealer contain incorporations by reference? No
- 8) A copy of the adopted repealer, including any material incorporated by reference, is on file in the Agency's central office and is available for public inspection.
- 9) Notice of Proposed Repealer published in the *Illinois Register*: 41 Ill. Reg. 2012; February 17, 2017
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the letter issued by JCAR? None were made.
- 13) Will this repealer replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No

ILLINOIS RACING BOARD

NOTICE OF ADOPTED REPEALER

- 15) Summary and Purpose of Rulemaking: This rule is being repealed because this pari-mutuel wager is obsolete and no longer utilized by the racetracks.
- 16) Information and questions regarding this adopted repealer shall be directed to:

Mickey Ezzo
Illinois Racing Board
100 West Randolph, Suite 5-700
Chicago IL 60601

312/814-5017
e-mail: Mickey.ezzo@illinois.gov

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: General Licensee Rules
- 2) Code Citation: 11 Ill. Adm. Code 1313
- 3) Section Number: 1313.70 Adopted Action:
Amendment
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Rule: May 25, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporation by reference? No
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's central office and is available for public inspection.
- 9) Notice of Proposed published in the *Illinois Register*: 41 Ill. Reg. 2021; February 17, 2017
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: None
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the letter issued by JCAR? No changes were made.
- 13) Will this rulemaking replace any emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This proposed rulemaking eliminates the provision in Section 1313.70 requiring harness horses racing in stakes races to be in the paddock by 12 noon on race day. The added security time, between five and eight hours, brings about a hardship to harness horsemen, racetrack security, and the horses. For harness horsemen and racetrack security, it requires them to be in the paddock with their horses for nearly 12 hours on race day. It also requires the horses to be out of their normal surroundings for a longer period of time and can adversely affect their

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

performance. All harness horses racing in Illinois will still be subject to the standard four-hour detention.

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

Mickey Ezzo
Illinois Racing Board
100 West Randolph, Suite 5-700
Chicago IL 60601

312/814-5017
e-mail: mickey.ezzo@illinois.gov

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

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

TITLE 11: ALCOHOL, HORSE RACING, LOTTERY, AND VIDEO GAMING
SUBTITLE B: HORSE RACING
CHAPTER I: ILLINOIS RACING BOARD
SUBCHAPTER f: RULES AND REGULATIONS OF HARNESS RACING

PART 1313
GENERAL LICENSEE RULES

Section

1313.10	Worker's Compensation (Repealed)
1313.20	Health Regulations (Repealed)
1313.30	Observe Sanitary, Safety, Humane Rules (Repealed)
1313.40	Halters
1313.48	Safety Helmets
1313.50	Equipment Change and Records
1313.60	Sulky Performance Standards
1313.70	Horses in Paddock
1313.80	Body Alcohol Testing
1313.90	Deceased and Sick Horses (Repealed)
1313.100	Firearms
1313.110	Private Practice Prohibited
1313.120	Veterinarian Reports (Repealed)
1313.130	Clean Equipment (Repealed)

AUTHORITY: Authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Published in Rules and Regulations of Harness Racing, (original date not cited in publication); passed July 11, 1972; amended April 13, 1973; amended June 11, 1973; amended October 25, 1973, filed December 17, 1973 codified at 5 Ill. Reg. 10937; amended at 11 Ill. Reg. 14816, effective August 24, 1987; amended at 11 Ill. Reg. 20205, effective December 31, 1987; amended at 18 Ill. Reg. 15442, effective September 30, 1994; emergency amendment at 28 Ill. Reg. 5713, effective March 24, 2004, for a maximum of 150 days; emergency expired August 20, 2004; amended at 28 Ill. Reg. 12119, effective August 22, 2004; amended at 29 Ill. Reg. 19688, effective December 1, 2005; amended at 31 Ill. Reg. 16519, effective December 1, 2007; amended at 33 Ill. Reg. 11890, effective August 1, 2009; amended at 41 Ill. Reg. 6590, effective May 25, 2017.

Section 1313.70 Horses in Paddock

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENT

- a) All horses must be in the paddock, in their assigned stalls, between 4 hours and 6 hours before scheduled post time of the race in which the horse is entered, as determined by the Board. ~~Horses racing in stakes races with a purse of \$20,000 or greater, and elimination races for stakes races with a purse of \$40,000 or greater, shall be in their assigned stalls in the paddock at 12:00 noon the day of the race.~~ Failure to have a horse in the assigned stall at the designated deadline shall result in the horse being scratched, and the trainer of record shall be subject to a fine not less than \$200 and not more than \$500. The fine may be waived if the Stewards determine that a verifiable emergency (for example, inclement weather, medical emergency or trainer vehicle breakdown or accident) prevented the trainer from getting the horse to the racetrack at the designated deadline. The trainer shall submit appropriate written documentation of the emergency as determined by the Stewards (for example, emergency room report, towing or repair bill or police report). Except for warm-up scores, no horse shall leave the paddock until called to post.
- b) Persons entitled to admission to the paddock are:
- 1) Owners of horses competing on the date of the race.
 - 2) Trainers of horses competing on the date of the race.
 - 3) Drivers of horses competing on the date of the race.
 - 4) Grooms and caretakers of horses competing on the date of the race.
 - 5) Officials whose duties require their presence in the paddock or receiving barn.
- c) No more than 2 members of a registered stable, other than the driver, shall be entitled to admission to the paddock on any racing day.

(Source: Amended at 41 Ill. Reg. 6590, effective May 25, 2017)

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Policy and Procedures Manual for Fire Protection Personnel
- 2) Code Citation: 41 Ill. Adm. Code 141
- 3)

<u>Section Numbers</u> :	<u>Adopted Actions</u> :
141.115	Amendment
141.120	Amendment
141.205	New Section
141.220	Repealed
141.240	Repealed
141.300	Repealed
141.301	Amendment
141.302	Amendment
141.303	Amendment
141.304	Repealed
141.306	Amendment
141.308	Amendment
141.309	New Section
141.310	Amendment
141.312	Amendment
141.313	New Section
141.314	Amendment
141.315	New Section
141.316	Amendment
141.317	New Section
141.318	Amendment
141.320	Amendment
141.322	Amendment
141.324	Amendment
141.326	Amendment
141.327	Amendment
141.328	Amendment
141.329	New Section
141.330	Amendment
141.331	New Section
141.332	Repealed
141.334	Amendment
141.336	Amendment
141.338	Repealed

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141.340	Repealed
141.342	Repealed
141.344	Amendment
141.346	Amendment
141.348	Amendment
141.350	Repealed
141.352	Amendment
141.354	Amendment
141.356	Amendment
141.358	Repealed
141.360	Amendment
141.362	Amendment
141.364	Amendment
141.366	Amendment
141.367	Amendment
141.368	Repealed
141.369	Repealed
141.370	Amendment
141.371	Amendment
141.372	Amendment
141.373	Repealed
141.374	Repealed
141.375	Amendment
141.376	Repealed
141.377	Repealed

- 4) Statutory Authority: Implementing and authorized by Sections 8 and 11 of the Illinois Fire Protection Training Act [50 ILCS 740/8 and 11] and the Peace Officer Fire Investigation Act [20 ILCS 2910].
- 5) Effective Date of Rules: August 1, 2017
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including any matter incorporated by reference, is on file in the Office of the State Fire Marshal, 1035 Stevenson Drive, Springfield, Illinois, and is available for public inspection at that location.

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- 9) Notice of Proposed published in the *Illinois Register*: 40 Ill. Reg. 15482; November 18, 2016.
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Changes made between the Proposed and Adopted Versions: Various grammatical and technical changes were made for consistency and clarification purposes. In multiple sections, the language "Engagement in firefighting in an organized Illinois fire department as a fire protection person according to the Act" was changed to read "Engagement as Illinois fire protection personnel". In Sections 141.318 and 141.320, the provision for a "State Certification Board Certificate" was changed to reflect the requirement for a "State Professional Educator License".
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending to this part? No
- 15) Summary and Purpose of Rulemaking: This rulemaking updates the certification requirements in Subpart D in order to meet National Fire Protection Association (NFPA) standards used by the Division of Personnel Standards & Education. Subpart D was changed to remove obsolete certification levels and add new certification levels. Revisions were made to the current certification levels for consistency and clarification. This rulemaking establishes electronic scheduling of approved courses, updates the equivalency determination procedures for non-approved course completions, allows for the proctoring of State written exams by approved test facilities and proctors and eliminates the now obsolete bypass exam procedures. Amendments to Section 141.115 direct the training facilities that participate in the certification program to utilize a new web-based scheduling component that allows the training facility to notify the Office of the State Fire Marshal of course locations, examinations and instructors to assist with scheduling of exams and compliance audits. Section 141.120 was revised to update and expedite the course equivalency procedures that allow an Illinois firefighter to submit proof of training that was obtained outside of Illinois or was obtained through a non-approved course to be considered towards an Illinois certification. Section 141.205 was added establishing procedures for the Division of Personnel Standards & Education to train and approve facilities and individuals to proctor state written examinations.

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- 16) Information and questions regarding these adopted rules shall be directed to:

Cindy R. Baum
Division of Legal Counsel
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield IL 62703

217/785-4212
fax: 217/524-5487

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

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NOTICE OF ADOPTED AMENDMENTS

TITLE 41: FIRE PROTECTION
CHAPTER I: OFFICE OF THE STATE FIRE MARSHALPART 141
POLICY AND PROCEDURES MANUAL
FOR FIRE PROTECTION PERSONNEL

SUBPART A: GENERAL

Section	
141.10	Purpose
141.15	Definitions
141.20	Incorporations by Reference
141.30	Advisory Committees
141.40	Requirements for Participation in Training, Certification and Reimbursement
141.50	Appeal Process
141.60	Reciprocity

SUBPART B: TRAINING FACILITIES

Section	
141.100	Resources Required for Certification as a Provisionally Approved Training Facility
141.110	Resources Required for Certification as an Unlimited Training Facility or Regional Training Center
141.115	Course Approval
141.120	Course Approval Equivalency
141.125	Course Approval Standards

SUBPART C: EXAMINATION

Section	
141.200	State Examinations
141.205	Testing Facilities and Proctors
141.210	Invalidation of a Student's State Examination Score
141.220	Certificates Earned by Bypass Examination (Repealed)
141.230	Examination Procedures for End-of-Course Examinations Not Administered by the Office
141.240	Bypass Examination (Repealed)

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SUBPART D: CERTIFICATION LEVELS

Section

141.300	Firefighter II (<u>Repealed</u>)
141.301	Basic Operations Firefighter
141.302	Airport Firefighter
141.303	Advanced Technician Firefighter
141.304	Firefighter III (<u>Repealed</u>)
141.306	Fire Apparatus Engineer
141.308	Fire Officer I
<u>141.309</u>	<u>Company Fire Officer</u>
141.310	Fire Service Executive Support
141.312	Fire Department Incident Safety Officer
<u>141.313</u>	<u>Fire Department Health and Safety Officer</u>
141.314	Fire Officer II
<u>141.315</u>	<u>Advanced Fire Officer</u>
141.316	<u>Chief Fire Officer-III</u>
<u>141.317</u>	<u>Fire Department Safety Officer</u>
141.318	Fire Service Instructor I
141.320	Fire Service Instructor II
141.322	Fire Service Instructor III
141.324	Training Program Manager
141.326	<u>Basic</u> Fire Prevention Officer
141.327	Fire Inspector I
141.328	<u>Youth/Juvenile</u> Firesetter Intervention Specialist
<u>141.329</u>	<u>Fire Inspector II</u>
141.330	Public Fire and Life Safety Educator II
<u>141.331</u>	<u>Advanced Fire Prevention Officer</u>
141.332	Public Fire and Life Safety Educator III (<u>Repealed</u>)
141.334	Fire Investigator
141.336	Arson Investigator
141.338	Fire Inspector II and Plan Examiner I (<u>Repealed</u>)
141.340	Fire Inspector III and Plan Examiner II (<u>Repealed</u>)
141.342	Hazardous Materials Awareness (<u>Repealed</u>)
141.344	Hazardous Materials First Responder – Operations
141.346	Hazardous Materials Technician
141.348	Hazardous Materials Incident Command
141.350	Technical Rescue Awareness (<u>Repealed</u>)

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141.352	Rescue Specialist – Confined Space
141.354	Trench Operations
141.356	Trench Technician
141.358	Rescue Specialist – Vertical II (Repealed)
141.360	Structural Collapse Operations
141.362	Structural Collapse Technician
141.364	Vehicle and Machinery Operations
141.366	Vehicle and Machinery Technician
141.367	Rope Operations
141.368	Motorsports Safety Technician (Repealed)
141.369	High Angle Rope Operations (Repealed)
141.370	Fire Service Vehicle Operator
141.371	Rope Technician
141.372	Water Operations
141.373	Ice Technician (Repealed)
141.374	Swiftwater Technician (Repealed)
141.375	Watercraft Technician
141.376	Dive Technician (Repealed)
141.377	Ice Dive Technician (Repealed)
141.380	Invalidation of Certification

SUBPART E: REIMBURSEMENT

Section	
141.400	Rules and Regulations for Reimbursement
141.405	Prerequisites for Participation for Reimbursement
141.410	Requirements
141.415	Claim Forms
141.420	Claim Deadline
141.425	Amount of Reimbursement
141.450	Appropriations
141.460	Advanced Training Programs

SUBPART F: FEES

Section	
141.500	Fees
141.505	Waiver of Fees

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AUTHORITY: Implementing and authorized by Sections 8 and 11 of the Illinois Fire Protection Training Act [50 ILCS 740/8 and 11] and the Peace Officer Fire Investigation Act [20 ILCS 2910].

SOURCE: Adopted at 31 Ill. Reg. 8672, effective June 5, 2007; amended at 33 Ill. Reg. 5780, effective April 2, 2009; amended at 34 Ill. Reg. 8297, effective June 8, 2010; amended at 41 Ill. Reg. 6594, effective August 1, 2017.

SUBPART B: TRAINING FACILITIES

Section 141.115 Course Approval

All training facilities wishing to offer courses leading to certification must submit a Course Approval Form to the [Division Office](#) according to the following schedule:

- a) Fire Departments
 - 1) Fire departments must submit a Course Approval Form every five years. New forms must be submitted if:
 - A) A new Fire Chief or Training Facility Director is employed; or
 - B) Additional courses are added to the training schedule.
 - 2) Forms are due January 1. The Office will not reimburse a department or trainee for a course until the course approval is renewed.
 - 3) Approvals will be granted on a calendar year basis.
 - 4) For each approved course, fire departments are required to submit a schedule of all courses being conducted utilizing that course approval. The schedule must be submitted using the PSE WebAccess on-line system no less than two weeks prior to the first day of the course. The PSE WebAccess on-line system can be accessed from the Division's internet home page at www.sfm.illinois.gov/Fire-Service/Certification. The information required, if applicable, is the name of the fire department with course approval, title of the approved course, location of the course, dates of classroom instruction, date of practical examination, date of written examination, and name and contact information of the instructor.

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- b) Training Facilities
- 1) End-of-course examinations, course syllabi and content shall be correlated to the Office established objectives. A Course Approval Form must be submitted every five years, along with the following materials:
 - A) Appropriate course correlation form;
 - B) Syllabi and course content; end-of-course examination; name and credentials of instructor.
 - 2) If the required course curriculum is changed due to a change in the applicable standards or rules before the course approval cycle has ended, the curriculum and end-of-course examinations for the course must be resubmitted for approval.
 - 3) For each approved course, schools and academies are required to submit a schedule of all courses being conducted utilizing that course approval. The schedule must be submitted using the PSE WebAccess on-line system no less than two weeks prior to the first day of course. The PSE WebAccess on-line system can be accessed from the Division's internet home page at www.sfm.illinois.gov/Fire-Service/Certification. The information required, if applicable, is the name of the facility with course approval, title of the approved course, location of the course, dates of classroom instruction, date of practical examination, date of written examination, and name and contact information of the instructor.
- c) Instructor Requirements. Approval will be granted upon proof of the following: certification, experience, education and/or training indicating competence in the technical area to be taught. In making the determination of competency, the Division Office shall consider, but is not limited to, transcripts, certificates, job descriptions or other evidence of experience and training.
- 1) Instructor qualifications for Basic Operations Firefighter-II, Hazardous Materials Awareness, Hazardous Materials First Responder – Operations; and Fire Service Vehicle Operator, and Technical Rescue Awareness require certifications as Instructor I and the level being taught, except in specialty certifications where noted.

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- 2) Instructor qualifications for all other certifications require certification as Instructor II and the level being taught, except in specialty certifications where noted.
 - 3) ~~Instructors of Juvenile Firesetter Intervention Specialist (JFIS) courses must, in addition to meeting all other applicable requirements of this Section, have three years' experience as a JFIS.~~
 - 34) Instructors of Arson Investigator courses must, in addition to meeting all other requirements of this Section, have demonstrated experience in education in the technical areas to be taught and must be approved by the Office and the Illinois Law Enforcement Training and Standards Board prior to the course offering.
- d) When updating a certification program to a new edition of NFPA or updated reference materials as specified in the applicable certification program or any other reason, instructor quality is critical to the success of training. Due to the expanded skills in the courses, instructors should have to demonstrate competency, both written and practical, to teach a new course. The DivisionOffice is committed to providing professional development to the instructors in this area by providing standardized measurable objectives and minimum course outline. For course quality reasons, only those instructors who can demonstrate knowledge of the course materials should be certified to teach the course. All job performance requirements for any level of fire service instructor shall be performed to a level of competence that shall be established by the authority having jurisdiction. The training facility shall:
- 1) Select instructors who have appropriate subject matter skill, knowledge and ability.
 - 2) Establish a policy and procedure that identifies and verifies the minimum experience and training requirements necessary to instruct a topic or subject matter.
- e) Validation-Attestation and course completion rosters must be submitted to the DivisionOffice listing individuals who successfully complete courses.
- f) The DivisionOffice reserves the right to monitor and evaluate the delivery of all

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approved courses. Training facilities shall:

- 1) Provide records of student attendance (i.e., a minimum of 80% is required) and student evaluations of the course.
 - 2) Maintain all financial records for a minimum of five years after the conclusion of the course.
 - 3) The length of time required to retain training records shall be determined by the local government based on its records retention schedule, but shall be retained for at least five years for audit purposes.
 - 4) Maintain complete student records of course completion and test scores for at least five years.
 - A) If a course involves college credit, the student's transcript is the complete student record.
 - B) If a course is non-credit, the training facility shall obtain a written student waiver-of-privacy and shall provide complete student records to the Division at the completion of the course.
- g) Records and Established Procedures. An established system of records maintenance that includes:
- 1) Training records that reflect who was trained, objectives of subject taught referenced in the applicable NFPA standard Instructor Reference Manual, hours trained, by whom, how, when and where conducted.
 - 2) A system of evaluating the effectiveness of the class, the instructor and all participants, including:
 - A) Testing technique utilized: oral, written, practical or combination; and
 - B) Performance appraisal and evaluation, such as ranking, factor comparison, grading, graphic rating scale, checklist.
 - 3) Individual training records that show when each person began training in

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each subject area, the instructor to whom he/she is responsible, the objective of his/her training, intermediate goals, performance criteria, ultimate goal and estimated completion date.

- 4) **Records of Training.** A training facility shall maintain and submit to the [DivisionOffice](#) training records that contain the following:
 - A) Location of training.
 - B) Dates of training.
 - C) Hours of training and hours trained.
 - D) Name of instructor – printed and signature.
 - E) Name of trainee – printed and signature.
 - F) Academic/practical training record.
 - G) Subject training record correlated to objectives.
 - H) Receipts of training expenses.
 - I) Training facility documentation of training.
- 5) **Computerized records of training.** The [DivisionOffice](#) accepts computerized training records as long as they are printed (individually for each student) and signed off by instructors and students at least once per month. This monthly printout must contain items listed in subsections (g)(4)(A) [through](#) -(G) and be filed in the department at a location readily available for [DivisionOffice](#) review.
 - h) The Office may revoke course approvals if an agency is found to be in violation of this Part. In determining whether to revoke, the Office shall consider the seriousness and frequency of the offenses.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.120 Course Approval Equivalency

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Courses not having prior DivisionOffice approval, but that correlate with the content areas of the required courses by meeting the performance objectives required of the applicable NFPA standardStandard, may be granted equivalent status by the DivisionOffice. The course must conclude with an evaluation of the individual's retention of course materials and will be approved for certification purposes only, not for training cost reimbursement. Equivalency for an approved course will be granted to an individual eligible to participate in the Division's certification programs pursuant to Section 9 of the Act, if the following conditions are met:

- a) Submission of a letter to the Division by the individual requesting course equivalency with attached proof of course completion from the entity where the non-approved course was taken. Course completions must include the applicable referenced NFPA standard for the course that was completed. Course equivalency will be granted if the course is NFPA compliant for the specific standard that references an Illinois certification. If the course completion does not include the applicable referenced NFPA standard, it is the responsibility of the individual to obtain a formal letter from the legal or administrative staff of the entity where the non-approved course was taken, stating the applicable NFPA standard that was referenced for the specific course. Complete course outline with measurable objectives is submitted to the Office for review. College catalog descriptions of a paragraph or less are not sufficient documentation for review. The request for equivalency must be accompanied by a fee of \$100. This fee is non-refundable and must be in the form of a certified check or money order made payable to the Office of the State Fire Marshal. No personal checks are accepted. A minimum of 80% of the course requirements must relate to the measurable objectives as illustrated by a checklist that may be requested from the Office.
- b) Courses will be audited by a member of the Division staff or another person designated by the Office.
- e) If a course is approved, a completion roster must be submitted, along with a record of attendance (hours).
- bd) When a course is granted equivalency, the individualecourse participant will be allowed to challengetake the State written and practical skills examinations one time. If passed on the first attempt and all certification prerequisites are met, the individual will then be eligible for certification. Failure of either the written or practical skills examination will invalidate the equivalency determination, preclude the individual from being certified by the Division, and require the

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~~individual course participant~~ to successfully complete the Office approved ~~certification~~ program prior to ~~challenging taking~~ the State written and practical examinations a second time.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

SUBPART C: EXAMINATION

Section 141.205 Testing Facilities and Proctors

Notwithstanding the requirements of Section 141.200, State written examinations may be administered at approved testing facilities with adequate resources to offer the examinations. These facilities and proctors must meet the requirements of this Section.

- a) The testing facility must be a training facility with the equipment, infrastructure and testing conditions required by Section 141.200.
- b) Training facilities offering State written examinations will utilize approved proctors. Approved proctors will follow proctoring guidelines established by the Division and will participate in any required proctoring training developed and conducted by the Division.
- c) Testing facilities must be able to ensure the security of written examination batteries. If a breach of the security of the examinations occurs, the Office may suspend, revoke or decline to renew the testing facility's course approval or facility approval.
- d) Testing facilities must be able to ensure the confidentiality of personal information. If a breach of the security of personal information occurs, the Office may suspend, revoke or decline to renew the testing facility's course approval or facility approval.
- e) The proctor is held responsible for ensuring the security of the examinations and confidentiality of personal information. The Office may suspend or revoke the proctor's approved status if a breach of security of the examinations or confidentiality of information occurs.
- f) In the event the Office discovers fraud, cheating or other conduct by the approved testing facility or approved proctor that is unethical or violates this Part, the

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Office may suspend testing at the approved testing facility and by the individual proctor, if applicable, for a period of one year. If the Office becomes aware of a second offense of fraud, cheating or other conduct by the certified training facility or approved proctor that is unethical or violates this Part, the Office will permanently bar testing privileges and testing activities at that facility and by that proctor at any facility.

(Source: Added at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.220 Certificates Earned by Bypass Examination (Repealed)

- a) ~~Certification at the level of Fire Prevention Officer, Fire Investigator or Arson Investigator may be achieved after successful completion of a Bypass Examination in lieu of meeting the prerequisite of Firefighter II or Firefighter III. The use of the Bypass Examination is limited to personnel employed for the specific positions identified above and will not have fire suppression responsibilities within the fire department. No person employed by a local governmental agency who has current fire suppression responsibilities as a firefighter, fire officer, or fire service instructor shall be able to take a Bypass Examination.~~
- b) ~~If an individual is assigned to fire suppression duties, he/she must take and pass the Firefighter II examination before proceeding with advanced certifications.~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.240 Bypass Examination (Repealed)

~~This examination is provided for special fire and police personnel and allied field agencies who are charged with duties governing fire prevention, fire inspection, fire investigation, and arson investigation, but who do not have, or will not be assigned, fire suppression duties and/or responsibilities. Recognition of this condition in the State Training and Certification Program is accomplished through the implementation of the Bypass Examination. The Bypass Examination is limited to personnel identified as fire protection non-sworn personnel and the law enforcement personnel seeking Arson Investigator certification. This examination does not provide State certification as a firefighter, but provides a method for individuals who may not receive Firefighter II or Firefighter III certification to participate in the Fire Prevention Officer, Fire Investigator, and Arson Investigator programs.~~

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- a) ~~Passage of the State written examination (see Section 141.200).~~
- b) ~~Individuals choosing to take the Bypass Examination must plan to enter into or have completed the training program for Fire Prevention Officer, Fire Investigator or Arson Investigator.~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

SUBPART D: CERTIFICATION LEVELS**Section 141.300 Firefighter II (Repealed)**

~~An Illinois Firefighter II program meets or exceeds the level identified in NFPA 1001. The term synonymous with Firefighter II is Operative Firefighter and identifies the expected level of supervision.~~

- a) ~~Prerequisites. A candidate for Firefighter II certification must be engaged in firefighting in an organized Illinois fire department as a fire protection person or trainee according to the Act as attested to by the employing Fire Chief of the individual seeking certification.~~
- b) ~~Reimbursement may be received for training costs for a Firefighter II (see Subpart E).~~
- e) ~~No specific hours of training or fire service experience is required; however, no person may take the State written examination for Firefighter II certification until the appropriately certified Fire Service Instructor (see Section 141.115(e)) and employing Fire Chief or his/her designee sign the Request for Examination Form.~~
- d) ~~The Fire Service Instructor must meet the requirements of Section 141.115(e).~~
- e) ~~The course and facility must be approved by the Office as provided in Sections 141.100 and 141.115.~~
- f) ~~Modular Training
Firefighter II training can be taken in a series of modules or as a complete course. The State written examination (see Section 141.200) can be taken by module or by taking the complete examination. When an individual takes the examination by modules, the passed modules will be kept on file until all modules are passed.~~

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~~If an individual is training by module, and then enters a training facility or a college program that instructs the complete program mode, any previously passed modules cannot be used to exempt any portion of the examination; the complete examination must be taken. If an individual fails the complete examination, he or she may elect to then test using the modular system. When an individual elects to be trained using the modular system, he or she may select the order of any module and its examination. (See Section 141.200.)~~

g) ~~Firefighter II Certification~~

~~For certification as a Firefighter II, the firefighter trainee shall meet the job performance requirements in NFPA 1001, including requirements defined in Chapter 2, Competencies for the First Responder at the Awareness Level of NFPA 472, and NFPA 1500, as it applies to Firefighter II.~~

h) ~~Education and Training~~

~~1) Employing fire department officials will determine when the education and training are to be received by the Firefighter II candidate.~~

~~2) Employing fire department officials will determine when education, training and experience requirements have been met to be awarded the Firefighter II certificate.~~

~~3) All requirements of the Office shall be met for each certification level before certificates will be issued. This includes passing the State written examination and State practical skills examinations and submission of the course completion documentation and Application for Certification/Validation Attestation to the Office.~~

i) ~~State Certification Practical Skills Examination~~

~~1) Training facilities are responsible for administering the practical skills examinations prepared by the Office.~~

~~2) Records and documented proof of such tests must be maintained by the training facility/employing fire department for audit purposes. Training facilities are to acquire the identified equipment or to improvise where specific equipment is not available in the fire department or the mutual aid area to provide parallel learning experiences.~~

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- 3) ~~Practical Skills Examinations~~
- A) ~~All practical skills examinations are supplied by the Division. The examination package consists of the lists of evolutions to be completed and the Practical Skills Examination Key. The evaluation package contains an attestation by the employing Fire Chief or Training Facility Director and certified instructor that all tasks have been successfully completed, with each task requiring a score of 100%.~~
- B) ~~The Application for Certification/Validation Attestation shall be submitted to the Division before certification will be issued.~~
- C) ~~The practical skills examinations and key shall be retained in the employing fire department's trainee files for at least five years.~~
- i) ~~State Certification Written Examination. To be certified as a Firefighter II, candidates must take and pass the State written examination. (See Section 141.200.)~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.301 Basic Operations Firefighter

An Illinois Basic Operations Firefighter program meets or exceeds the level identified in NFPA 1001. ~~Individuals may certify as Firefighter II for 5 years, at which time the certification will no longer be offered and the individuals will be required to successfully complete the additional course work if they desire to qualify for certification as a Basic Operations Firefighter.~~

- a) Prerequisites
- 1) Successful completion of the Basic Operations Firefighter course that incorporates the NFPA objectives for Hazardous Materials Awareness and Technical Rescue Awareness.
 - 2) Successful completion of a minimum of 180 instructional hours.
 - 3) Passage of the State written examination ~~(see Section 141.200).~~

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- 4) Passage of the State practical skills examinations ~~(see Section 141.200).~~
 - 5) Engagement ~~in firefighting in an organized Illinois fire department~~ as Illinois a fire protection ~~personnel~~ person ~~according to the Act,~~ as attested to by the employing Fire Chief of the individual seeking certification.
 - 6) Completion of the classroom portion for Fire Service Vehicle Operator certification.
 - 7) Certification requirements completed for Hazardous Materials First Responder – Operations.
 - ~~8) Certification requirements completed for Technical Rescue Awareness.~~
 - ~~89)~~ Required CPR/Basic First Aid. Training documentation shall be kept in fire department training files.
 - ~~910)~~ Required NIMS 100 and 700. Training documentation shall be kept in fire department training files.
 - ~~1011)~~ Required completion of the Courage To Be Safe course. Training documentation shall be kept in fire department training files.
- b) Fire department or individual reimbursement may be available for training costs for Basic Operations Firefighter (see Subpart E).
 - c) A qualified instructor for this level must be a certified Fire Service Instructor ~~The Fire Service Instructor must meet the requirements of Section 141.115(c).~~
 - d) The course and facility must be approved by the Division ~~OSFM~~ as provided in Subpart B ~~Sections 141.110 and 141.115.~~
 - e) Credit for equivalent courses may be available in accordance with Section 141.120.
 - f) Modular Training. Basic Operations Firefighter training can be taken in a series of modules or as a complete course. The State written examination ~~(see Section 141.200)~~ can be taken by module or by taking the complete examination.

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- g) As a duty function, members shall be responsible for maintaining proficiency in their skills and knowledge, and to avail themselves of the professional development provided to the members through training and education programs.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.302 Airport Firefighter

Professional qualifications for Airport Firefighter are identified in NFPA 1003. The Illinois program does not recognize Airport Firefighter as a rank because it is not possible to ~~ensure~~insure that every rank used by local fire or allied field agencies to identify employees would be consistent throughout the State. The Office defines the Airport Firefighter as a certified individual who has the required airport fire protection and prevention experience.

- a) Prerequisites
- 1) Certification as a Firefighter II or Basic Operations Firefighter~~(see Section 141.300).~~
 - ~~2) Attainment of one year of experience in airport fire protection.~~
 - ~~3) Successful completion of the Airport Firefighter course.~~
 - ~~4) Passage of the State written examination (see Section 141.200).~~
 - ~~5) Passage of the State practical skills examinations (see Sections 141.200 and 141.300(g)).~~
 - ~~6) Engagement in firefighting in an organized Illinois fire department as Illinois a fire protection personnel, person according to the Act as attested to by the employing Fire Chief of the individual seeking certification.~~
 - ~~7) Application for Certification/Validation-Attestation.~~
 - ~~8) Credit for equivalent course may be available in accordance with Section 141.120.~~

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- b) Reimbursement may be received for training costs for an Airport Firefighter (see Subpart E).
- c) ~~A qualified~~The instructor ~~for this level~~ must ~~be a certified Fire Service Instructor II and Airport Firefighter~~ meet the requirements of ~~Section 141.115(e)~~.
- d) The course and facility must be approved by the ~~Division~~Office as provided in ~~Subpart B~~Sections 141.100, 141.110 and 141.115.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.303 Advanced Technician Firefighter

An Illinois Advanced Technician Firefighter program shall meet or exceed the level identified in NFPA 1001. ~~Individuals may certify as Firefighter III for 5 years, at which time the certification will no longer be offered and the individuals will be required to successfully complete the additional course work if they desire to qualify for certification as an Advanced Technical Firefighter.~~

- a) Prerequisites
 - 1) Certification as a Firefighter II or Basic Operations Firefighter ~~(see Sections 141.300 and 141.301)~~.
 - 2) Successful completion of the Advanced Technician Firefighter course.
 - 3) There shall be a minimum of 40 Instructional hours to safely and successfully complete the Advanced Technician Firefighter course ~~(see Section 141.303)~~.
 - 4) Passage of the State written examination ~~(see Section 141.200)~~.
 - 5) Passage of the State practical skills examinations ~~(see Sections 141.200)~~.
 - 6) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a~~ fire protection ~~personnel~~person ~~according to the Act~~, as attested to by the employing Fire Chief of the individual seeking certification.

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- 7) Attainment of 3 years fire service experience beginning from the Basic Operations Firefighter/Firefighter II certification date.
 - 8) Fire Service Vehicle Operator certification.
 - 9) Vehicle and Machinery Operations certification.
 - 10) Required NIMS 200. Training documentation shall be kept in fire department training files.
- b) Fire department or individual reimbursement may be received for training costs for Advanced Technician Firefighter (see Subpart E).
 - c) ~~A qualified instructor for this level!~~~~The Fire Service Instructor must~~ be a certified Fire Instructor II~~meet the requirements of Section 141.115(e).~~
 - d) The course and facility must be approved by the Division OSFM as provided in Subpart B Sections 141.110 and 141.115.
 - e) Credit for equivalent courses may be available in accordance with Section 141.120.
 - f) Modular Training. Advanced Technician Firefighter training can be taken in a series of modules or as a complete course. The State written examination ~~(see Section 141.200)~~ can be taken by module or by taking the complete examination.
 - g) Refresher Training. The Advanced Technician Firefighter is ~~considered by OSFM to be~~ the senior technical level in the fire suppression career ladder and, therefore, is not required to progress to another level in order to maintain certification. In order to ~~ensure~~insure that Advanced Technician personnel maintain their proficiency, they are encouraged to keep abreast of the state of the art by participating in refresher training reflecting applicable objectives.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.304 Firefighter III (Repealed)

~~The Office recognizes the Firefighter III level as equivalent to or exceeding the Firefighter II level identified in NFPA 1001. The term synonymous with Firefighter III is Journeyman~~

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~~Firefighter and identifies the expected level of supervision.~~

- a) Prerequisites
 - 1) ~~Certification as a Firefighter II (see Section 141.300) and Hazardous Materials First Responder—Operations (see Section 141.230).~~
 - 2) ~~Engagement in firefighting in an organized Illinois fire department as a fire protection person according to the Act as attested to by the employing Fire Chief of the individual seeking certification.~~
 - 3) ~~Attainment of three years cumulative fire service experience in a fire department that may include any combination of full time, paid on call, volunteer, and military service (if a person's primary responsibility was fire protection). Proof is required. Job descriptions and personnel records are examples of adequate proof.~~
 - 4) ~~Successful completion of the Firefighter III course.~~
 - 5) ~~Passage of the State written examination (see Section 141.200).~~
 - 6) ~~Passage of the State practical skills examinations (see Sections 141.200 and 141.300(g)).~~
- b) ~~Reimbursement may be received for training costs for a Firefighter III (see Subpart E).~~
- c) ~~The instructor of a Firefighter III course must meet the requirements of Section 141.115(c).~~
- d) ~~The course and facility must be approved by the Office as provided in Sections 141.110 and 141.115.~~
- e) ~~Modular Training
Firefighter III training can be taken in a series of modules. The State written examination can be taken by module or by taking the complete examination. When an individual takes the examination by modules, the passed modules will be kept on file until all modules are passed. If an individual is training by module, and then enters a training facility or a college program that instructs the~~

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~~complete program mode, any previously passed modules cannot be used to exempt any portion of the examination; the complete examination must be taken. When an individual elects to be trained using the modular system, he or she may select the order of any module and its examination. (See Section 141.200.)~~

- f) ~~Firefighter III Certification~~
~~For certification as a Firefighter III, the candidate shall meet the job performance requirements in NFPA 1001, including requirements defined in Chapter 3, Competencies of Responders to Hazardous Materials Incidents, and NFPA 1500 as it applies to Firefighter III.~~
- g) ~~Education and Training~~
- 1) ~~Fire department officials will determine when the education and training are to be received by the Firefighter III candidate.~~
 - 2) ~~Fire department officials will determine when the education, training and experience of a candidate are adequate for the officials to sign a Request for Examination form authorizing the Firefighter III candidate to take the State examinations.~~
 - 3) ~~All requirements of the Office shall be met for each certification level before certificates will be issued. This includes passing the State written examination and practical skills examinations and submission of the Validation Attestation to the Office.~~
- h) ~~Refresher Training~~
~~The Firefighter III is considered by the Office to be the senior technical level in the fire suppression career ladder and, therefore, is not required to progress to another level in order to maintain certification. In order to insure that Firefighter III personnel maintain their proficiency, they are encouraged to keep abreast of the state of the art by participating in refresher training reflecting applicable objectives.~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.306 Fire Apparatus Engineer

The Fire Apparatus Engineer program is designed to meet a specialty need within the fire

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service. The designation equals or exceeds the requirements of NFPA 1002 and NFPA 1500.

- a) Prerequisites
 - 1) Certification as a Firefighter II or Basic Operations Firefighter~~(see Section 141.300)~~.
 - 2) Engagement ~~in firefighting in an organized Illinois fire department as Illinois~~ a fire protection personnel person or trainee according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.
 - 3) Successful completion of the Fire Apparatus Engineer course of two modules: pumper operations and apparatus driving.
 - 4) Passage of the State written examination ~~(see Section 141.200)~~.
 - 5) Passage of the State practical skills examinations ~~(see Section 141.200 and subsection (e) of this Section)~~.
 - 6) Possession of the appropriate class of driver's license in accordance with the Illinois Vehicle Code [625 ILCS 5].
 - 7) Application for Certification/Validation-Attestation, which shall include driving validation by the employing Fire Chief that all practical driving skills as specified in NFPA 1002 have been taught. This application and driving validation must be sent to the Office before the certification is granted.
 - 8) Training documentation shall be kept in fire department files.
- b) Reimbursement may be received for training costs for a Fire Apparatus Engineer (see Subpart E).
- c) A qualified Instructor Qualifications. The instructor for this level must be a certified Fire Service Instructor II and Fire Apparatus Engineer meet the requirements of Section 141.115(e).
- d) Facility Certification and Delivery Systems.—The course and facility must be

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approved by the Office as provided in Subpart B Sections 141.110 and 141.115.

- e) State Certification Practical Skills Examinations
- 1) The State practical skills examinations consist of a series of evolutions covering pumper operations and apparatus driving.
 - 2) All practical skills examinations must be administered by an Instructor II and Fire Apparatus Engineer and observed by two additional persons assigned by the Fire Chief.
 - 3) The driving validation practical skills examinations and Application for Certification/Validation Attestation must be sent to the Office. A copy shall be retained in the employing fire department files.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.308 Fire Officer I

Professional qualifications for Fire Officer I are~~The Office recognizes three levels of Fire Officer: Fire Officer I, II, and III. These three levels meet and exceed the four levels of Fire Officer~~ identified in NFPA 1021 (2003 edition). The Office does not recognize Fire Officer as a rank because it is not possible to ensure~~insure~~ that every rank used by local fire or allied field agencies to identify employees would be consistent throughout the State. The Office defines the Fire Officer I as an individual having the responsibilities of company officer~~Company Officer~~. Individuals may certify as Fire Officer I until June 30, 2019, at which time the certification will no longer be issued and the individual will be required to successfully complete all the requirements, if he or she so desires, to qualify for certification as a Company Fire Officer.

- a) Prerequisites
- 1) Certification as Firefighter III or Advanced Technician Firefighter~~(see Section 141.304)~~ and as Fire Service Instructor I ~~(see Section 141.318)~~.
 - 2) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a~~ fire protection personnel, person or trainee according to the Act as attested to by the employing Fire Chief of the individual seeking certification.

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- 3) Attainment of ~~4four~~ years minimum current fire service experience in a fire department or as current full time staff instructor of the Fire Service Institute.
- 4) Successful completion of the required ~~3 three~~-semester credit (40 student-contact hours minimum) courses or equivalent (see Section 141.120). A course taken for certification credit of 40 student contact hours (minimum) can be used for only one area of career hierarchy.
- 5) Passage of the required State written examinations for the 3 semester credit courses.
- 65) Experience Requirements
 - A) Candidates for Fire Officer I certification must have a minimum of one year current experience as a Provisional Fire Officer I (see subsection (a)(5)(B)) or Fire Officer I trainee. The Office defines a Fire Officer I trainee as a person possessing Firefighter III or Advanced Firefighter Technician certification assigned to supervise one or more companies (a company is a crew of fire protection personnel). The Certified Instructor and employing Fire Chief must document this current experience as a Provisional Fire Officer I or Fire Officer I trainee.
 - B) Until such time as the experience requirement is satisfied, the Fire Officer I candidate will receive a certificate attesting to his/her Provisional Qualification as a Fire Officer I. Provisional Qualification can only be given after completion of all required courses. Provisionally qualified status allows the individual to participate in Fire Officer II courses and training. Provisionally qualified status does not certify the individual as a Fire Officer I.
 - C) For purposes of figuring the year of experience, the applicant must have been assigned to Fire Officer I duties at least 80% of the time based on a 120 workday period (i.e., 96 days of 120 days).
- 76) Application for Certification/Validation-Attestation.
 - b) Reimbursement may be received for training costs for a Fire Officer I (see

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Subpart E).

- c) Credit for equivalent courses may be available in accordance with Section 141.120.
- d) ~~A qualified instructor~~Instructors for this level~~Fire Officer I courses must be a certified Fire Service Instructor II~~meet the requirements of Section 141.115(e).
- e) ~~Facility Certification and Delivery Systems~~
The course and facility must be approved by the Division in accordance with Subpart B~~Educational institutions and fire service organizations desiring to offer the Fire Officer program will be required to receive approval from the Office. Approval requires:~~
 - 1) ~~Facility approval in accordance with Sections 141.100 and 141.110.~~
 - 2) ~~Course approval in accordance with Section 141.115.~~
 - 3) ~~End of course examinations in accordance with Section 141.230.~~
 - 4) ~~All courses will be delivered under the auspices of approved institutions, which are identified as follows:~~
 - A) ~~All Fire Officer I and II courses may be delivered by any accredited college or university in Illinois.~~
 - B) ~~All Fire Officer III courses may be delivered by colleges or universities accredited in Illinois to offer baccalaureate degrees.~~
 - C) ~~The following fire service organizations may receive approval from the Office to deliver specialized courses:~~
 - i) ~~The Illinois Fire Chiefs Association (IFCA).~~
 - ii) ~~The Illinois Fire Inspectors Association (IFIA).~~
 - iii) ~~The Illinois Society of Fire Service Instructors (ISFSI).~~
 - iv) ~~The Illinois Firefighters Association (IFA).~~

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- v) ~~The Associated Firefighters of Illinois (AFFI).~~
 - vi) ~~The Illinois Association of Fire Protection Districts (IAFPD).~~
 - vii) ~~The Illinois Professional Firefighters Association (IPFA).~~
 - viii) ~~The Illinois Fire Safety Alliance (IFSA).~~
- 5) ~~All organizations and institutions desiring to offer programs and/or courses shall meet all requirements established by the Office regarding curricula, student control, examinations, financial records maintenance and instructor's qualifications in Sections 141.100, 141.110, 141.115, 141.125 and 141.230.~~
- f) Exception to Experience Requirements During Transition to Company Fire Officer. A qualified individual who has completed the course requirements for Fire Officer I, but has not attained the experience requirements of subsection (a)(6), may complete the Phase 3 Task Book for Company Fire Officer provided in Section 141.309(a)(4)(D) in lieu of the experience requirement to receive Fire Officer I certification prior to June 30, 2019.~~State Certification Written Examination~~
~~To be certified as a Fire Officer I, one of the following means of examination must be successfully passed, with proof of course completion and passage submitted to the Office:~~
- 1) ~~Written examination administered by the training facility. Examinations must be approved by the Office as meeting the criteria in Sections 141.115 and 141.230.~~
 - 2) ~~Written examination administered by the Office in accordance with Section 141.200.~~
 - 3) ~~Examinations shall be taken either by subject area or entire certification requirements.~~

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

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Section 141.309 Company Fire Officer

Professional qualifications for the Company Fire Officer certification are identified in NFPA 1021. The Office does not recognize Fire Officer as a rank because it is not possible to ensure that every rank used by local fire or allied field agencies to identify employees would be consistent throughout the State. The Office defines the Company Fire Officer as an individual who supervises a company.

- a) Prerequisites
 - 1) Certification as a:
 - A) Firefighter III or Advanced Technician Firefighter; and
 - B) Fire Service Instructor I.
 - 2) Engagement as Illinois fire protection personnel, as attested to by the employing Fire Chief of the individual seeking certification.
 - 3) Attainment of 4 years minimum current fire service experience in a fire department or as a current full time staff instructor of the Fire Service Institute.
 - 4) An individual is eligible for certification upon successful completion of the following phases of education and the State written examination:
 - A) Phase 1 Education: Background and foundational information can be taught via on-line learning management systems or in the classroom.
 - B) Phase 2 Practical Application: Practical applications and information review shall be done in a traditional classroom setting. This section must be completed in class in order to achieve student interaction with the complex management situations that Company Fire Officers encounter.
 - C) Passage of the State written Company Fire Officer certification examination. Once an individual has successfully completed Phases 1 and 2 of an approved Company Fire Officer course and

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has submitted proof of course completion, the individual may challenge the State written examination.

- i) The State written examination must be passed within one year after completion of Phase 2 of an approved Company Fire Officer program.
 - ii) If the State written examination is not passed within one year, the individual will be required to retake Phases 1 and 2 prior to certification.
- D) Phase 3 Task Book: Upon successful completion of Company Fire Officer Phases 1 and 2, the student will have a maximum of 3 years to complete the Company Fire Officer Task Book.
- i) Candidates for Company Fire Officer certification must complete a Task Book in the presence of a certified instructor with a minimum certification of Fire Officer I or Company Fire Officer. The certified instructor and employing Fire Chief must document the completion of the Company Fire Officer Task Book, and that documentation shall be placed in the individual's training file.
 - ii) If the Task Book is not completed within 3 years, the individual will be required to retake Phases 1 and 2 prior to certification.
- 5) Application for Certification/Validation-Attestation.
- b) Reimbursement may be received for training costs for a Company Fire Officer (see Subpart E).
 - c) Credit for equivalent courses may be available in accordance with Section 141.120.
 - d) A qualified instructor for this level must be a certified Fire Service Instructor II, and certified Fire Officer I or Company Fire Officer.

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- e) The course and facility must be approved by the Division in accordance with Subpart B.
- f) Exception to Prerequisites. If previously certified as a Fire Officer I, an individual may pass the Company Fire Officer State written examination and complete the Phase 3 Task Book (see subsection (a)(4)(D)) to be issued a Company Fire Officer certification.
- g) Recertification Requirements
 - 1) Certifications expire 4 years after the issuance date.
 - 2) Certification as a Company Fire Officer.
 - 3) Completion of refresher training following the established course objectives identified in NFPA 1021, totaling 100 points over a 4 year period, attested to by the employing Fire Chief, based on the Division's point system. Records of the training will be retained in the fire department records.
 - 4) Application for recertification, signed by the employing Fire Chief, verifying completion of training points.
 - 5) If certification is not renewed within 90 days after the expiration date, the individual will be required to complete an approved Company Fire Officer course.

(Source: Added at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.310 Fire Service Executive Support

Professional qualifications for Fire Service Executive Support are identified in NFPA 1021. The Office recognizes the level of Fire Service Executive Support for those individuals who perform administrative duties in support of fire departments.

- a) Prerequisites
 - 1) Attainment of ~~3~~ three years minimum experience in a fire department.

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- 2) Successful completion of Fire Service Executive Support courses.
- 3) Validation of skills, completed and attested to by the employing Fire Chief/Administrator and submitted to the [Division Office](#).
- 4) Application for Certification/Validation-Attestation.
- b) [A qualified instructor for this level must be a certified Fire Service Instructor II](#)~~The instructor must meet the requirements of Section 141.115(e).~~
- c) The course and facility must be approved by the [Division Office](#) in accordance with [Subpart B Section 141.308\(e\)](#).
- d) ~~The end-of-course examination shall be approved in accordance with Section 141.308(f).~~

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.312 Fire Department Incident Safety Officer

Professional Qualifications for Fire Department Incident Safety Officer are identified in NFPA 1521. Fire Department Incident Safety Officer is defined as an individual appointed to respond to or assigned at an incident scene by the incident commander to perform the duties and responsibilities as designated in this standard and NFPA 1500, whose duties entail promotion of the incident action plan, including the overall incident strategy, tactics, risk management, and member safety. This individual can also be the health and safety officer or it can be a separate function.

- a) Prerequisites
 - 1) Certification as a Fire Officer I [or Company Fire Officer](#)~~(see Section 141.308), Hazardous Materials First Responder – Operations (see Section 141.344), and Technical Rescue Awareness (see Section 141.350).~~
 - 2) Successful completion of the Fire Department Incident Safety Officer course.
 - 3) ~~Successful completion of an approved Strategy and Tactics II course.~~

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- 34) ~~Engagement~~A candidate for Fire Department Incident Safety Officer certification must be engaged in firefighting in an organized Illinois fire department as Illinois a fire protection personnel person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.
- 45) ~~Passage of the State written examination (see Section 141.200).~~
- 56) ~~Application for Certification/Validation-Attestation.~~
- b) Reimbursement may be received for training costs for Fire Department Incident Safety Officer (see Subpart E).
- c) ~~A qualified~~The instructor for this level must be a certified Fire Service Instructor II and Fire Department Safety Officer meet the requirements in Section 141.115(e).
- d) The course and facility must be approved by the ~~Division~~Office in accordance with ~~Subpart B~~Section 141.308(e).
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.313 Fire Department Health and Safety Officer

The Fire Department Health and Safety Officer is defined as an individual assigned and authorized by the Fire Chief as the manager of the safety and health program. The professional qualifications for the Fire Department Health and Safety Officer are designated in NFPA 1521 and NFPA 1500 and include risk management, safety program development, and pre- and post-incident safety, program evaluation and information management.

- a) Prerequisites
- 1) Certification as a Fire Officer I or Company Fire Officer.
- 2) Successful completion of the Fire Department Health and Safety Officer course.

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- 3) Successful completion of a minimum of 40 instructional hours.
 - 4) Passage of the State written examination.
 - 5) Engagement as Illinois fire protection personnel, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for Fire Department Incident Safety Officer (see Subpart E).
 - c) A qualified instructor for this level must be a certified Fire Service Instructor II and Fire Department Safety Officer.
 - d) The course and facility must be approved by the Division in accordance with Subpart B.
 - e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Added at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.314 Fire Officer II

Professional qualifications for Fire Officer II are identified in NFPA 1021 (2003 edition). The Office does not recognize Fire Officer as a rank because it is not possible to ensure that every rank used by local fire or allied field agencies to identify employees would be consistent throughout the State. Individuals may certify as Fire Officer II until June 30, 2019, at which time the certification will no longer be issued and the individual will be required to successfully complete the requirements, if he or she so desires, to qualify for certification as an Advanced Fire Officer. The Office recognizes three levels of Fire Officer: Fire Officer I, II, and III. These three levels meet and exceed the four levels of Fire Officer identified in NFPA 1021. The Office defines Fire Officer II as an individual a person having the responsibilities above company officer Company Officer, but less than the responsibilities of the Fire Administrator, Fire Chief, head of the department, etc.

- a) Prerequisites

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- 1) Certification as a Fire Officer I (~~see Section 141.308~~) and as a Fire Service Instructor II (~~see Section 141.320~~).
- 2) Engagement ~~in firefighting in an organized Illinois fire department~~ as Illinois a-fire protection personnel~~person according to the Act~~, as attested to by the employing Fire Chief of the individual seeking certification.
- 3) Attainment of 5~~five~~ years minimum current fire service experience in a fire department or as a current fulltime staff instructor of the Fire Service Institute.
- 4) Successful completion of the identified 3 –semester credit courses (40 student contact hours minimum) or equivalent, according to Section 141.120. A course taken for certification credit of 40 student contact hours (minimum) can be used for only one area in the career hierarchy.
- 5) Passage of the required State written examinations for the 3 semester credit courses.
- 65) Experience Requirements
 - A) Candidates for Fire Officer II certification must have a minimum of one year current experience as a Provisional Fire Officer II (see subsection (a)(5)(B)) or a Fire Officer II trainee. The Office defines a Fire Officer II trainee as an individual~~a person~~ possessing Fire Officer I certification assigned to Fire Officer II duties. The Certified Instructor and Fire Chief must document this current experience as a Provisional Fire Officer II or Fire Officer II trainee.
 - B) Until such time as the experience requirement is met, the Fire Officer II candidate will receive a certificate attesting to his/her Provisional Qualification as a Fire Officer II. Provisionally qualified status allows the individual to participate in Fire Officer III courses. Provisionally qualified status does not certify the individual as a Fire Officer II. Provisional Qualification can only be given after completion of all required courses.

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- C) An individual must be a certified Fire Officer I to receive a Provisional Fire Officer II certification.
- D) For purposes of figuring the year of experience, the applicant must have been assigned to Fire Officer II duties at least 80% of the time based on a 120 workday period (i.e., 96 days of 120 days).
- 76) Application for Certification/Validation-Attestation.
- b) Reimbursement may be received for training costs for a Fire Officer II (see Subpart E).
- c) Credit for equivalent courses may be available in accordance with Section 141.120.
- d) A qualified instructor for this level must be a certified Fire Service Instructor II~~Instructors of Fire Officer II courses must meet the requirements of Section 141.115(e).~~
- e) The course and facility must be approved by the Division as specified in Subpart B~~A State written examination must be administered in accordance with Section 141.308(f).~~
- f) Exception to Experience Requirements During Transition to Advanced Fire Officer. A qualified individual who has completed the course requirements for Fire Officer II, but has not attained the experience requirements of subsection (a)(6), may complete the Phase 3 Task Book for Advanced Company Officer (see Section 141.315(a)(4)(D)) in lieu of the experience requirement to receive Fire Officer II certification prior to June 30, 2019~~All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).~~

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.315 Advanced Fire Officer

Professional qualifications for the Advanced Fire Officer certification are identified in NFPA 1021. The Office does not recognize Fire Officer as a rank because it is not possible to ensure that every rank used by local fire or allied field agencies to identify employees would be

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consistent throughout the State. The Division defines the Advanced Fire Officer as an individual having the responsibilities above company officer, but less than the responsibilities of the Fire Administrator, Fire Chief, or head of the department.

a) Prerequisites

- 1) Certification as a Company Fire Officer or Fire Officer I, Fire Department Incident Safety Officer and Fire Service Instructor II.
 - 2) Engagement as Illinois fire protection personnel, as attested to by the employing Fire Chief of the individual seeking certification.
 - 3) Attainment of 5 years minimum current fire service experience in a fire department or as a current full time staff instructor of the Fire Service Institute.
 - 4) An individual is eligible for certification upon successful completion of the following phases of education and State written examination:
 - A) Phase 1 Education: Background and foundation information can be taught via on-line learning management systems or in the classroom.
 - B) Phase 2 Practical Application: Practical applications and information review shall be done in a traditional classroom setting. This section must be completed in class in order to achieve student interaction with the complex management situations that Advanced Fire Officers encounter.
 - C) Passage of the Advanced Fire Officer State Written Examination. Once an individual has successfully completed Phases 1 and 2 of an approved Advanced Fire Officer course and has submitted proof of course completion, the individual may challenge the State written examination.
- i) The State written examination must be passed within one year of the completion of Phase 2 of an approved Advanced Fire Officer program.

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- g) Recertification Requirements
- 1) Certifications expire 4 years after the issuance date.
 - 2) Certification as an Advanced Fire Officer.
 - 3) Completion of refresher training following the established course objectives identified in NFPA 1021, totaling 100 points over a 4 year period, attested to by the employing Fire Chief, based on the Divisional point system. Records of the training will be retained in the fire department records.
 - 4) Application for recertification, signed by the employing Fire Chief, verifying completion of training points.
 - 5) If certification is not renewed within 90 days after the expiration date, the individual will be required to complete an approved Advanced Fire Officer course.

(Source: Added at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.316 Chief Fire Officer-III

Professional qualifications for the Chief Fire Officer certification are identified in NFPA 1021. The Office does not recognize Fire Officer as a rank because it is not possible to ensure that every rank used by local fire or allied field agencies to identify employees would be consistent throughout the State. The Office recognizes three levels of Fire Officer: Fire Officer I, II, and III. These three levels meet and exceed the four levels of Fire Officer identified in NFPA 1021. The Office identifies the Chief Fire Officer III as an individual a person who has administrative responsibilities, the authority to affect practices, policies and procedures of the department, and is, or reports directly to, the Fire Chief, Fire Administrator or head of department.

- a) Prerequisites
- 1) Certified as a Fire Officer II or Advanced Fire Officer(~~see Section 141.314~~).
 - 2) Engagement ~~in firefighting in an organized Illinois fire department as Illinois~~ a fire protection personnel~~person~~ according to the Act, as attested

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to by the employing Fire Chief of the individual seeking certification.

- 3) Attainment of ten years minimum fire service experience in a fire department.
- 4) Successful completion of the Chief Fire Officer ~~III~~ required courses.
- 5) Experience Requirements
 - A) The applicant must have current experience in performing command level~~administrative~~ duties for a minimum of ~~5~~two years to be certified. Individuals applying with prior experience shall be evaluated individually.
 - B) Documentation of work experience as a Chief Fire Officer or Provisional Chief Fire Officer must be provided in the application for certification.~~III (see subsection (a)(5)(C)) shall consist of:~~
 - i) The documentation~~Completion of a specified Office checklist showing completion~~ of work experience related to objectives shall include completion of an application for certification that provides proof of the required command level experience and submittal of supporting documentation, including, but not limited to: a current resume, organizational chart, position description, college degrees, transcripts and letters of reference.
 - ii) The application for certification must be~~The official job description of the applicant signed by the Fire Chief or, in the case of the applicant being the Fire Chief, the Supervisor of the Fire Chief (such as Mayor, President of Trustees, or similar official).~~ iii) An official, legible, definitive department organization chart on fire department letterhead, signed by the Fire Chief or, in the case of the applicant being the Fire Chief, the Supervisor of the Fire Chief (such as Mayor, President of Trustees, or similar official).
 - C) Until such time as the experience requirement is met, the Chief

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Fire Officer ~~III~~-candidate will receive a certificate attesting to his/her Provisional Qualification as a Chief Fire Officer-~~III~~. Provisionally qualified status does not certify the individual as a Chief Fire Officer-~~III~~. Provisional qualification can only be given after completion of all formal courses.

- D) A person possessing a certificate as a Provisional Fire Officer II may take and be reimbursed for Fire Officer III courses (see Subpart E). However, an individual must be certified as a Fire Officer II to receive Provisional Fire Officer III certification.
- 6) Application for certification and documentation of work experience.
- b) ~~Passage of the~~A State written examination~~Written Examination must be administered in accordance with Section 141.308(f).~~
- c) Reimbursement may be received for training costs for Chief Fire Officer ~~III~~ (see Subpart E).
- ~~d) Credit for equivalent courses may be available in accordance with Section 141.120.~~
- de) A qualified instructor for this level must be a certified:
- 1) Fire Service Instructor II; and
 - 2) Fire Officer III or Chief Fire Officer~~Instructors for Fire Officer III courses must meet the requirements in Section 141.115(e).~~
- ef) The course and facility must be approved by the Division as specified in Subpart B~~All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).~~

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.317 Fire Department Safety Officer

The Fire Department Safety Officer is a certification granted to qualified individuals who have attained certification as both a Fire Department Incident Safety Officer and a Fire Department

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Health and Safety Officer. The professional qualifications for the Fire Department Safety Officer are designated in NFPA 1521. The prerequisites for Fire Department Safety Officer are:

- a) Certification as a Fire Department Incident Safety Officer and Fire Department Health and Safety Officer.
- b) Engagement as Illinois fire protection personnel, as attested to by the employing Fire Chief of the individual seeking certification

(Source: Added at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.318 Fire Service Instructor I

Professional qualifications for Fire Service Instructor I are identified in NFPA 1041. Fire Service Instructor I is defined as an instructor who has demonstrated the knowledge ~~of~~ and ability to deliver instruction effectively from a prepared lesson plan, including instructional aids and evaluation instruments; adapt lesson plans to the unique requirements of the students and authority having jurisdiction; organize the learning environment so that learning is maximized; and meet the record keeping requirements of the authority having jurisdiction.

- a) Prerequisites
 - 1) Certification as a Firefighter II or Basic Operations Firefighter(~~see Section 141.300~~).
 - 2) Attainment of 3~~three~~ years of documented cumulative fire service experience in a fire department.
 - 3) Successful completion of the Fire Service Instructor I course. ~~A current State Teacher's Certification Board Certificate is deemed equivalent to the Fire Service Instructor I course. A copy of the teacher's certificate must be submitted with the Request for Examination form.~~
 - 4) Passage of the State written examination.
 - 5) Engagement ~~in firefighting in an organized Illinois fire department as~~ Illinois a-fire protection personnel,~~person according to the Act~~ as attested to by the employing Fire Chief of the individual seeking certification.

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- ~~5) Application for Certification/Validation/Attestation.~~
- b) Reimbursement may be received for training costs for a Fire Service Instructor I (see Subpart E).
- c) ~~A qualified~~The instructor ~~for this level must be a certified~~of a Fire Service Instructor ~~III course must meet the requirements in Section 141.115(e).~~
- ~~d) All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).~~
- ~~de) Credit for equivalent courses may be available in accordance with Section 141.120.~~
- e) The course and facility must be approved by the Division as specified in Subpart B.
- f) State Professional Educator Preparation and Licensure Board Equivalency. A valid State Professional Educator License is deemed equivalent to the Fire Service Instructor I and II course and State written examinations. An individual must submit in writing a request for equivalency and attach a copy of the State Professional Educator License. Once approved by the Division, the individual's records will be updated.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.320 Fire Service Instructor II

Professional qualifications for Fire Service Instructor II are identified in NFPA 1041. The Illinois program does not recognize Fire Service Instructor as a rank because it is not possible to ~~ensure~~~~insure~~ that every rank used by local fire or allied field agencies to identify employees would be consistent throughout the State. Fire Service Instructor II is a fire service instructor who, in addition to meeting Fire Service Instructor I qualifications, has demonstrated the knowledge and ability to coordinate other instructors and who is capable of using a variety of teaching strategies to develop lesson plans and instructional aids based on a task analysis.

- a) Prerequisites
- 1) Certification as a Firefighter III or Advanced Technician Firefighter(see

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~~Section 141.304) and as a Fire Service Instructor I (see Section 141.318).~~

- 2) Attained ~~5~~five years of documented fire service experience in a fire department.
 - 3) Successful completion of the Fire Service Instructor II course.
 - 4) Passage of the State written examination.
 - 5) ~~Engagement in firefighting in an organized Illinois fire department as Illinois a fire protection personnel person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.~~
 - 6) ~~Application for Certification/Validation Attestation.~~
 - 6) State Professional Educator Preparation and Licensure Board Equivalency. A valid State Professional Educator License is deemed equivalent to the Fire Service Instructor I and II course and State written examinations. An individual must submit in writing a request for equivalency and attach a copy of the State Professional Educator License. Once approved by the Division, the individual's records will be updated.
- b) Reimbursement may be received for training costs for a Fire Service Instructor II (see Subpart E).
 - c) A qualified instructor for this level must be a certified Fire Service Instructor II. Instructors of a Fire Service Instructor II course must meet the requirements of Section 141.115(e).
 - d) The course and facility must be approved by the Division as specified in Subpart B. Credit for equivalent courses may be available in accordance with Section 141.120.
 - e) Credit for equivalent courses may be available in accordance with Section 141.120. All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

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Section 141.322 Fire Service Instructor III

Professional qualifications for Fire Service Instructor III are identified in NFPA 1041. The Division Illinois program does not recognize Fire Service Instructor as a rank because it is not possible to ensure that every rank used by local fire or allied field agencies to identify employees would be consistent throughout the State. The Fire Service Instructor III is an certified individual serving in a fire department or allied field agency who, in addition to meeting Fire Service Instructor II qualifications, has demonstrated the knowledge and ability to develop comprehensive training curricula and programs for use by single or multiple organizations; conduct organization needs analysis; and develop training goals and implementation strategies.

- a) Prerequisites
 - 1) Certification as a Fire Service Instructor II ~~(see Section 141.320)~~.
 - 2) Attained a minimum of 3~~three~~ years in the capacity of a Fire Service Instructor.
 - 3) Successful completion of the Fire Service Instructor III course.
 - 4) Passage of the State written examination.
 - 5) Engagement in firefighting in an organized Illinois fire department as Illinois a fire protection personnel~~person according to the Act~~, as attested to by the employing Fire Chief of the individual seeking certification.
 - 5) ~~Application for Certification/Validation/Attestation.~~
- b) Reimbursement may be received for training costs for a Fire Service Instructor III (see Subpart E).
- c) A qualified~~The instructor for this level of a Fire Service Instructor III course~~ must be a certified Fire Service Instructor II~~meet the requirements in Section 141.115(e)~~.
- d) Credit for equivalent courses may be available in accordance with Section 141.120.
- e) The course and facility must be approved by the Division as specified in Subpart

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~~All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).~~

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.324 Training Program Manager

Professional qualifications for a Training Program Manager are identified in NFPA 1041. The ~~Office Illinois program~~ does not recognize Training Program Manager as a rank because it is not possible to ~~ensure~~insure that every rank used by local fire or allied field agencies to identify employees would be consistent throughout the State. The Training Program Manager is a certified individual serving in a fire department or allied field agency who, in addition to meeting Fire Service Instructor II qualifications, has demonstrated the knowledge and ability to administer and manage a fire service training program, including budget preparation, personnel management, maintenance of positive public relations and organizational goal setting.

- a) Prerequisites
 - 1) Certification as a Fire Service Instructor II ~~(see Section 141.320)~~.
 - 2) Attained a minimum of ~~5~~five years in the capacity of a Fire Service Instructor II or training officer.
 - 3) Successful completion of the Training Program Manager course.
 - 4) Passage of the State written examination.
 - 5) Application for Certification/Validation-Attestation.
 - 65) Engagement ~~in firefighting in an organized Illinois fire department~~ as Illinois a fire protection ~~personnel~~person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for a Training Program Manager (see Subpart E).
- c) ~~A qualified~~The instructor ~~for this level of a Training Program Manager course~~ must be a certified Fire Service Instructor II and Training Program Manager ~~meet the requirements in Section 141.115(e).~~

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- d) Credit for equivalent courses may be available in accordance with Section 141.120.
- e) The course and facility must be approved by the Division in accordance with Subpart B.~~All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).~~

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.326 Basic Fire Prevention Officer

~~Professional qualifications for Fire Prevention Officer, except firefighter qualifications, are identified in NFPA 1031, 1033 and 1035.~~ A Basic Fire Prevention Officer is a person serving in a fire department or allied field agency whose primary duties are fire and life safety inspections of a variety of structures, reporting inspection results of fire safety conditions, ~~conducting basic fire investigation~~, and performing basic fire prevention education activities. ~~The term synonymous with Fire Prevention Officer is Technical Specialist.~~

- a) Prerequisites
 - 1) Certification as a Fire Inspector I.~~Firefighter III (see Section 141.304) or successful completion of the Bypass Examination (see Sections 141.220 and 141.240). Entrance into this program through the Bypass Examination is limited to:~~
 - A) ~~Office personnel.~~
 - B) ~~Persons employed by fire departments and fire protection districts in fire prevention areas who are prohibited from work in fire suppression.~~
 - 2) Certification as a Public Fire and Life Safety Educator I.
 - 3) Attainment of a minimum of 2~~three~~ years cumulative fire prevention activities~~service experience, which must include one year of experience in fire prevention.~~
 - 3) Successful completion of the Fire Prevention Officer course.

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- 4) ~~Successful completion of the State written examination (see Section 141.200).~~
- 5) ~~Application for Certification/Validation Attestation.~~
- b) Modular Training
~~Fire Prevention Officer training can be taken in a series of modules or as a complete course. The State written examination (see Section 141.200) can be taken by module or by taking the complete examination. When an individual takes the examination by modules, the passed modules will be kept on file until all modules are passed. If an individual is training by module, and then enters a training facility or a college program that instructs the complete program mode, any previously passed modules cannot be used to exempt any portion of the examination; the complete examination must be taken. If an individual fails the complete examination, he or she may elect to then test using the modular system. When an individual elects to be trained using the modular system, he or she may select the order of any module and its examination. (See Section 141.200.)~~
- e) ~~Reimbursement may be received for training costs for a Fire Prevention Officer (see Subpart E).~~
- d) ~~Credit for equivalent courses may be available in accordance with Section 141.120.~~
- be) A qualified instructor for this level must be a certified:
 - 1) Fire Service Instructor II; and
 - 2) Fire Prevention Officer or Basic Fire Prevention Officer~~The instructor of a Fire Prevention Officer course must meet the requirements in Section 141.115(e).~~
- f) ~~All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).~~

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.327 Fire Inspector I

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The Fire Inspector I certification is designed to ~~provide an individual~~~~give a person~~ serving in a fire department or allied ~~field~~ agency ~~the basic knowledge and requisite skills to conduct basic fire and life safety inspections in a variety of structures with the ability to appropriately report those findings in accordance with applicable codes and standards~~~~whose primary duties are inspections of a variety of structures, and reporting inspection results of fire safety conditions,~~ ~~the basic knowledge and skills to safely perform his or her duties as~~ defined by NFPA 1031.

- a) Prerequisites
 - ~~1)~~ ~~Successful completion of Fire Prevention Principles course.~~
 - ~~2)~~ Attainment of a minimum of one year inspectional activity in fire prevention.
 - ~~3)~~ Successful completion of a minimum of 40 instructional hours.
 - ~~34)~~ Passage of the State written examination ~~(see Section 141.200).~~
 - ~~45)~~ Passage of the State practical skills examination ~~(see Sections 141.200 and 141.300(i)).~~
 - ~~5)~~ Application for Certification/Validation-Attestation.
- b) ~~Reimbursement~~~~Fire department or individual reimbursement~~ may be received for training costs for ~~an~~ Fire Inspector I (see Subpart E).
- c) A qualified instructor for this level must be certified as a:~~Special Instructor Requirements. Instructor of Record shall be certified~~
 - ~~1)~~ ~~as a~~ Fire Service Instructor II; ~~(see Section 141.320)~~ and
 - ~~2)~~ Fire Prevention Officer, Basic Fire Prevention Officer or Fire Inspector I.
- d) The course and facility must be approved by ~~the Division~~~~OSEM~~ as provided in ~~Subpart B~~~~Sections 141.110 and 141.115.~~
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

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- f) Recertification Requirements
- 1) Certifications expire 4 years after the issuance date.
 - 2) Certification as a Fire Inspector I.
 - 3) Completion of refresher training following the established course objectives identified in NFPA 1031, totaling 100 points over a 4 year period, attested to by the employing Fire Chief, based on the Division's point system. Records of the training will be retained in the fire department records.
 - 4) Application for recertification, signed by the employing Fire Chief, verifying completion of training points.
 - 5) If certification is not renewed within 90 days after the expiration date, the individual will be required to complete an approved Fire Inspector Course.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.328 Youth~~Juvenile~~ Firesetter Intervention Specialist

Professional qualifications for a Youth~~Juvenile~~ Firesetter Intervention Specialist (~~JFIS~~) are identified in NFPA 1035. A Youth Firesetter Intervention Specialist~~JFIS~~ is an individual who has the knowledge, skills and responsibility to serve in a fire department or allied field agency to facilitate case management of identified youth~~juvenile~~ firesetters for assessment, education and referral purposes.

- a) Prerequisites
- 1) Achievement of the following:
 - A) Basic knowledge of educational methods and types of interventions, interagency protocols and abuse, neglect and legal issues as they apply.
 - B) High school diploma or equivalent.

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- ~~2)~~ ~~The authority having jurisdiction shall attest that the applicant has the required knowledge, skills, education and experience. Application for Certification/Validation Attestation must be submitted to the Office before the certification is granted.~~
- ~~13)~~ Successful completion of the Youth~~Juvenile~~ Firesetter Intervention Specialist course.
- ~~24)~~ Successful completion of the State written examination ~~(see Section 141.200).~~
- b) A qualified instructor for this level must be a certified Fire Service Instructor II and Youth Firesetter Intervention Specialist.Requirements
 - ~~1)~~ ~~See Section 141.115(e).~~
 - ~~2)~~ ~~Attainment of three years experience as a Juvenile Firesetter Intervention Specialist.~~
- c) Credit for equivalent courses may be available in accordance with Section 141.120.
- d) The course and facility must be approved by the Division in accordance with Subpart B~~All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).~~

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.329 Fire Inspector II

The Fire Inspector II certification is designed to provide an individual serving in a fire department or allied field agency an intermediate level of knowledge and requisite skills to conduct advanced fire and life safety inspections in a variety of structures with the ability to appropriately report those findings and accurately interpret codes and standards defined by NFPA 1031.

- a) Prerequisites
 - 1) Certification as Fire Inspector I or Fire Prevention Officer.

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- 2) Attainment of a minimum of 3 years inspectional activity in fire prevention.
- 3) Successful completion of the Fire Inspector II course consisting of a minimum of 40 instructional hours.
- 4) Passage of the State written examination.
- 5) Passage of the State practical skills examination.
- b) Reimbursement may be received for training costs for Fire Inspector II (see Subpart E).
- c) A qualified instructor for this level must be:
 - 1) a certified Fire Service Instructor II; and
 - 2) a certified:
 - A) Fire Inspector II; or
 - B) Advanced Fire Prevention Officer; or
 - C) Fire Inspector III and Plans Examiner II.
- d) The course and facility must be approved by the Division as specified in Subpart B.
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Added at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.330 Public Fire and Life Safety Educator II

Professional qualifications for Public Fire and Life Safety Educator **II** are identified in NFPA 1035. A Public Fire and Life Safety Educator **II** is an individual serving in a fire department or allied field agency with primary responsibility for the development and dissemination of fire

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prevention education materials and programs.

- a) Prerequisites
 - 1) ~~Certification as a Fire Prevention Officer (see Section 141.326).~~
2) Attainment of a minimum of one year~~three years~~ of ~~documented~~ fire prevention experience.
 - 23) Successful completion of the Public Fire and Life Safety Educator III course consisting of a minimum of 32 instructional hours.
 - 3) Passage of the State written examination.
 - 4) ~~Application for Certification/Validation Attestation.~~
- b) Reimbursement may be received for training costs for a Public Fire and Life Safety Educator III (see Subpart E).
- c) Credit for equivalent courses may be available in accordance with Section 141.120.
- d) A qualified instructor for this level must be:
 - 1) a certified Fire Service Instructor II; and
 - 2) a certified:
 - A) Fire Prevention Officer; or
 - B) Basic Fire Prevention Officer~~The instructor of a Public Fire and Life Safety Educator II course must meet the requirements of Section 141.115(e).~~
- e) The course and facility must be approved by the Division as specified in Subpart B~~All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).~~

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

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Section 141.331 Advanced Fire Prevention Officer

An Advanced Fire Prevention Officer is an individual serving in a fire department or allied field agency whose primary duties are inspections of a variety of structures, reporting inspection results of fire safety conditions, and performing advanced fire prevention education activities.

- a) Prerequisites
 - 1) Certification as a Basic Fire Prevention Officer or Fire Prevention Officer.
 - 2) Certification as a Fire Inspector II.
 - 3) Course completion of an approved Plans Examiner course. Training documentation shall be kept in fire department training files.
 - 4) Attainment of a minimum of 4 years of experience in fire prevention activities.
- b) A qualified instructor for this level must be a certified Fire Service Instructor II and Advanced Fire Prevention Officer.

(Source: Added at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.332 Public Fire and Life Safety Educator III (Repealed)

~~Professional qualifications for Public Fire and Life Safety Educator III are identified in NFPA 1035. A Public Fire and Life Safety Educator III is a person serving in a fire department or allied agency assigned supervisory and administrative responsibilities within a public fire education program.~~

- a) Prerequisites
 - 1) ~~Certification as a Public Fire and Life Safety Educator II (see Section 141.330).~~
 - 2) ~~Attainment of five years of documented fire prevention experience with two years in fire education.~~
 - 3) ~~Successful completion of the Public Fire and Life Safety Educator III~~

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~~course.~~

- ~~4) Application for Certification/Validation-Attestation.~~
- b) ~~Reimbursement may be received for training costs for a Public Fire and Life Safety Educator III (see Subpart E).~~
- e) ~~Credit for equivalent courses may be available in accordance with Section 141.120.~~
- d) ~~The instructor of a Public Fire and Life Safety Educator III course must meet the requirements of Section 141.115(e).~~
- e) ~~All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.334 Fire Investigator

Professional qualifications for Fire Investigator are identified in NFPA 1033 and NFPA 921. The ~~Office Illinois program~~ does not recognize Fire Investigator as a rank because it is not possible to ~~ensure~~~~insure~~ that every rank used by local fire departments or allied field agencies to identify persons serving as Fire Investigators would be consistent throughout the State. A Fire Investigator is an individual, serving in an agency or a fire department, specifically responsible for the investigation of fire incidents. ~~The term synonymous with Fire Investigator is Technical Specialist.~~

- a) Prerequisites
 - 1) ~~Certification as a Firefighter II (see Section 141.300) or successful completion of the Bypass Examination (see Sections 141.220 and 141.240).~~ 2) Successful completion of the Fire Investigator course consisting of ~~3~~~~three~~ Modules, ~~or Modules I and II and the Arson Investigator course (see Section 141.336).~~
 - 2) Passage of the State written examination.
 - 3) Application for Certification/Validation-Attestation.

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- 4) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a~~ fire protection ~~personnel~~ person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for a Fire Investigator (see Subpart E).
- c) ~~A qualified~~The instructor ~~for this level of a Fire Investigator course or an Arson Investigator course~~ must be a certified Fire Service Instructor II and a certified Fire Investigator~~meet the requirements of Section 141.115(e)~~.
- d) Credit for equivalent courses may be available in accordance with Section 141.120.
- e) ~~All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e)~~.
- e~~f~~) Re-certification requirements:
 - 1) Certifications expire 4 ~~four~~ years after issuance date.
 - 2) Certification as a Fire Investigator.
 - 3) Completion of refresher training following the established course objectives identified in NFPA 1033 ~~and NFPA 921~~, totaling 100 points over a 4 ~~four~~ year period, attested to by the employing Fire Chief, based on the divisional point system. Point dissemination will be determined by the applicable ad hoc committee. Records of the training will be retained in the fire department records.
 - 4) Application for re-certification, signed by employing Fire Chief, verifying completion of training points.
 - 5) If certification is not renewed within 90 days after the expiration date, the individuals will be required to complete an approved Fire Investigator Course.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

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Section 141.336 Arson Investigator

The ~~Office Illinois program~~ does not recognize Arson Investigator as a rank because it is not possible to ~~ensure~~insure that every rank used by local fire and police departments or allied field agencies to identify persons serving as Arson Investigators would be consistent throughout the State. An Arson Investigator is an individual who is a ~~full-time paid and~~ sworn employee of the Office or a local governmental agency specifically responsible for the investigation of suspected arson fire incidents.

- a) Prerequisites
 - ~~1)~~ 1) ~~Certification as a Firefighter II (see Section 141.300) or successful completion of the Bypass Examination (see Sections 141.220 and 141.240).~~
 - ~~12)~~ 12) Successful completion of Modules I, ~~and II and III~~ of the Fire Investigator Course (see Section 141.334) ~~or equivalent course (see Section 141.120).~~
 - ~~23)~~ 23) Successful completion of an Arson Investigator course approved by the ~~Division~~Office and the Illinois Law Enforcement Training and Standards Board, or provide proof of equivalent courses to be evaluated by the Executive Director of the Illinois Law Enforcement Training and Standards Board.
 - ~~34)~~ 34) ~~Employed~~Be employed full-time by a local governmental agency ~~or~~; the Office, ~~or other organization investigating fires and explosions believed to be arson.~~
 - ~~45)~~ 45) Application for Certification/Validation-Attestation.
- b) Reimbursement may be received for training costs for an Arson Investigator (see Subpart E).
- c) A qualified instructor for this level must be a certified Fire Service Instructor II and Instructor Requirements. ~~Instructors~~ must have demonstrated experience and education in the technical areas to be taught and must be approved by the Office and the Illinois Law Enforcement Training and Standards Board prior to the course offering.

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- d) Firearms and Physical Training. Upon successful completion of the Firearms and Physical Training portion of the Arson Investigator program, records of completion shall be forwarded to the Illinois Law Enforcement Training and Standards Board for personnel of fire and police departments or allied field agencies. The Board will review the records and issue appropriate firearms training certificates.
- e) The Division~~Office~~ will issue the Arson Investigator certificate upon receipt of firearms training, physical training, and all other documents from the Illinois Law Enforcement Training and Standards Board.
- ~~f) All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).~~
- ~~fg)~~ Credit for equivalent courses may be available in accordance with Section 141.120.
- ~~gh)~~ Recertification Requirements~~Re-certification requirements:~~
- 1) Certifications expire ~~4four~~ years after the issuance date.
 - 2) Certification as an Arson Investigator.
 - 3) Completion of refresher training following the established course objectives identified in NFPA 1033 ~~and NFPA 921~~, totaling 100 points over a ~~4 four~~-year period, attested to by the employing Fire Chief, based on the divisional point system. Point dissemination will be determined by the applicable ad hoc committee. Records of the training will be retained in the fire department records.
 - 4) Application for recertification~~re-certification~~, signed by the employing Fire Chief, verifying completion of training points.
 - 5) If certification is not renewed within 90 days after the expiration date, the individuals will be required to complete an approved Fire Investigator course.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

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Section 141.338 Fire Inspector II and Plan Examiner I (Repealed)

~~Professional qualifications for Fire Inspector II and Plan Examiner I are identified in NFPA 1031. A Fire Inspector II and Plan Examiner I is a person serving in a fire department or allied agency assigned fire inspection and supervisory responsibilities. The term synonymous with Fire Inspector II and Plan Examiner I is Senior Technician.~~

- a) ~~Prerequisites~~
 - 1) ~~Certification as a Fire Prevention Officer (see Section 141.326).~~
 - 2) ~~Attainment of three years of documented experience in fire inspection.~~
 - 3) ~~Successful completion of the Fire Inspector II and Plan Examiner I course.~~
 - 4) ~~Application for Certification/Validation Attestation.~~
 - 5) ~~Passage of the State written examination (see Section 141.200).~~
- b) ~~Reimbursement may be received for training costs for a Fire Inspector II and Plan Examiner I (see Subpart E).~~
- c) ~~Credit for equivalent courses may be available in accordance with Section 141.120.~~
- d) ~~An instructor of a Fire Inspector II and Plan Examiner I course must meet the requirements of Section 141.115(e).~~
- e) ~~All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.340 Fire Inspector III and Plan Examiner II (Repealed)

~~Professional qualifications for Fire Inspector III and Plan Examiner II are identified in NFPA 1031. A Fire Inspector III and Plan Examiner II is a person serving in a fire department or allied agency assigned primarily supervisory and administrative responsibilities within a fire~~

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~~prevention program.~~

- a) Prerequisites
 - 1) ~~Certification as a Fire Inspector II and Plan Examiner I (see Section 141.338).~~
 - 2) ~~Attainment of five years of documented experience in fire inspection.~~
 - 3) ~~Successful completion of the Fire Inspector III and Plan Examiner II course.~~
 - 4) ~~Application for Certification/Validation Attestation.~~
 - 5) ~~Passage of the State written examination (see Section 141.200).~~
- b) ~~Reimbursement may be received for training costs for a Fire Inspector III and Plan Examiner II (see Subpart E).~~
- e) ~~Credit for equivalent courses may be available in accordance with Section 141.120.~~
- d) ~~An instructor of a Fire Inspector III and Plan Examiner II course must meet the requirements of Section 141.115(c).~~
- e) ~~All fire service organizations and educational institutions desiring to offer programs and/or courses shall meet the requirements of Section 141.308(e).~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.342 Hazardous Materials Awareness (Repealed)

~~Hazardous Materials Awareness personnel are fire personnel trained to the level of awareness defined by the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) at 29 CFR 1910.120 or the United States Environmental Protection Agency (USEPA) at 40 CFR 311, whichever is appropriate for their jurisdiction. Fire protection personnel at this level of certification are persons who are likely to witness or discover a hazardous substance release or potential release and who have been trained to initiate an emergency response sequence by notifying the proper authorities (local, State, federal, or private resources) of the~~

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~~release. Professional qualifications for Hazardous Materials Awareness personnel are identified in NFPA 472.~~

- a) Prerequisites
 - 1) ~~Certification as a Firefighter II (see Section 141.300).~~
 - 2) ~~Successful completion of a Hazardous Materials Awareness course.~~
 - 3) ~~Passage of the State written examination (see Section 141.200).~~
 - 4) ~~Engagement in firefighting in an organized Illinois fire department as a fire protection person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.~~
- b) ~~Reimbursement may be received for training costs for Hazardous Materials Awareness personnel (see Subpart E).~~
- c) ~~An instructor of a Hazardous Materials Awareness course must meet the requirements of Section 141.115(e).~~
- d) ~~The course and facility must be approved by the Office as provided in Sections 141.100, 141.110 and 141.115.~~
- e) ~~Credit for equivalent courses may be available in accordance with Section 141.120.~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.344 Hazardous Materials First Responder – Operations

~~Hazardous Materials First Responders~~responders, for the purpose of this level of certification, are fire protection personnel trained to the levels of Awareness and First Responder – Operations as defined in ~~29 CFR 1910.120. First Responders shall be trained to meet requirements of OSHA (29 CFR 1910.120) or USEPA (40 CFR 311), whichever is appropriate for their jurisdiction. Fire protection personnel at this level of certification are both: persons who are likely to witness or discover a hazardous substance release or potential release and who have been trained to initiate an emergency response sequence by notifying the proper authorities (local, State, federal, or private resources) of the release; and persons who respond to releases or~~

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~~potential releases of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. They are trained to respond in a defensive fashion without actually trying to stop the release. Their function is to contain the release from a safe distance, keep it from spreading, and prevent exposures.~~ Hazardous Materials First Responder – Operations is designed as the introductory step in the acquisition of knowledge and skills required to safely mitigate a release or potential release of hazardous substances ~~and is defined as meeting the requirement for fire protection personnel under 29 CFR 1910.120.~~ Professional qualifications for Hazardous Materials First Responder – Operations are identified in NFPA 472.

- a) Prerequisites
 - 1) Certification as a Firefighter II ~~or Basic Operations Firefighter~~(see ~~Section 141.300~~).
 - 2) Successful completion of a Hazardous Materials First Responder – Operations course consisting of a minimum of 40 instructional hours.
 - 3) Passage of a State practical skills examination ~~(see Sections 141.200 and 141.300(g))~~.
 - 4) Passage of the State written examination ~~(see Section 141.200)~~.
 - 5) Engagement ~~in firefighting in an organized Illinois fire department~~ as Illinois a fire protection personnel~~person~~ ~~according to the Act~~, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for a Hazardous Materials First Responder – Operations (see Subpart E).
- c) A qualified~~An~~ instructor for this level must be a certified Fire Service Instructor I and of a Hazardous Materials First Responder – Operations ~~course must meet the requirements of Section 141.115(e)~~.
- d) The course and facility must be approved by the Division~~Office~~ as provided in Subpart B~~Sections 141.100, 141.110 and 141.115~~.
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

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- f) Recertification Requirements
- 1) Certifications expire 4 years after the issuance date.
 - 2) Certification as a Hazardous Materials First Responder – Operations.
 - 3) Completion of refresher training following the established course objectives identified in NFPA 472, totaling 100 points over a 4 year period, attested to by the employing Fire Chief, based on the Division's point system. Records of the training will be retained in the fire department records.
 - 4) Application for recertification, signed by the employing Fire Chief, verifying completion of training points.
 - 5) If certification is not renewed within 90 days after the expiration date, the individuals will be required to complete an approved Hazardous Materials Operations Course.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.346 Hazardous Materials Technician

~~Hazardous Materials Technician is a series of two courses designed for the training and development of Hazardous Materials Response Team Members. Hazardous Materials Technicians are individuals who respond to releases or potential releases for the purpose of stopping the release or performing rescues. They assume a more aggressive role than a First Responder at the operations level in that they will approach the point of release in order to plug, patch or otherwise stop the release of a hazardous substance. Hazardous Materials Technician A involves procedures for and entry into the "hot zone". Hazardous Materials Technician B involves rescue procedures, tactics and strategy. Both Hazardous Materials Technician A and Technician B are identified required to satisfy the requirements in NFPA 472. Individuals may certify as Hazardous Materials Technician A and B until June 30, 2019, at which time the certification will no longer be issued, and the individual will be required to successfully complete the requirements, if he or she so desires, to qualify for certification as a Hazardous Materials Technician. Technicians are trained to meet requirements of OSHA (29 CFR 1910.120) or USEPA (40 CFR 311), whichever is appropriate for their jurisdiction. This program is designed to meet the requirements of 29 CFR 1910.120.~~

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- a) Prerequisites – Hazardous Materials Technician A
- 1) Certification as a Hazardous Materials First Responder – Operations (~~see Section 141.344~~).
 - 2) Successful completion of the Hazardous Materials Technician A course.
 - 3) Passage of the State written examination (~~see Section 141.200~~).
 - 4) Passage of the State practical skills examinations (~~see Sections 141.200 and 141.300(g)~~).
 - 5) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a~~ fire protection ~~personnel~~ person ~~according to the Act~~, as attested to by the employing Fire Chief of the individual seeking certification.
 - 6) A qualified instructor for this level must be:
 - A) a certified Fire Service Instructor II; and
 - B) a certified:
 - i) Hazardous Materials Technician A; or
 - ii) Hazardous Materials Technician B; or
 - iii) Hazardous Materials Technician.
- b) Prerequisites – Hazardous Materials Technician B
- 1) Certification as a Hazardous Materials Technician A (~~see subsection (a)~~).
 - 2) Successful completion of the Hazardous Materials Technician B course.
 - 3) Passage of the State written examination (~~see Section 141.200~~).
 - 4) Passage of the State practical skills examination (~~see Sections 141.200 and 141.300(g)~~).

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- 5) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a fire protection personnel person according to the Act~~, as attested to by the employing Fire Chief of the individual seeking certification.
- 6) A qualified instructor for this level must be:
 - A) a certified Fire Service Instructor II; and
 - B) a certified:
 - i) Hazardous Materials Technician B; or
 - ii) Hazardous Materials Technician.
- c) Prerequisites – Hazardous Materials Technician
 - 1) Certification as a Hazardous Materials First Responder – Operations.
 - 2) Successful completion of the Hazardous Materials Technician course consisting of a minimum of 80 instructional hours.
 - 3) Passage of the State written examination.
 - 4) Passage of the State practical skills examination.
 - 5) Engagement as Illinois fire protection personnel, as attested to by the employing Fire Chief of the individual seeking certification.
 - 6) A qualified instructor for this level must be:
 - A) a certified Fire Service Instructor II; and
 - B) a certified:
 - i) Hazardous Materials Technician B; or
 - ii) Hazardous Materials Technician.

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- ~~d~~e) Reimbursement may be received for training costs for a Hazardous Materials Technician A, Hazardous Materials Technician B and Hazardous Materials Technician (see Subpart E).
- ~~d~~) ~~An instructor of a Hazardous Materials Technician A or B course must meet the requirements of Section 141.115(e).~~
- e) The course and facility must be approved by the Division Office as provided in Subpart B Sections 141.100, 141.110 and 141.115.
- f) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.348 Hazardous Materials Incident Command

Hazardous Materials Incident Command is designed for the training of Certified Hazardous Materials First Responders and Technicians to manage a hazardous materials emergency incident. ~~An Incident Command System fixes command on one particular individual or a group of individuals throughout the incident to ensure a strong visible direct command. If the incident is above the level of training of the Incident Commander, management of all tactical operations shall be delegated to an appropriately trained individual. This does not relieve the Incident Commander of the responsibilities outlined in OSHA 1910.120(q)(3). This course has been developed to meet the requirements of OSHA (29 CFR 1910.120) or USEPA (40 CFR 311), whichever is appropriate for the jurisdiction.~~ Professional qualifications for Incident Command are identified in NFPA 472.

- a) Prerequisites
 - 1) Certification as a Hazardous Materials First Responder – Operations ~~(see Section 141.344).~~
 - 2) Successful completion of the Hazardous Materials Incident Command course consisting of a minimum of 16 instructional hours.
 - 3) Passage of the State written examination ~~(see Section 141.200).~~

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- 4) Passage of the State practical skills examination ~~(see Sections 141.200 and 141.300(g)).~~
 - 5) Application for Certification/Validation-Attestation.
 - 6) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a~~ fire protection ~~personnel~~ person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for a Hazardous Materials Incident Command (see Subpart E).
 - c) ~~A qualified~~ An instructor for this level must be a certified Fire Service Instructor II and of a certified Hazardous Materials Incident Command course must meet the requirements of Section 141.115(e).
 - d) The course and facility must be approved by the ~~Division~~ Office as provided in ~~Subpart B Sections 141.100, 141.110 and 141.115.~~
 - e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.350 Technical Rescue Awareness (Repealed)

~~Technical Rescue Awareness is designed to give first due companies a basic awareness of requirements and hazards at technical rescue incidents. Training will meet standards of NFPA 1670. Professional qualifications require completion of the approved Technical Rescue Awareness course. Technical Rescue Awareness is designed as the introductory step in the acquisition of knowledge and skills required for first due company operations.~~

- a) Prerequisites
 - 1) ~~Certification as a Firefighter II (see Section 141.300).~~
 - 2) ~~Successful completion of the Technical Rescue Awareness course.~~

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- 3) ~~Successful completion of the State written examination (see Section 141.200).~~
- 4) ~~Engagement in firefighting in an organized Illinois fire department as a fire protection person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.~~
- b) ~~Reimbursement may be received for training costs for Technical Rescue Awareness (see Subpart E).~~
- e) ~~An instructor of a Technical Rescue Awareness course must meet the requirements of Section 141.115(e).~~
- d) ~~The course and facility must be approved by the Office as provided in Sections 141.100, 141.110 and 141.115.~~
- e) ~~Credit for equivalent courses may be available in accordance with Section 141.120.~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.352 Rescue Specialist – Confined Space

Rescue Specialist – Confined Space is designed to give fire service personnel the basic knowledge and skills to safely perform confined space ~~rescues~~~~rescue as defined by the Illinois Department of Labor (56 Ill. Adm. Code 350.280) and OSHA (29 CFR 1910.146).~~

- a) Prerequisites
 - 1) Certification as a Rescue Specialist – Vertical I or Rope Operations ~~(see Section 141.367).~~
 - 2) Successful completion of the Rescue Specialist – Confined Space course. Prerequisite for taking the course is successful completion of the Rescue Specialist – Confined Space/Trench Awareness or Technical Rescue Awareness course and Vertical I or Rope Operations course.
 - 3) Passage of the State written examination ~~(see Section 141.200).~~

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- 4) Passage of the State practical skills examinations ~~(see Sections 141.200 and 141.300(g)).~~
- 5) Engagement ~~in firefighting in an organized Illinois fire department~~ as Illinois a fire protection personnel ~~person according to the Act~~, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for a Rescue Specialist – Confined Space (see Subpart E).
- c) A qualified instructor for this level must ~~Special Instructor Requirements 1) Instructor of Record shall~~ be a certified ~~as a~~ Fire Service Instructor II ~~(see Section 141.320)~~ and a certified Rescue Specialist – Confined Space.
 - 12) There shall be a minimum of two instructors per course, ~~one of whom is an Instructor of Record~~. There shall be at least one instructor for each six students.
 - 23) All other instructors on site shall be certified ~~a minimum of~~ Fire Service Instructor I ~~(see Section 141.318)~~ and a certified ~~as a~~ Rescue Specialist – Confined Space.
- d) The course and facility must be approved by the Division ~~Office~~ as provided in Subpart B ~~Sections 141.110 and 141.115~~.
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.354 Trench Operations

Trench Operations is designed to give fire service personnel the basic knowledge and skills to safely perform trench stabilization, shoring equipment placement, and excavation and freeing of the victim from engulfment, as defined by NFPA 1670 ~~and OSHA (29 CFR 1926, subpart P)~~.

- a) Prerequisites

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- 1) Certification as a Firefighter II or Basic Operations Firefighter in Technical Rescue Awareness (see Section 141.350) or Rescue Specialist – Confined Space (see Section 141.352).
 - 2) Successful completion of the Trench Operations course consisting of a minimum of 32 instructional hours. Prerequisite for taking the course is successful completion of Confined Space/Trench Awareness or Technical Rescue Awareness course (see Section 141.350).
 - 3) Passage of the State written examination ~~(see Section 141.200).~~
 - 4) Passage of the State practical skills examinations and participation as a rescue team member in at least one live trench scenario ~~(see Sections 141.200 and 141.300(g)).~~
 - 5) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a fire protection personnel person according to the Act,~~ as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for Trench Operations (see Subpart E).
- c) A qualified instructor for this level must be:
- 1) a certified ~~Special Instructor Requirements 1) Instructor of Record shall be certified as a~~ Fire Service Instructor II; ~~(see Section 141.320) and~~
 - 2) certified:
 - A) certified ~~in~~ Trench Operations; or
 - B) as a Rescue Specialist – Trench.
- 32) There shall be a minimum of two instructors per course, ~~one of whom is an Instructor of Record.~~ There shall be at least one instructor for each six students.
- 43) All other instructors on site shall be:

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- A) ~~a certified a minimum of~~ Fire Service Instructor I; ~~(see Section 141.318)~~ and
- B) certified:
- i) in Trench Operations; or
 - ii) as a Rescue Specialist – Trench.
- d) The course and facility must be approved by the Division Office as provided in Subpart B Sections 141.110 and 141.115.
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.356 Trench Technician

Trench Technician is designed to give fire service personnel the basic knowledge and skills to safely perform trench stabilization, shoring equipment placement, and excavation and freeing of the victim from engulfment as defined by NFPA 1670 ~~and OSHA (29 CFR 1926, subpart P).~~

- a) Prerequisites
- 1) Certification in Trench Operations ~~(see Section 141.354)~~ or as a Rescue Specialist – Trench.
 - 2) Successful completion of the Trench Technician course consisting of a minimum of 40 instructional hours. Prerequisite for taking the course is successful completion of the Trench Operations ~~(see Section 141.354)~~ or Rescue Specialist ~~– Trench~~ course.
 - 3) Passage of the State written examination ~~(see Section 141.200).~~
 - 4) Passage of the State practical skills examinations and participation as a rescue team member in at least one live trench scenario ~~(see Sections 141.200 and 141.300(g)).~~

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- 5) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a~~ fire protection ~~personnel~~ person ~~according to the Act~~, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for Trench Operations (see Subpart E).
- c) ~~A qualified instructor for this level must~~ Special Instructor Requirements 1) ~~Instructor of Record shall be a~~ certified ~~as a~~ Fire Service Instructor II (see Section 141.320) and ~~certified in~~ Trench Technician.
 - 12) There shall be a minimum of two instructors per course, ~~one of whom is an Instructor of Record~~. There shall be at least one instructor for each six students.
 - 23) All other instructors on site shall be a certified ~~a minimum of~~ Fire Service Instructor I (see Section 141.318) and ~~certified in~~ Trench Technician.
- d) The course and facility must be approved by the Division ~~Office~~ as provided in Subpart B ~~Sections 141.110 and 141.115~~.
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.358 Rescue Specialist – Vertical II (Repealed)

~~Rescue Specialist—Vertical II is designed to give fire service personnel the basic knowledge and skills to safely perform advanced high angle and below grade rescues as defined by NFPA 1983 and OSHA (29 CFR 1910.146).~~

- a) Prerequisites
 - ~~1) Certification as a Rescue Specialist—Vertical I or Rope Operations (see Section 141.367).~~
 - ~~2) Successful completion of the Vertical II approved course. Prerequisite for taking the Vertical II course is successful completion of the Rescue~~

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~~Specialist—Verticle I or Rope Operations (see Section 141.367) course.~~

- ~~3) Passage of the State written examination (see Section 141.200).~~
- ~~4) Passage of the State practical skills examinations (see Sections 141.200 and 141.300(g)).~~
- ~~5) Engagement in firefighting in an organized Illinois fire department as a fire protection person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.~~
- b) Reimbursement may be received for training costs for a Rescue Specialist—Vertical II (see Subpart E).
- e) Special Instructor Requirements
 - 1) Instructor of Record shall be certified as a Fire Service Instructor II (see Section 141.320) and Rescue Specialist—Vertical II.
 - 2) There shall be a minimum of two instructors per course, one of whom is an Instructor of Record. There shall be at least one instructor for each six students.
 - 3) All other instructors on site shall be a minimum of Fire Service Instructor I (see Section 141.318) and certified in Rescue Specialist—Vertical II.
 - d) The course and facility must be approved by the Office as provided in Sections 141.110 and 141.115.
 - e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.360 Structural Collapse Operations

Structural Collapse Operations is designed to give fire service personnel the basic knowledge and skills to safely perform structural collapse rescues as defined by NFPA 1670.

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- a) Prerequisites
- 1) Certification ~~as a Firefighter II or Basic Operations Firefighter in Technical Rescue Awareness (see Section 141.350).~~
 - 2) Successful completion of ~~the~~ Structural Collapse Operations course. ~~Prerequisite for taking the Structural Collapse Operations course is successful completion of the Technical Rescue Awareness (see Section 141.350) or Structural Collapse Awareness course.~~
 - 3) Passage of the State written examination ~~(see Section 141.200).~~
 - 4) Passage of the State practical skills examinations ~~(see Sections 141.200 and 141.300(g)).~~
 - 5) Engagement ~~in firefighting in an organized Illinois fire department~~ as ~~Illinois a~~ fire protection ~~personnel~~ ~~person according to the Act~~, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for Structural Collapse Operations (see Subpart E).
- c) ~~A qualified instructor for this level must~~ ~~Instructor of Record shall be a~~ Special Instructor Requirements 1) ~~certified as a~~ Fire Service Instructor II (see Section ~~141.320~~) and certified in Structural Collapse Operations.
- 12) There shall be a minimum of ~~two~~ 2 instructors per course, ~~one of whom is an Instructor of Record.~~ There shall be at least one instructor for each ~~six~~ 6 students.
 - 23) All other instructors on site shall be ~~a certified~~ a minimum of Fire Service Instructor I (see Section ~~141.318~~) and certified in Structural Collapse Operations.
- d) The course and facility must be approved by the ~~Division~~ office as provided in ~~Subpart B~~ Sections 141.110 and 141.115.
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

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(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.362 Structural Collapse Technician

Structural Collapse Technician is designed to give fire service personnel the basic knowledge and skills to safely perform structural collapse rescues as defined by NFPA 1670.

- a) Prerequisites
- 1) Certification in Structural Collapse Operations ~~(see Section 141.360)~~.
 - 2) Certification as Rescue Specialist – Confined Space.
 - 3) Certification as Rescue Specialist – Roadway or Vehicle and Machinery Operations.
 - 4) Certification as Rescue Specialist – Vertical I or Rope Operations.
 - 5) Certification as Hazardous Materials First Responder Operations.
 - 6) Successful completion of Structural Collapse Technician course. Prerequisite for taking the Structural Collapse Technician course is successful completion of the Structural Collapse Operations ~~(see Section 141.360)~~ course.
 - ~~73)~~ Passage of the State written examination ~~(see Section 141.200)~~.
 - ~~84)~~ Passage of the State practical skills examinations ~~(see Sections 141.200 and 141.300(g))~~.
 - ~~95)~~ Engagement ~~in firefighting in an organized Illinois fire department as Illinois a~~ fire protection ~~personnel~~ person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for Structural Collapse Technician (see Subpart E).

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- c) ~~A qualified instructor for this level must~~~~Special Instructor Requirements 1) Instructor of Record shall~~ be a certified ~~as a~~ Fire Service Instructor II ~~(see Section 141.320)~~ and ~~in~~ Structural Collapse Technician.
- ~~12)~~ There shall be a minimum of 2two instructors per course, ~~one of whom is an Instructor of Record~~. There shall be at least one instructor for each 6six students.
- ~~23)~~ All other instructors on site shall be a certified~~a minimum of~~ Fire Service Instructor I ~~(see Section 141.318)~~ and ~~certified as~~ Structural Collapse Technician.
- d) The course and facility must be approved by the Division~~office~~ as provided in Subpart B Sections 141.110 and 141.115.
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.364 Vehicle and Machinery Operations

The Vehicle and Machinery Operations certification is designed to give fire service personnel the basic knowledge and skills to safely perform vehicle and machinery rescues as defined by NFPA 1670.

- a) Prerequisites
- ~~1)~~ ~~Certification in Technical Rescue Awareness (see Section 141.350).~~
- ~~12)~~ Successful completion of the Vehicle and Machinery Operations course. ~~Prerequisite for taking the Vehicle and Machinery Operations course is successful completion of the Technical Rescue Awareness (see Section 141.350).~~
- ~~23)~~ Passage of the State written examination ~~(see Section 141.200).~~
- ~~34)~~ Passage of the State practical skills examinations ~~(see Sections 141.200 and 141.300(g)).~~

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- 45) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a~~ fire protection ~~personnel~~ person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for Vehicle and Machinery Operations (see Subpart E).
- c) A qualified instructor for this level must ~~Special Instructor Requirements~~ 1) Instructor of Record shall be a certified ~~as a~~ Fire Service Instructor II (~~see Section 141.320~~) and certified in Vehicle and Machinery Operations.
- 12) There shall be a minimum of two instructors per course, ~~one of whom is an Instructor of Record~~. There shall be at least one instructor for each eight students.
- 23) All other instructors on site shall be a certified ~~a minimum of a~~ Fire Service Instructor I (~~see Section 141.318~~) and certified in Vehicle and Machinery Operations.
- d) The course and facility must be approved by the Division ~~Office~~ as provided in Subpart B ~~Sections 141.110 and 141.115~~.
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.366 Vehicle and Machinery Technician

The Vehicle and Machinery Technician certification is designed to give fire service personnel the basic knowledge and skills to safely perform vehicle and machinery rescues as defined by NFPA 1670.

- a) Prerequisites

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- 1) Certification in Vehicle Machinery Operations ~~(see Section 141.364)~~, Hazardous Materials First Responder Operations ~~(see Section 141.344)~~ and Rope Operations ~~(see Section 141.367)~~.
 - 2) Successful completion of the Vehicle and Machinery Technician course. Prerequisite for taking the Vehicle and Machinery Technician course is successful completion of the Vehicle and Machinery Operations course ~~(see Section 141.364)~~.
 - 3) Passage of the State written examination ~~(see Section 141.200)~~.
 - 4) Passage of the State practical skills examinations ~~(see Sections 141.200 and 141.300(g))~~.
 - 5) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a~~ fire protection ~~personnel~~ person ~~according to the Act~~, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for Vehicle and Machinery Technician (see Subpart E).
- c) A qualified instructor for this level must ~~Special Instructor Requirements 1) Instructor of Record shall~~ be a certified ~~as a~~ Fire Service Instructor II ~~(see Section 141.320)~~ and Vehicle and Machinery Technician.
- 12) There shall be a minimum of 2 ~~two~~ instructors per course, ~~one of whom is an Instructor of Record~~. There shall be at least one instructor for each 8 ~~eight~~ students.
 - 23) All other instructors on site shall be a certified ~~a minimum of a~~ Fire Service Instructor I ~~(see Section 141.318)~~ and ~~certified as~~ Vehicle and Machinery Technician.
- d) The course and facility must be approved by the Division ~~Office~~ as provided in Subpart B ~~Sections 141.110 and 141.115~~.
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

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(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.367 Rope Operations

The Rope Operations certification is designed to give fire service personnel the basic knowledge and skills to safely perform rope rescues as defined by NFPA 1670.

- a) Prerequisites
 - 1) Certification ~~as a Firefighter II or Basic Operations Firefighter in Technical Rescue Awareness (see Section 141.350).~~
 - 2) ~~Prerequisite for taking the Rope Operations course is successful completion of the Technical Rescue Awareness course (see Section 141.350).~~
 - 23) Successful completion of the Rope Operations course, which shall be a minimum of 40 instructional hours.
 - 34) Passage of the State written examination ~~(see Section 141.200).~~
 - 45) Passage of the State practical skills examinations ~~(see Sections 141.200 and 141.300(i)).~~
 - 56) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a~~ fire protection ~~personnel~~ person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Fire Department or individual reimbursement may be received for training costs for Rope Operations (see Subpart E).
- c) A qualified instructor for this level must ~~Special Instructor Requirements 1) Instructor of Record shall~~ be a certified as a Fire Service Instructor II (see Section 141.320) and must be certified in Rope Operations.
 - 12) There shall be a minimum of two ~~one of whom is an Instructor of Record~~ instructors per course. There shall be at least one instructor for each 6 students.

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- 23) All other instructors on site shall be a certified~~a minimum of a~~ Fire Service Instructor I ~~(see Section 141.318)~~ and certified in~~as~~ Rope Operations.
- d) The course and facility must be approved by the Division~~Office~~ as provided in Subpart B~~Sections 141.110 and 141.115~~.
- e) Credit for equivalent courses may be available in accordance with Section 141.120.
- f) Recertification Requirements
- 1) Certifications expire 4 years after the issuance date.
 - 2) Certification in Rope Operations.
 - 3) Completion of refresher training following the established course objectives identified in NFPA 1670, totaling 100 points over a 4 year period, attested to by the employing Fire Chief, based on the Divisional point system. Records of the training shall be retained in the fire department records.
 - 4) Application for recertification, signed by the employing Fire Chief, verifying completion of training points.
 - 5) If certification is not renewed within 90 days after the expiration date, the individual will be required to complete an approved Rope Operations Course.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.368 Motorsports Safety Technician (Repealed)

~~Motorsports Safety Technician is designed to address planning, training, personnel, equipment and facilities as they relate to emergency and safety operations at motorsports venues as defined by NFPA 610.~~

- a) Prerequisites

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- 1) ~~Certification in Firefighter II (see Section 141.300).~~
 - 2) ~~Successful completion of Motorsports Safety Technician course.~~
 - 3) ~~Passage of State-written examination (see Section 141.200).~~
 - 4) ~~Passage of State practical examinations (see Section 141.300(g)).~~
 - 5) ~~Engagement in firefighting in an organized Illinois fire department as a fire protection person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.~~
- b) ~~Reimbursement may be received for training costs for Motor Sports Fire and Rescue (see Subpart E).~~
- e) ~~Instructor Requirements~~
- 1) ~~Instructor of Record shall be a certified Instructor II and Motorsports Safety Technician.~~
 - 2) ~~There shall be a minimum of two instructors per course, one of whom is an Instructor of Record, and one instructor for each additional six students.~~
 - 3) ~~All other instructors on site shall be a minimum of Instructor I and certified Motorsports Safety Technician.~~
- d) ~~The course and facility must be approved by the Office as provided in Sections 141.110 and 141.115.~~
- e) ~~Credit for equivalency courses may be available in accordance with Section 141.120.~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.369 High Angle Rope Operations (Repealed)

~~The High Angle Rope Operations certification is designed to give fire service personnel the basic knowledge and skills to safely perform rope rescues as defined by NFPA 1670.~~

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- a) Prerequisites
- 1) ~~Successful completion of the High Angle Rope Operations course. Prerequisite for taking the High Angle Rope Operations course is successful completion of the Rope Operations course (see Section 141.367).~~
 - 2) ~~Successful completion of a minimum of 40 instructional hours.~~
 - 3) ~~Passage of the State written examination (see Section 141.200).~~
 - 4) ~~Passage of the State practical skills examinations (see Sections 141.200 and 141.300(i)).~~
 - 5) ~~Engagement in fire fighting in an organized Illinois fire department as a fire protection person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.~~
- b) ~~Fire department or individual reimbursement may be received for training costs for High Angle Rope Operations (see Subpart E).~~
- e) Special Instructor Requirements
- 1) ~~Instructor of Record shall be certified as a Fire Service Instructor II (see Section 141.320) and High Angle Rope Operations or Rescue Specialist-Vertical II (see Section 141.358).~~
 - 2) ~~There shall be a minimum of 2 instructors per course, one of whom is an Instructor of Record. There shall be at least one instructor for each 6 students.~~
 - 3) ~~All other instructors on-site shall be a minimum of a Fire Service Instructor I (see Section 141.318) and certified as High Angle Rope Operations or Rescue Specialist-Vertical II (see Section 141.358).~~
- d) ~~The course and facility must be approved by OSFM as provided in Sections 141.110 and 141.115.~~

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- e) ~~Credit for equivalent courses may be available in accordance with Section 141.120.~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.370 Fire Service Vehicle Operator

Fire Service Vehicle Operator is designed to give fire service personnel the basic knowledge and skills to safely perform fire service vehicle operations as defined by NFPA 1451.

- a) Prerequisites
- 1) ~~Certification as Firefighter II or Basic Operations Firefighter (see Section 141.300) for full certification. If individual is not certified as a Firefighter II, a provisional certification will be awarded until Firefighter II certification is achieved.~~
 - 2) Successful completion of Fire Service Vehicle Operator course.
 - 3) Successful completion of a minimum of 12 instructional hours.
 - 4) Passage of the State written examination ~~(see Sections 141.200).~~
 - 5) Passage of the State practical skills examinations ~~(see Sections 141.200 and 141.300(i)).~~
 - 6) Completion of an additional 8 hours of documented driving of the vehicles in use by the employing authority having jurisdiction.
 - 7) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a fire protection personnel person according to the Act,~~ as attested to by the employing Fire Chief of the individual seeking certification.
- b) Fire department or individual reimbursement may be received for training costs for Fire Service Vehicle Operator (see Subpart E).
- c) ~~A qualified instructor for this level must~~ Special Instructor Requirements ~~1) Instructor of Record shall be a certified as a Fire Service Instructor I (see Section 141.318) and Fire Service Vehicle Operator.~~

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- 2) ~~There shall be a minimum of 2 instructors per course, one of whom is an Instructor of Record.~~
- 3) ~~All other instructors on site shall be a minimum of a Fire Service Vehicle Operator.~~
- d) The course and facility must be approved by ~~the Division~~OSEM as provided in ~~Subpart B Sections 141.110 and 141.115.~~
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.371 Rope Technician

The Rope Technician certification is designed to give fire service personnel the basic knowledge and skills to safely perform rope rescues as defined by NFPA 1670 and 1006.

- a) Prerequisites
 - 1) Successful completion of the Rope Technician course. ~~Prerequisite for taking the Rope Technician course is successful completion of the High Angle Rope Operations course (see Section 141.369) or Rescue Specialist-Vertical II (see Section 141.358).~~
 - 2) Successful completion of a minimum of 40 instructional hours.
 - 3) Passage of the State written examination ~~(see Section 141.200).~~
 - 4) Passage of the State practical skills examinations ~~(see Sections 141.200 and 141.300(i)).~~
 - 5) Certification in Rope Operations.
 - 6) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a~~ fire protection personnel ~~person according to the Act,~~ as attested to by the employing Fire Chief of the individual seeking certification.

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- 7) Individuals certified as Rescue Specialist – Vertical II who seek to be a certified Rope Technician must complete an 8 hour bridge course by June 30, 2019 that includes a State written examination and State practical examination.
- b) Fire department or individual reimbursement may be received for training costs for Rope Technician (see Subpart E).
- c) A qualified instructor for this level must~~Special Instructor Requirements~~1) Instructor of Record shall be a certified as a Fire Service Instructor II (see Section 141.320) and Rope Technician.
- 12) There shall be a minimum of 2 instructors per course,~~one of whom is an Instructor of Record.~~ There shall be at least one instructor for each 6 students.
- 23) All other instructors on site shall be a certified~~a minimum of a~~ Fire Service Instructor I ~~(see Section 141.318)~~ and ~~certified as a~~ Rope Technician.
- d) The course and facility must be approved by the Division~~OSFM~~ as provided in Subpart B~~Sections 141.110 and 141.115.~~
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.372 Water Operations

Water Operations is designed to give fire service personnel the basic knowledge and skills to safely perform water rescues as defined by NFPA 1670.

- a) Prerequisites
- 1) Certification in ~~Technical Rescue Awareness (see Section 141.350) and Rope Operations (see Section 141.367).~~

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- 2) Successful completion of the Water Operations course. ~~Prerequisite for taking the Water Operations course is successful completion of the Technical Rescue Awareness course (see Section 141.350) and Rope Operations course (see Section 141.367).~~
 - 3) Passage of the State written examination. ~~(see Section 141.200)~~
 - 4) Passage of the State practical skills examinations ~~(see Sections 141.200 and 141.300(g)).~~
 - 5) Engagement ~~in firefighting in an organized Illinois fire department as Illinois~~ a fire protection personnel ~~person according to the Act~~, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for Water Operations (see Subpart E).
 - c) A qualified instructor for this level must ~~Special Instructor Requirements~~ 1) Instructor of Record shall be a certified as a Fire Service Instructor II (see Section 141.320) and certified in Water Operations.
 - 12) There shall be a minimum of two instructors per course, ~~one of whom is an Instructor of Record~~. There shall be at least one instructor for each six students.
 - 23) All other instructors on site shall be a certified ~~a minimum of~~ Fire Service Instructor I ~~(see Section 141.318)~~ and certified in Water Operations.
 - d) The course and facility must be approved by the Division ~~Office~~ as provided in Subpart B ~~Sections 141.110 and 141.115~~.
 - e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.373 Ice Technician (Repealed)

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~~Ice Technician is designed to give fire service personnel the basic knowledge and skills to safely perform ice water rescues as defined by NFPA 1006 and 1670.~~

- a) Prerequisites
 - 1) ~~Certification in Water Operations (see Section 141.372), completion and passage of the approved nationally published Ice Technician course designated by the Office, referenced to the appropriate NFPA Standard.~~
 - 2) ~~Engagement in firefighting in an organized Illinois fire department as a fire protection person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.~~
- b) ~~Reimbursement may be received for training costs for the Ice Technician course. (See Subpart E.)~~
- e) ~~The course objectives must be approved by the Office.~~
- d) ~~Credit for equivalent courses may be available in accordance with Section 141.120~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.374 Swiftwater Technician (Repealed)

~~Swiftwater Technician is designed to give fire service personnel the basic knowledge and skills to safely perform swiftwater rescues as defined by NFPA 1006 and 1670.~~

- a) Prerequisites
 - 1) ~~Certification in Water Operations (see Section 141.372), completion and passage of the approved nationally published Swiftwater Technician course designated by the Office, referenced to the appropriate NFPA Standard.~~
 - 2) ~~Engagement in firefighting in an organized Illinois fire department as a fire protection person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.~~

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- b) ~~Reimbursement may be received for training costs for the Swiftwater Technician course. (See Subpart E.)~~
- c) ~~The course objectives must be approved by the Office.~~
- d) ~~Credit for equivalent courses may be available in accordance with Section 141.120~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.375 Watercraft Technician

Watercraft Technician is designed to give fire service personnel the basic knowledge and skills to safely perform water rescues as defined by NFPA 1006 and 1670.

- a) Prerequisites
 - 1) Certification in Water Operations (~~see Section 141.372~~) and certification from an approved Illinois Department of Natural Resources or US Coast Guard on-line Boat Safety Course.
 - 2) Successful completion of a Watercraft Technician Course. Prerequisite for taking the Watercraft Technician course is successful completion ~~of the Water Operations course (see Section 141.372) and completion~~ of an approved Illinois Department of Natural Resources or US Coast Guard on-line Boat Safety Course.
 - 3) Passage of the State written examination (~~see Section 141.200~~).
 - 4) Passage of the State practical skills examinations (~~see Sections 141.200 and 141.300(g)~~).
 - 5) Engagement ~~in firefighting in an organized Illinois fire department as Illinois a~~-fire protection ~~personnel~~ person ~~according to the Act~~, as attested to by the employing Fire Chief of the individual seeking certification.
- b) Reimbursement may be received for training costs for the Watercraft Technician course. (~~see~~ See Subpart E.).

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- c) ~~A qualified instructor for this level must~~~~Special Instructor Requirements 1) Instructor of Record shall~~ be a certified ~~as a~~ Fire Service Instructor II ~~(see Section 141.320)~~ and Watercraft Technician.
- ~~12)~~ There shall be a minimum of 2~~two~~ instructors per course, ~~one of whom is an Instructor of Record~~. There shall be at least one instructor for each 6~~six~~ students.
- ~~23)~~ All other instructors on site shall be a certified, at a minimum, hold certification as a Fire Service Instructor I ~~(see Section 141.318)~~ and hold certification as a Watercraft Technician.
- d) The course and facility must be approved by the Division Office as provided in Subpart B Sections 141.110 and 141.115.
- e) Credit for equivalent courses may be available in accordance with Section 141.120.

(Source: Amended at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.376 Dive Technician (Repealed)

~~Dive Technician is designed to give fire service personnel the basic knowledge and skills to safely perform dive rescues as defined by NFPA 1006 and 1670.~~

- a) Prerequisites
- ~~1) Certification in Water Operations (see Section 141.372) and completion and passage of the approved nationally published Dive Technician course designated by the Office, referenced to the appropriate NFPA Standard.~~
- ~~2) Engagement in firefighting in an organized Illinois fire department as a fire protection person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.~~
- b) ~~Reimbursement may be received for training costs for the Dive Technician course. (See Subpart E.)~~
- c) ~~The course objectives must be approved by the Office.~~

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- d) ~~Credit for equivalent courses may be available in accordance with Section 141.120~~
- e) ~~Re-certification requirements:~~
 - 1) ~~Certification expires four years after the issuance date.~~
 - 2) ~~Current certification as a Dive Technician.~~
 - 3) ~~Completion of refresher training, completed annually, attested to by the employing Fire Chief. Records of the training will be retained in the fire department records.~~
 - A) ~~Fitness test defined by NFPA 1006 and 1670;~~
 - B) ~~NFPA Watermanship Skills as defined by NFPA 1006 and 1670;~~
 - C) ~~Basic Skills Evaluation—Pool Session as defined by NFPA 1006 and 1670; and~~
 - D) ~~Four documented Open Water Training Dives (to be defined by the authority having jurisdiction).~~
 - 4) ~~Application for re-certification, signed by the employing Fire Chief, verifying completion of annual required training.~~
 - 5) ~~If certification is not renewed within 90 days after the expiration date, the individual will be required to complete an approved Dive Technician course.~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

Section 141.377 Ice Dive Technician (Repealed)

~~Ice Dive Technician is designed to give fire service personnel the basic knowledge and skills to safely perform ice dive rescues as defined by NFPA 1006 and 1670.~~

- a) ~~Prerequisites~~

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- 1) ~~Certification in Water Operations (see Section 141.372), completion and passage of the approved nationally published Ice Dive Technician course designated by the Office, referenced to the appropriate NFPA Standard.~~
 - 2) ~~Engagement in firefighting in an organized Illinois fire department as a fire protection person according to the Act, as attested to by the employing Fire Chief of the individual seeking certification.~~
- b) ~~Reimbursement may be received for training costs for the Ice Dive Technician course. (See Subpart E.)~~
 - c) ~~The course objectives must be approved by the Office.~~
 - d) ~~Credit for equivalent courses may be available in accordance with Section 141.120.~~
 - e) ~~Re-certification requirements:~~
 - 1) ~~Certification expires four years after the issuance date.~~
 - 2) ~~Current certification as an Ice Dive Technician.~~
 - 3) ~~Completion of refresher training, completed annually, attested to by the employing Fire Chief. Records of the training will be retained in the fire department records.~~
 - A) ~~Fitness test defined by NFPA 1006 and 1670;~~
 - B) ~~NFPA Watermanship Skills as defined by NFPA 1006 and 1670;~~
 - C) ~~Basic Skills Evaluation—Pool Session as defined by NFPA 1006 and 1670; and~~
 - D) ~~Four documented Open Water Training Dives (to be defined by the authority having jurisdiction).~~
 - 4) ~~Application for re-certification, signed by the employing Fire Chief, verifying completion of annual required training.~~

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- 5) ~~If certification is not renewed within 90 days after the expiration date, the individual will be required to complete an approved Ice Dive Technician course.~~

(Source: Repealed at 41 Ill. Reg. 6594, effective August 1, 2017)

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- 1) Heading of the Part: Transitional Bilingual Education
- 2) Code Citation: 23 Ill. Adm. Code 228
- 3) Section Number: 228.10 Emergency Action:
Amendment
- 4) Statutory Authority: Implementing Article 14C and authorized by Section 2-3.39(1) of the School Code.
- 5) Effective Date of Rule: May 24, 2017
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency amendments will not expire before the end of the 150-day period.
- 7) Date Filed with the Index Department: May 24, 2017
- 8) A statement that 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) Reason for Emergency: The State Board of Education was made aware in March that the current screening instrument is being discontinued before the start of the 2017-18 school year. As a result, the normal agency rulemaking process would not allow the rules to be in place in time for registration.

It is essential for school districts to obtain a baseline assessment of potential English learners (ELs) in order to ensure the student receives the best possible services. Without a screening instrument, school districts will not be able to properly place these students. Additionally, using the emergency rulemaking process allows school districts to train their staff on the screening instrument before registration begins. If an EL is not properly screened by those trained in administering the instrument and placed in the proper setting, then it is less likely that the child will receive the necessary services and support while in school. Having the screening tool in place at the start of the 2017-18 school year allows schools to accurately assess potential ELs to make sure they are placed in a setting wherein the child will receive the appropriate supports as she or he is engaged in learning.

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Additionally, failing to adopt this rulemaking may also lead to school districts not meeting the federal requirement to administer a valid and reliable English language proficiency assessment to identify all ELs in a timely manner.

- 10) A Complete Description of the Subjects and Issues Involved: The proposed amendment update the definitions of "Prescribed Screening Instrument" and "English Language Proficiency Assessment" in the rules for Transitional Bilingual Education. The screening instrument is an assessment schools use to identify ELs and determine appropriate program placements for them. In March 2017 the Division of English Language Learning was made aware that the current screening instrument would no longer be available for use by school districts. ISBE has chosen WIDA Screener (2016) as the prescribed screening instrument and ACCESS for ELLs 2.0® as the English language proficiency assessment. Both assessment tools were created and maintained by the World-class Instructional Design and Assessment (WIDA) Consortium, Wisconsin Center for Education Research.

When parents move into a school district, they complete a home language survey that indicates what languages are spoken at home. Districts are required to screen students who come from a home where a language other than English is spoken. Potential ELs are assessed using the prescribed screener at the time they are initially enrolled in the district. Students who test below the state cut score for English proficiency are eligible for bilingual/English as a second language services and are placed in a Transitional Bilingual Education program or Transitional Program of Instruction. Each year after, these students take the state English language proficiency assessment (ACCESS for ELLs 2.0) to determine their proficiency level. When ELs reach the state proficiency level, they are transitioned into a general education classroom.

- 11) Are there any other rulemakings to this Part pending? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
228.10	Amendment	41 Ill. Reg. 6472; June 9, 2017

- 12) Statement of Statewide Policy Objective: This amendment aligns with the State Board goal of ensuring that all kindergartners are assessed for readiness, 90% or more of third-grade students are reading at or above grade level, 90% or more of fifth-grade students meet or exceed expectations in mathematics, 90% or more of ninth-grade students are on track to graduate with their cohort, and 90% or more of students graduate from high school ready for college and career.

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- 13) Information and questions regarding this rulemaking shall be directed to:

Lindsay M. Bentivegna
Agency Rules Coordinator
100 N. First St
Springfield IL 62777

217/782-5270
rules@isbe.net

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

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TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER f: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 228
TRANSITIONAL BILINGUAL EDUCATION

Section

228.5 Purpose and Applicability

228.10 Definitions

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228.15 Identification of Eligible Students

228.20 Student Language Classification Data

228.25 Program Options, Placement, and Assessment

228.27 Language Acquisition Services for Certain Students Exiting the Program

228.30 Establishment of Programs

228.35 Personnel Qualifications; Professional Development

228.40 Students' Participation; Records

228.50 Program Plan Approval and Reimbursement Procedures

228.60 Evaluation

AUTHORITY: Implementing Article 14C and authorized by Section 2-3.39(1) of the School Code [105 ILCS 5/Art. 14C and 2-3.39(1)].

SOURCE: Adopted May 28, 1976; codified at 8 Ill. Reg. 5176; Part repealed, new Part adopted at 11 Ill. Reg. 5969, effective March 23, 1987; amended at 17 Ill. Reg. 104, effective December 18, 1992; amended at 26 Ill. Reg. 898, effective January 15, 2002; amended at 27 Ill. Reg. 9996, effective June 20, 2003; amended at 30 Ill. Reg. 17434, effective October 23, 2006; amended at 34 Ill. Reg. 11581, effective July 26, 2010; amended at 35 Ill. Reg. 3735, effective February 17, 2011; amended at 35 Ill. Reg. 16870, effective September 29, 2011; amended at 37 Ill. Reg. 16803, effective October 2, 2013; amended at 38 Ill. Reg. 19757, effective September 29, 2014; amended at 39 Ill. Reg. 11125, effective July 23, 2015; emergency amendment at 41 Ill. Reg. 6687, effective May 24, 2017, for a maximum of 150 days.

Section 228.10 DefinitionsEMERGENCY

"English as a Second Language" or "ESL" means specialized instruction designed

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to assist students whose home language is other than English in attaining English language proficiency. ESL instruction includes skills development in listening, speaking, reading, and writing. (ESL is not to be confused with English language arts as taught to students whose home language is English.)

"English Language Development Standards" means either the:

"2012 Amplification of English Language Development Standards Kindergarten-Grade 12" (2012) for students in kindergarten and grades 1 through 12 published by the Board of Regents of the University of Wisconsin System on behalf of the World-class Instructional Design and Assessment (WIDA) Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 and posted at <http://wida.us/standards/eld.aspx> (no later amendments to or editions of these standards are incorporated); or

"Early English Language Development Standards Ages 2.5-5.5 2013 Edition" (2013) for students in preschool education programs published by the Board of Regents of the University of Wisconsin System on behalf of the WIDA Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 and posted at <http://www.wida.us/standards/eeld.aspx> (no later amendments to or editions of these standards are incorporated).

"English Language Proficiency Assessment" means the ACCESS for ELLs[®] (WIDA Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706 (2006)).

"English Learners" means any student in preschool, kindergarten or any of grades 1 through 12, whose home language background is a language other than English and whose proficiency in speaking, reading, writing, or understanding English is not yet sufficient to provide the student with:

the ability to meet the State's proficient level of achievement on State assessments;

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the ability to successfully achieve in classrooms where the language of instruction is English; or

the opportunity to participate fully in the school setting.

For the purposes of this Part, the terms "limited English proficient student" and "students with limited English proficiency", as used in Article 14C of the School Code, are understood to be "English learners".

"Home Language" means that language normally used in the home by the student and/or by the student's parents or legal guardians.

"Language Background other than English" means that the home language of a student in preschool, kindergarten or any of grades 1 through 12, whether born in the United States or born elsewhere, is other than English or that the student comes from a home where a language other than English is spoken by the student, ~~or by~~ his or her parents or legal guardians, or ~~by~~ anyone who resides in the student's household.

"Preschool Program" means instruction provided to children who are ages 3 up to but not including those of kindergarten enrollment age as defined in Section 10-20.12 of the School Code [105 ILCS 5/10-20.12] in any program administered by a school district, regardless of whether the program is provided in an attendance center or a non-school-based facility.

"Prescribed Screening Instrument" means the:

WIDA ~~Screener (2016)~~~~ACCESS Placement Test (W-APT™) (2013)~~ for students in the second semester of grade 1 or in grades 2 through 12 (WIDA Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23, Madison WI 53706) and accessible at: <https://www.wida.us/assessment/Screening/and> <http://www.wida.us/assessment/W-APT/>; or

Measure of Developing English Language (MODEL™) (2008) for students in kindergarten ~~through~~ or the first semester of grade 1 (WIDA Consortium, Wisconsin Center for Education Research (WCER), University of Wisconsin-Madison, 1025 West Johnson Street, MD#23,

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Madison WI 53706); ~~this instrument also may be used for students in the second semester of grade 1 through grade 12.~~

"Prescribed Screening Procedures" means the procedures that a school district determines to be appropriate to assess a preschool student's level of English language proficiency (minimally in the domains of speaking and listening), in order to determine whether the student is eligible to receive bilingual education services. The procedures may include, without limitation, established screening instruments or other procedures provided that they are research-based. Further, screening procedures shall at least:

Be age and developmentally appropriate;

Be culturally and linguistically appropriate for the children being screened;

Include one or more observations using culturally and linguistically appropriate tools;

Use multiple measures and methods (e.g., home language assessments; verbal and nonverbal procedures; various activities, settings, and personal interactions);

Involve family by seeking information and insight to help guide the screening process without involving them in the formal assessment or interpretation of results; and

Involve staff who are knowledgeable about preschool education, child development, and first and second language acquisition.

"School District" means a public school district established under Article 10 or Article 34 of the School Code [105 ILCS 5/~~Art. 10 or 34~~] or a charter school established under Article 27A of the School Code [105 ILCS 5/~~Art. 27A~~].

"Sheltered Content Instruction" means instruction that is generally intended for English learners who demonstrate intermediate or advanced English proficiency and consists of adapting the language used in the particular subject to the student's English proficiency level to assist the student in understanding the content of the subject area and acquiring the knowledge and skills presented.

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(Source: Amended by emergency rulemaking at 41 Ill. Reg. 6687, effective May 24, 2017, for a maximum of 150 days)

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- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3)

<u>Section Numbers:</u>	<u>Peremptory Actions:</u>
310.APPENDIX A TABLE L	Amendment
310.APPENDIX A TABLE W	Amendment
- 4) Reference to the Specific State or Federal Court Order, Federal Rule or Statute which Requires this Peremptory Rulemaking: The Department of Central Management Services (CMS) is amending the Pay Plan (80 Ill. Adm. Code 310) Section 310.Appendix A Table L to reflect three prior agreements and a Negotiated Prevailing Wage Certification Form for the Boiler Safety Specialist title's positions in the Northern Region received April 25, 2017. The first prior agreement is the Agreement between CMS and the International Brotherhood of Boiler Makers - Iron Shipbuilders, Blacksmiths, Forgers, and Helpers was signed March 12, 2014 and effective July 1, 2012 through June 30, 2015. The agreement states that the Illinois Department of Labor shall notify CMS of the certified prevailing rate. The agreement states that, effective January 1, 2006, the Boiler Safety Specialist title shall be paid an additional 4% above the prevailing rate for the employees on the standard pension formula or an additional 5.5% above the prevailing rate established for the employees on the alternative pension formula. The agreement states that effective December 1, 2013, newly hired employees shall be paid the appropriate prevailing rate, which means paid without the additional 4% above the prevailing rate for the employees on the standard pension formula or the additional 5.5% above the prevailing rate for the employees on the alternative pension formula. The agreement states that, while in positions in maximum security institutions, the employee who has seven or more years of continuous service with the Department of Corrections receives a \$50.00 adjustment a month that is applied as an additional \$0.29 per hour.

The second prior agreement is the Agreement between the Department of Central Management Services of the State of Illinois and the International Brotherhood of Boilermakers - Iron Shipbuilders, Blacksmiths, Forgers, and Helpers effective July 1, 2015 through June 30, 2019 with an unknown signing date. The agreement contained the first agreement's above provisions except that the rate certification process changed, no longer involving the Department of Labor.

The third prior agreement is the Memorandum of Agreement between the State of Illinois and the International Brotherhood of Boilermakers - Iron Shipbuilders, Blacksmiths, Forgers, and Helpers signed June 22, 2016. The agreement establishes each rate for the

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Boiler Safety Audit Specialist title at 4.5% above that of the corresponding rate for the Boiler Safety Specialist title. Corresponding refers to the rate's region, Pay Plan Code and when the employee was hired.

CMS is amending the Pay Plan Section 310.Appendix A Table W to reflect the Memorandum of Understanding between the State of Illinois and the American Federation of State, County and Municipal Employees (AFSCME) for positions at the Historic Preservation Agency allocated to the Museum Theater Systems Technician title signed May 4, 2017. The positions at the Historic Preservation Agency allocated to the Museum Theater Systems Technician title are assigned to the pay grade RC-062-15 effective February 17, 2017. On that date, the Illinois Labor Relations Board issued a Certification of Unit Clarification (Case No. S-UC-(S)-17-061) to include the Museum Theater Systems Technician (employed at Historic Preservation Agency) in the existing RC-062 bargaining unit. The Museum Theater Systems Technician title was established as approved by the Civil Service Commission effective March 1, 2017.

- 5) Statutory Authority: Authorized by Sections 8, 8a and 9(7) of the Personnel Code [20 ILCS 415/8, 20 ILCS 415/8a and 20 ILCS 415/9(7)], subsection (d) of Section 1-5 of the Illinois Administrative Procedure Act [5 ILCS 100/1-5(d)] and by Sections 4, 6, 15 and 21 of the Illinois Public Labor Relations Act [5 ILCS 315/4, 5 ILCS 315/6, 5 ILCS 315/15 and 5 ILCS 315/21].
- 6) Effective Date: May 24, 2017
- 7) A Complete Description of the Subjects and Issues Involved: In Section 310.Appendix A Table L and the combined title and rate table, the monthly rates for the Boiler Safety Audit Specialist and Boiler Safety Specialist titles' positions in the Northern Region are updated effective May 1, 2017 in additional table rows.

In Section 310.Appendix A Table W and its title table, the Museum Theater Systems Technician title at the Historic Preservation Agency is added with its title code 28700 and its pay grade RC-062-15.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Date Filed with the Index Department: May 24, 2017
- 10) This and other Pay Plan amendments are available in the Division of Technical Services of the Bureau of Personnel.

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11) Is this in compliance with Section 5-50 of the Illinois Administrative Procedure Act?
Yes

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

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citation:</u>
310.47	Amendment	41 Ill. Reg. 3632; March 31, 2017
310.50	Amendment	41 Ill. Reg. 3632; March 31, 2017
310.130	Amendment	41 Ill. Reg. 3632; March 31, 2017
310.410	Amendment	41 Ill. Reg. 3632; March 31, 2017
310.500	Amendment	41 Ill. Reg. 3632; March 31, 2017
310.Appendix A Table I	Amendment	41 Ill. Reg. 3632; March 31, 2017
310.Appendix A Table L	Amendment	41 Ill. Reg. 3632; March 31, 2017
310.Appendix A Table P	Amendment	41 Ill. Reg. 3632; March 31, 2017
310.Appendix A Table S	Amendment	41 Ill. Reg. 3632; March 31, 2017
310.Appendix A Table W	Amendment	41 Ill. Reg. 3632; March 31, 2017
310.Appendix A Table X	Amendment	41 Ill. Reg. 3632; March 31, 2017

13) Statement of Statewide Policy Objective: The amendments to the Pay Plan affect only the employees subject to the Personnel Code and do not set out any guidelines that affect local or other jurisdictions in the State.

14) Information and questions regarding these preemptory amendments shall be directed to:

Mr. Jason Doggett
 Manager
 Compensation Section
 Division of Technical Services
 Bureau of Personnel
 Department of Central Management Services
 503 William G. Stratton Building
 Springfield IL 62706

217/524-1055
 fax: 217/558-4497
 CMS.PayPlan@Illinois.gov

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

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NOTICE OF PEREMPTORY AMENDMENTS

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310
PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.45	Comparison of Pay Grades or Salary Ranges Assigned to Classifications
310.47	In-Hire Rate
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes (Repealed)
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate (Repealed)
310.240	Daily or Hourly Rate Conversion
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate

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310.270	Legislated Rate (Repealed)
310.280	Designated Rate
310.290	Out-of-State Rate (Repealed)
310.295	Foreign Service Rate (Repealed)
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections (Repealed)
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

Section	
310.410	Jurisdiction
310.415	Merit Compensation Salary Range Assignments
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases and Bonuses
310.455	Intermittent Merit Increase (Repealed)
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units (Repealed)
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase and Bonus Guidechart
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)
310.560	Merit Incentive Program
310.570	Gain Sharing Program

SUBPART D: FROZEN NEGOTIATED-RATES-OF-PAY DUE TO
FISCAL YEAR APPROPRIATIONS AND EXPIRED SALARY SCHEDULES IN
COLLECTIVE BARGAINING UNIT AGREEMENTS

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Section

310.600	Jurisdiction (Repealed)
310.610	Pay Schedules (Repealed)
310.620	In-Hiring Rate (Repealed)
310.630	Definitions (Repealed)
310.640	Increases in Pay (Repealed)
310.650	Other Pay Provisions (Repealed)
310.660	Effective Date (Repealed)
310.670	Negotiated Rate (Repealed)
310.680	Trainee Rate (Repealed)
310.690	Educator Schedule for Frozen RC-063 and Frozen HR-010 (Repealed)
310.APPENDIX A	Negotiated Rates of Pay
310.TABLE A	RC-104 (Conservation Police Supervisors, Illinois Fraternal Order of Police Labor Council)
310.TABLE B	VR-706 (Assistant Automotive Shop Supervisors, Automotive Shop Supervisors and Meat and Poultry Inspector Supervisors, Laborers' – ISEA Local #2002)
310.TABLE C	RC-056 (Site Superintendents and Departments of Veterans' Affairs, Natural Resources, Human Services and Agriculture and Historic Preservation Agency Managers, IFPE)
310.TABLE D	HR-001 (Teamsters Local #700)
310.TABLE E	RC-020 (Teamsters Locals #330 and #705)
310.TABLE F	RC-019 (Teamsters Local #25)
310.TABLE G	RC-045 (Automotive Mechanics, IFPE)
310.TABLE H	RC-006 (Corrections Employees, AFSCME)
310.TABLE I	RC-009 (Institutional Employees, AFSCME)
310.TABLE J	RC-014 (Clerical Employees, AFSCME)
310.TABLE K	RC-023 (Registered Nurses, INA)
310.TABLE L	RC-008 (Boilermakers)
310.TABLE M	RC-110 (Conservation Police Lodge)
310.TABLE N	RC-010 (Professional Legal Unit, AFSCME)
310.TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)
310.TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, Meat and Poultry Inspectors and Meat and Poultry Inspector Trainees, IFPE)
310.TABLE Q	RC-033 (Meat Inspectors, IFPE) (Repealed)
310.TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)
310.TABLE S	VR-704 (Departments of Corrections, Financial and Professional

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	Regulation, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002)
310.TABLE T	HR-010 (Teachers of Deaf, IFT)
310.TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)
310.TABLE V	CU-500 (Corrections Meet and Confer Employees)
310.TABLE W	RC-062 (Technical Employees, AFSCME)
310.TABLE X	RC-063 (Professional Employees, AFSCME)
310.TABLE Y	RC-063 (Educators, Educator Trainees, Juvenile Justice School Counselors and Special Education Resources Coordinators, AFSCME)
310.TABLE Z	RC-063 (Physicians, AFSCME)
310.TABLE AA	NR-916 (Departments of Central Management Services, Natural Resources and Transportation, Teamsters)
310.TABLE AB	RC-150 (Public Service Administrators Option 6, AFSCME) (Repealed)
310.TABLE AC	RC-036 (Public Service Administrators Option 8L Department of Healthcare and Family Services, INA)
310.TABLE AD	RC-184 (Blasting Experts, Blasting Specialists and Blasting Supervisors Department of Natural Resources, SEIU Local 73)
310.TABLE AE	RC-090 (Internal Security Investigators, Metropolitan Alliance of Police Chapter 294)
310.APPENDIX B	Frozen Negotiated-Rates-of-Pay (Repealed)
310.TABLE A	Frozen RC-104-Rates-of-Pay (Conservation Police Supervisors, Laborers' – ISEA Local #2002) (Repealed)
310.TABLE C	Frozen RC-056-Rates-of-Pay (Site Superintendents and Departments of Veterans' Affairs, Natural Resources, Human Services and Agriculture and Historic Preservation Agency Managers, IFPE) (Repealed)
310.TABLE H	Frozen RC-006-Rates-of-Pay (Corrections Employees, AFSCME) (Repealed)
310.TABLE I	Frozen RC-009-Rates-of-Pay (Institutional Employees, AFSCME) (Repealed)
310.TABLE J	Frozen RC-014-Rates-of-Pay (Clerical Employees, AFSCME) (Repealed)
310.TABLE K	Frozen RC-023-Rates-of-Pay (Registered Nurses, INA) (Repealed)
310.TABLE M	Frozen RC-110-Rates-of-Pay (Conservation Police Lodge) (Repealed)
310.TABLE N	Frozen RC-010 (Professional Legal Unit, AFSCME) (Repealed)
310.TABLE O	Frozen RC-028-Rates-of-Pay (Paraprofessional Human Services Employees, AFSCME) (Repealed)

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310.TABLE P	Frozen RC-029-Rates-of-Pay (Paraprofessional Investigatory and Law Enforcement Employees, IFPE) (Repealed)
310.TABLE R	Frozen RC-042-Rates-of-Pay (Residual Maintenance Workers, AFSCME) (Repealed)
310.TABLE S	Frozen VR-704-Rates-of-Pay (Departments of Corrections, Financial and Professional Regulation, Juvenile Justice and State Police Supervisors, Laborers' – ISEA Local #2002) (Repealed)
310.TABLE T	Frozen HR-010-Rates-of-Pay (Teachers of Deaf, IFT) (Repealed)
310.TABLE V	Frozen CU-500-Rates-of-Pay (Corrections Meet and Confer Employees) (Repealed)
310.TABLE W	Frozen RC-062-Rates-of-Pay (Technical Employees, AFSCME) (Repealed)
310.TABLE X	Frozen RC-063-Rates-of-Pay (Professional Employees, AFSCME) (Repealed)
310.TABLE Y	Frozen RC-063-Rates-of-Pay (Educators and Educator Trainees, AFSCME) (Repealed)
310.TABLE Z	Frozen RC-063-Rates-of-Pay (Physicians, AFSCME) (Repealed)
310.TABLE AB	Frozen RC-150-Rates-of-Pay (Public Service Administrators Option 6, AFSCME) (Repealed)
310.TABLE AD	Frozen RC-184-Rates-of-Pay (Public Service Administrators Option 8X Department of Natural Resources, SEIU Local 73) (Repealed)
310.TABLE AE	Frozen RC-090-Rates-of-Pay (Internal Security Investigators, Metropolitan Alliance of Police Chapter 294) (Repealed)
310.APPENDIX C	Comparison of Pay Grades or Salary Ranges Assigned to Classifications
310.ILLUSTRATION A	Classification Comparison Flow Chart: Both Classes are Whole
310.ILLUSTRATION B	Classification Comparison Flow Chart: One Class is Whole and One is Divided
310.ILLUSTRATION C	Classification Comparison Flow Chart: Both Classes are Divided
310.APPENDIX D	Merit Compensation System Salary Schedule
310.APPENDIX E	Teaching Salary Schedule (Repealed)
310.APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
310.APPENDIX G	Broad-Band Pay Range Classes Salary Schedule

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

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SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 3230, effective January 24, 1986; preemptory amendment at 10 Ill. Reg. 3325, effective January 22, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 13675, effective July 31, 1986; preemptory amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; preemptory amendment at 10 Ill. Reg. 19132, effective October 28, 1986; preemptory amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill. Reg. 648, effective December 22, 1986; preemptory amendment at 11 Ill. Reg. 3363, effective February 3, 1987; preemptory amendment at 11 Ill. Reg. 4388, effective February 27, 1987; preemptory amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; preemptory amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; preemptory amendment at 11 Ill. Reg. 15273, effective September 1, 1987; preemptory amendment at 11 Ill. Reg. 17919, effective October 19, 1987; preemptory amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; preemptory

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amendment at 12 Ill. Reg. 3811, effective January 27, 1988; preemptory amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 7783, effective April 14, 1988; preemptory amendment at 12 Ill. Reg. 8135, effective April 22, 1988; preemptory amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; preemptory amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; preemptory amendment at 12 Ill. Reg. 20584, effective November 28, 1988; preemptory amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; preemptory amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; preemptory amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; preemptory amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; preemptory amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired February 8, 1991; corrected at 14 Ill. Reg. 16092; preemptory amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; preemptory amendment at 14 Ill. Reg. 18854, effective November 13, 1990; preemptory amendment at 15 Ill. Reg. 663, effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; preemptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; preemptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; preemptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; preemptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239,

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effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; preemptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 1819, effective February 2, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 22514, effective December 15, 1993; amended at 18 Ill. Reg. 227, effective December 17, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; preemptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; preemptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16545, effective October 31, 1994; preemptory amendment at 18 Ill. Reg. 16708, effective October 28, 1994; amended at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; preemptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; preemptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; preemptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; preemptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; preemptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; preemptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; preemptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; preemptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; preemptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; preemptory amendment at 20

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Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; preemptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; preemptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; preemptory amendment at 21 Ill. Reg. 15030, effective November 10, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; preemptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; preemptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; preemptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; preemptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; preemptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; preemptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; preemptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; preemptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; preemptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; preemptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective August 31, 1998; preemptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; preemptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; preemptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; preemptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; preemptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; preemptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020, effective November 15, 1999; amended at 24 Ill. Reg. 1025, effective January 7, 2000; preemptory amendment at 24 Ill. Reg. 3399, effective February 3, 2000; amended at 24 Ill. Reg. 3537, effective February 18, 2000; amended at 24 Ill. Reg. 6874, effective April 21, 2000; amended at 24 Ill. Reg. 7956, effective May 23, 2000; emergency amendment at 24 Ill. Reg. 10328, effective July 1, 2000, for a maximum of 150 days; emergency expired November 27, 2000; preemptory amendment at 24 Ill. Reg. 10767, effective July 3, 2000; amended at 24 Ill. Reg. 13384, effective August 17, 2000; preemptory amendment at 24 Ill. Reg. 14460, effective September 14, 2000;

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peremptory amendment at 24 Ill. Reg. 16700, effective October 30, 2000; peremptory amendment at 24 Ill. Reg. 17600, effective November 16, 2000; amended at 24 Ill. Reg. 18058, effective December 4, 2000; peremptory amendment at 24 Ill. Reg. 18444, effective December 1, 2000; amended at 25 Ill. Reg. 811, effective January 4, 2001; amended at 25 Ill. Reg. 2389, effective January 22, 2001; amended at 25 Ill. Reg. 4552, effective March 14, 2001; peremptory amendment at 25 Ill. Reg. 5067, effective March 21, 2001; amended at 25 Ill. Reg. 5618, effective April 4, 2001; amended at 25 Ill. Reg. 6655, effective May 11, 2001; amended at 25 Ill. Reg. 7151, effective May 25, 2001; peremptory amendment at 25 Ill. Reg. 8009, effective June 14, 2001; emergency amendment at 25 Ill. Reg. 9336, effective July 3, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 9846, effective July 23, 2001; amended at 25 Ill. Reg. 12087, effective September 6, 2001; amended at 25 Ill. Reg. 15560, effective November 20, 2001; peremptory amendment at 25 Ill. Reg. 15671, effective November 15, 2001; amended at 25 Ill. Reg. 15974, effective November 28, 2001; emergency amendment at 26 Ill. Reg. 223, effective December 21, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 1143, effective January 17, 2002; amended at 26 Ill. Reg. 4127, effective March 5, 2002; peremptory amendment at 26 Ill. Reg. 4963, effective March 15, 2002; amended at 26 Ill. Reg. 6235, effective April 16, 2002; emergency amendment at 26 Ill. Reg. 7314, effective April 29, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 10425, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10952, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13934, effective September 10, 2002; amended at 26 Ill. Reg. 14965, effective October 7, 2002; emergency amendment at 26 Ill. Reg. 16583, effective October 24, 2002, for a maximum of 150 days; emergency expired March 22, 2003; peremptory amendment at 26 Ill. Reg. 17280, effective November 18, 2002; amended at 26 Ill. Reg. 17374, effective November 25, 2002; amended at 26 Ill. Reg. 17987, effective December 9, 2002; amended at 27 Ill. Reg. 3261, effective February 11, 2003; expedited correction at 28 Ill. Reg. 6151, effective February 11, 2003; amended at 27 Ill. Reg. 8855, effective May 15, 2003; amended at 27 Ill. Reg. 9114, effective May 27, 2003; emergency amendment at 27 Ill. Reg. 10442, effective July 1, 2003, for a maximum of 150 days; emergency expired November 27, 2003; peremptory amendment at 27 Ill. Reg. 17433, effective November 7, 2003; amended at 27 Ill. Reg. 18560, effective December 1, 2003; peremptory amendment at 28 Ill. Reg. 1441, effective January 9, 2004; amended at 28 Ill. Reg. 2684, effective January 22, 2004; amended at 28 Ill. Reg. 6879, effective April 30, 2004; peremptory amendment at 28 Ill. Reg. 7323, effective May 10, 2004; amended at 28 Ill. Reg. 8842, effective June 11, 2004; peremptory amendment at 28 Ill. Reg. 9717, effective June 28, 2004; amended at 28 Ill. Reg. 12585, effective August 27, 2004; peremptory amendment at 28 Ill. Reg. 13011, effective September 8, 2004; peremptory amendment at 28 Ill. Reg. 13247, effective September 20, 2004; peremptory amendment at 28 Ill. Reg. 13656, effective September 27, 2004; emergency amendment at 28 Ill. Reg. 14174, effective October 15, 2004, for a maximum of 150 days; emergency expired March 13, 2005; peremptory amendment at 28 Ill. Reg. 14689, effective October 22, 2004; peremptory amendment at 28 Ill. Reg. 15336, effective

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November 15, 2004; preemptory amendment at 28 Ill. Reg. 16513, effective December 9, 2004; preemptory amendment at 29 Ill. Reg. 726, effective December 15, 2004; amended at 29 Ill. Reg. 1166, effective January 7, 2005; preemptory amendment at 29 Ill. Reg. 1385, effective January 4, 2005; preemptory amendment at 29 Ill. Reg. 1559, effective January 11, 2005; preemptory amendment at 29 Ill. Reg. 2050, effective January 19, 2005; preemptory amendment at 29 Ill. Reg. 4125, effective February 23, 2005; amended at 29 Ill. Reg. 5375, effective April 4, 2005; preemptory amendment at 29 Ill. Reg. 6105, effective April 14, 2005; preemptory amendment at 29 Ill. Reg. 7217, effective May 6, 2005; preemptory amendment at 29 Ill. Reg. 7840, effective May 10, 2005; amended at 29 Ill. Reg. 8110, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8214, effective May 23, 2005; preemptory amendment at 29 Ill. Reg. 8418, effective June 1, 2005; amended at 29 Ill. Reg. 9319, effective July 1, 2005; preemptory amendment at 29 Ill. Reg. 12076, effective July 15, 2005; preemptory amendment at 29 Ill. Reg. 13265, effective August 11, 2005; amended at 29 Ill. Reg. 13540, effective August 22, 2005; preemptory amendment at 29 Ill. Reg. 14098, effective September 2, 2005; amended at 29 Ill. Reg. 14166, effective September 9, 2005; amended at 29 Ill. Reg. 19551, effective November 21, 2005; emergency amendment at 29 Ill. Reg. 20554, effective December 2, 2005, for a maximum of 150 days; preemptory amendment at 29 Ill. Reg. 20693, effective December 12, 2005; preemptory amendment at 30 Ill. Reg. 623, effective December 28, 2005; preemptory amendment at 30 Ill. Reg. 1382, effective January 13, 2006; amended at 30 Ill. Reg. 2289, effective February 6, 2006; preemptory amendment at 30 Ill. Reg. 4157, effective February 22, 2006; preemptory amendment at 30 Ill. Reg. 5687, effective March 7, 2006; preemptory amendment at 30 Ill. Reg. 6409, effective March 30, 2006; amended at 30 Ill. Reg. 7857, effective April 17, 2006; amended at 30 Ill. Reg. 9438, effective May 15, 2006; preemptory amendment at 30 Ill. Reg. 10153, effective May 18, 2006; preemptory amendment at 30 Ill. Reg. 10508, effective June 1, 2006; amended at 30 Ill. Reg. 11336, effective July 1, 2006; emergency amendment at 30 Ill. Reg. 12340, effective July 1, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 12418, effective July 1, 2006; amended at 30 Ill. Reg. 12761, effective July 17, 2006; preemptory amendment at 30 Ill. Reg. 13547, effective August 1, 2006; preemptory amendment at 30 Ill. Reg. 15059, effective September 5, 2006; preemptory amendment at 30 Ill. Reg. 16439, effective September 27, 2006; emergency amendment at 30 Ill. Reg. 16626, effective October 3, 2006, for a maximum of 150 days; preemptory amendment at 30 Ill. Reg. 17603, effective October 20, 2006; amended at 30 Ill. Reg. 18610, effective November 20, 2006; preemptory amendment at 30 Ill. Reg. 18823, effective November 21, 2006; preemptory amendment at 31 Ill. Reg. 230, effective December 20, 2006; emergency amendment at 31 Ill. Reg. 1483, effective January 1, 2007, for a maximum of 150 days; preemptory amendment at 31 Ill. Reg. 2485, effective January 17, 2007; preemptory amendment at 31 Ill. Reg. 4445, effective February 28, 2007; amended at 31 Ill. Reg. 4982, effective March 15, 2007; preemptory amendment at 31 Ill. Reg. 7338, effective May 3, 2007; amended at 31 Ill. Reg. 8901, effective July 1, 2007; emergency amendment at 31 Ill. Reg. 10056, effective July 1, 2007, for a maximum of 150 days;

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peremptory amendment at 31 Ill. Reg. 10496, effective July 6, 2007; peremptory amendment at 31 Ill. Reg. 12335, effective August 9, 2007; emergency amendment at 31 Ill. Reg. 12608, effective August 16, 2007, for a maximum of 150 days; emergency amendment at 31 Ill. Reg. 13220, effective August 30, 2007, for a maximum of 150 days; peremptory amendment at 31 Ill. Reg. 13357, effective August 29, 2007; amended at 31 Ill. Reg. 13981, effective September 21, 2007; peremptory amendment at 31 Ill. Reg. 14331, effective October 1, 2007; amended at 31 Ill. Reg. 16094, effective November 20, 2007; amended at 31 Ill. Reg. 16792, effective December 13, 2007; peremptory amendment at 32 Ill. Reg. 598, effective December 27, 2007; amended at 32 Ill. Reg. 1082, effective January 11, 2008; peremptory amendment at 32 Ill. Reg. 3095, effective February 13, 2008; peremptory amendment at 32 Ill. Reg. 6097, effective March 25, 2008; peremptory amendment at 32 Ill. Reg. 7154, effective April 17, 2008; expedited correction at 32 Ill. Reg. 9747, effective April 17, 2008; peremptory amendment at 32 Ill. Reg. 9360, effective June 13, 2008; amended at 32 Ill. Reg. 9881, effective July 1, 2008; peremptory amendment at 32 Ill. Reg. 12065, effective July 9, 2008; peremptory amendment at 32 Ill. Reg. 13861, effective August 8, 2008; peremptory amendment at 32 Ill. Reg. 16591, effective September 24, 2008; peremptory amendment at 32 Ill. Reg. 16872, effective October 3, 2008; peremptory amendment at 32 Ill. Reg. 18324, effective November 14, 2008; peremptory amendment at 33 Ill. Reg. 98, effective December 19, 2008; amended at 33 Ill. Reg. 2148, effective January 26, 2009; peremptory amendment at 33 Ill. Reg. 3530, effective February 6, 2009; peremptory amendment at 33 Ill. Reg. 4202, effective February 26, 2009; peremptory amendment at 33 Ill. Reg. 5501, effective March 25, 2009; peremptory amendment at 33 Ill. Reg. 6354, effective April 15, 2009; peremptory amendment at 33 Ill. Reg. 6724, effective May 1, 2009; peremptory amendment at 33 Ill. Reg. 9138, effective June 12, 2009; emergency amendment at 33 Ill. Reg. 9432, effective July 1, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 10211, effective July 1, 2009; peremptory amendment at 33 Ill. Reg. 10823, effective July 2, 2009; peremptory amendment at 33 Ill. Reg. 11082, effective July 10, 2009; peremptory amendment at 33 Ill. Reg. 11698, effective July 23, 2009; peremptory amendment at 33 Ill. Reg. 11895, effective July 31, 2009; peremptory amendment at 33 Ill. Reg. 12872, effective September 3, 2009; amended at 33 Ill. Reg. 14944, effective October 26, 2009; peremptory amendment at 33 Ill. Reg. 16598, effective November 13, 2009; peremptory amendment at 34 Ill. Reg. 305, effective December 18, 2009; emergency amendment at 34 Ill. Reg. 957, effective January 1, 2010, for a maximum of 150 days; peremptory amendment at 34 Ill. Reg. 1425, effective January 5, 2010; peremptory amendment at 34 Ill. Reg. 3684, effective March 5, 2010; peremptory amendment at 34 Ill. Reg. 5776, effective April 2, 2010; peremptory amendment at 34 Ill. Reg. 6214, effective April 16, 2010; amended at 34 Ill. Reg. 6583, effective April 30, 2010; peremptory amendment at 34 Ill. Reg. 7528, effective May 14, 2010; amended at 34 Ill. Reg. 7645, effective May 24, 2010; peremptory amendment at 34 Ill. Reg. 7947, effective May 26, 2010; peremptory amendment at 34 Ill. Reg. 8633, effective June 18, 2010; amended at 34 Ill. Reg. 9759, effective July 1, 2010; peremptory amendment at 34 Ill. Reg. 10536, effective

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July 9, 2010; preemptory amendment at 34 Ill. Reg. 11864, effective July 30, 2010; emergency amendment at 34 Ill. Reg. 12240, effective August 9, 2010, for a maximum of 150 days; preemptory amendment at 34 Ill. Reg. 13204, effective August 26, 2010; preemptory amendment at 34 Ill. Reg. 13657, effective September 8, 2010; preemptory amendment at 34 Ill. Reg. 15897, effective September 30, 2010; preemptory amendment at 34 Ill. Reg. 18912, effective November 15, 2010; preemptory amendment at 34 Ill. Reg. 19582, effective December 3, 2010; amended at 35 Ill. Reg. 765, effective December 30, 2010; emergency amendment at 35 Ill. Reg. 1092, effective January 1, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 2465, effective January 19, 2011; preemptory amendment at 35 Ill. Reg. 3577, effective February 10, 2011; emergency amendment at 35 Ill. Reg. 4412, effective February 23, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 4803, effective March 11, 2011; emergency amendment at 35 Ill. Reg. 5633, effective March 15, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 5677, effective March 18, 2011; amended at 35 Ill. Reg. 8419, effective May 23, 2011; amended at 35 Ill. Reg. 11245, effective June 28, 2011; emergency amendment at 35 Ill. Reg. 11657, effective July 1, 2011, for a maximum of 150 days; emergency expired November 27, 2011; preemptory amendment at 35 Ill. Reg. 12119, effective June 29, 2011; preemptory amendment at 35 Ill. Reg. 13966, effective July 29, 2011; preemptory amendment at 35 Ill. Reg. 15178, effective August 29, 2011; emergency amendment at 35 Ill. Reg. 15605, effective September 16, 2011, for a maximum of 150 days; preemptory amendment at 35 Ill. Reg. 15640, effective September 15, 2011; preemptory amendment at 35 Ill. Reg. 19707, effective November 23, 2011; amended at 35 Ill. Reg. 20144, effective December 6, 2011; amended at 36 Ill. Reg. 153, effective December 22, 2011; preemptory amendment at 36 Ill. Reg. 564, effective December 29, 2011; preemptory amendment at 36 Ill. Reg. 3957, effective February 24, 2012; preemptory amendment at 36 Ill. Reg. 4158, effective March 5, 2012; preemptory amendment at 36 Ill. Reg. 4437, effective March 9, 2012; amended at 36 Ill. Reg. 4707, effective March 19, 2012; amended at 36 Ill. Reg. 8460, effective May 24, 2012; preemptory amendment at 36 Ill. Reg. 10518, effective June 27, 2012; emergency amendment at 36 Ill. Reg. 11222, effective July 1, 2012, for a maximum of 150 days; preemptory amendment at 36 Ill. Reg. 13680, effective August 15, 2012; preemptory amendment at 36 Ill. Reg. 13973, effective August 22, 2012; preemptory amendment at 36 Ill. Reg. 15498, effective October 16, 2012; amended at 36 Ill. Reg. 16213, effective November 1, 2012; preemptory amendment at 36 Ill. Reg. 17138, effective November 20, 2012; preemptory amendment at 37 Ill. Reg. 3408, effective March 7, 2013; amended at 37 Ill. Reg. 4750, effective April 1, 2013; preemptory amendment at 37 Ill. Reg. 5925, effective April 18, 2013; preemptory amendment at 37 Ill. Reg. 9563, effective June 19, 2013; amended at 37 Ill. Reg. 9939, effective July 1, 2013; emergency amendment at 37 Ill. Reg. 11395, effective July 1, 2013, for a maximum of 150 days; preemptory amendment at 37 Ill. Reg. 11524, effective July 3, 2013; preemptory amendment at 37 Ill. Reg. 12588, effective July 19, 2013; preemptory amendment at 37 Ill. Reg. 13762, effective August 8, 2013; preemptory amendment at 37 Ill. Reg. 14219, effective August 23,

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2013; amended at 37 Ill. Reg. 16925, effective October 8, 2013; preemptory amendment at 37 Ill. Reg. 17164, effective October 18, 2013; preemptory amendment at 37 Ill. Reg. 20410, effective December 6, 2013; preemptory amendment at 38 Ill. Reg. 2974, effective January 9, 2014; amended at 38 Ill. Reg. 5250, effective February 4, 2014; preemptory amendment at 38 Ill. Reg. 6725, effective March 6, 2014; emergency amendment at 38 Ill. Reg. 9080, effective April 11, 2014, for a maximum of 150 days; preemptory amendment at 38 Ill. Reg. 9136, effective April 11, 2014; amended at 38 Ill. Reg. 9207, effective April 21, 2014; preemptory amendment at 38 Ill. Reg. 13416, effective June 11, 2014; amended at 38 Ill. Reg. 14818, effective July 1, 2014; preemptory amendment at 38 Ill. Reg. 15739, effective July 2, 2014; preemptory amendment at 38 Ill. Reg. 17481, effective July 29, 2014; amended at 38 Ill. Reg. 17556, effective August 6, 2014; preemptory amendment at 38 Ill. Reg. 18791, effective August 26, 2014; preemptory amendment at 38 Ill. Reg. 19806, effective September 26, 2014; amended at 38 Ill. Reg. 20695, effective October 14, 2014; amended at 38 Ill. Reg. 24005, effective December 9, 2014; preemptory amendment at 39 Ill. Reg. 728, effective December 23, 2014; emergency amendment at 39 Ill. Reg. 708, effective December 26, 2014, for a maximum of 150 days; preemptory amendment at 39 Ill. Reg. 6964, effective April 29, 2015; amended at 39 Ill. Reg. 7878, effective May 22, 2015; amended at 39 Ill. Reg. 11220, effective July 28, 2015; preemptory amendment at 39 Ill. Reg. 12004, effective August 13, 2015; preemptory amendment at 39 Ill. Reg. 15807, effective November 25, 2015; amended at 40 Ill. Reg. 5893, effective March 28, 2016; preemptory amendment at 40 Ill. Reg. 8462, effective June 1, 2016; preemptory amendment at 40 Ill. Reg. 9658, effective June 30, 2016; amended at 40 Ill. Reg. 9356, effective July 1, 2016; preemptory amendment at 40 Ill. Reg. 11207, effective August 5, 2016; preemptory amendment at 41 Ill. Reg. 1210, effective January 19, 2017; amended at 41 Ill. Reg. 1695, effective January 25, 2017; preemptory amendment at 41 Ill. Reg. 2078, effective February 2, 2017; amended at 41 Ill. Reg. 3191, effective March 6, 2017; amended at 41 Ill. Reg. 4615, effective April 24, 2017; preemptory amendment at 41 Ill. Reg. 5822, effective May 15, 2017; preemptory amendment at 41 Ill. Reg. 6695, effective May 24, 2017.

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE L RC-008 (Boilermakers)**

Title	Title Code	Region	Pay Plan Code	Hired	Effective Date	Monthly Salary
Boiler Safety Audit Specialist	04900	Northern	B	Prior to December 1, 2013	July 25, 2016	9020.16
Boiler Safety Audit Specialist	04900	Northern	Q	Prior to December 1, 2013	July 25, 2016	9150.66
Boiler Safety Audit Specialist	04900	Northern	S	Prior to December 1, 2013	July 25, 2016	9201.12
Boiler Safety Audit Specialist	04900	Northern	B	On or after December 1, 2013	July 25, 2016	8673.90
Boiler Safety Audit Specialist	04900	Northern	B	Prior to December 1, 2013	May 1, 2017	9169.61
Boiler Safety Audit Specialist	04900	Northern	Q	Prior to December 1, 2013	May 1, 2017	9301.87
Boiler Safety Audit Specialist	04900	Northern	S	Prior to December 1, 2013	May 1, 2017	9357.49
Boiler Safety Audit Specialist	04900	Northern	B	On or after December 1, 2013	May 1, 2017	8816.94
Boiler Safety Audit Specialist	04900	Central	B	Prior to December 1, 2013	July 25, 2016	7379.34
Boiler Safety Audit Specialist	04900	Central	Q	Prior to December 1, 2013	July 25, 2016	7485.48
Boiler Safety Audit Specialist	04900	Central	S	Prior to December 1, 2013	July 25, 2016	7535.94
Boiler Safety Audit Specialist	04900	Central	B	On or after December 1, 2013	July 25, 2016	7095.72
Boiler Safety Audit Specialist	04900	Southern	B	Prior to December 1, 2013	July 25, 2016	6495.42
Boiler Safety Audit Specialist	04900	Southern	Q	Prior to December 1, 2013	July 25, 2016	6587.64
Boiler Safety Audit Specialist	04900	Southern	S	Prior to December 1, 2013	July 25, 2016	6638.10
Boiler Safety Audit Specialist	04900	Southern	B	On or after December 1, 2013	July 25, 2016	6244.86
Boiler Safety Audit Specialist	04900	Central	B	Prior to December 1, 2013	January 1, 2017	7469.58
Boiler Safety Audit Specialist	04900	Central	Q	Prior to December 1, 2013	January 1, 2017	7577.31
Boiler Safety Audit Specialist	04900	Central	S	Prior to December 1, 2013	January 1, 2017	7632.94
Boiler Safety Audit Specialist	04900	Central	B	On or after December 1, 2013	January 1, 2017	7182.29

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Boiler Safety Audit Specialist	04900	Southern	B	Prior to December 1, 2013	January 1, 2017	6902.27
Boiler Safety Audit Specialist	04900	Southern	Q	Prior to December 1, 2013	January 1, 2017	7001.82
Boiler Safety Audit Specialist	04900	Southern	S	Prior to December 1, 2013	January 1, 2017	7057.45
Boiler Safety Audit Specialist	04900	Southern	B	On or after December 1, 2013	January 1, 2017	6636.80
Boiler Safety Specialist	04910	Northern	B	Prior to December 1, 2013	July 1, 2013 and January 1, 2014	8005.74
Boiler Safety Specialist	04910	Northern	Q	Prior to December 1, 2013	July 1, 2013 and January 1, 2014	8120.58
Boiler Safety Specialist	04910	Northern	S	Prior to December 1, 2013	July 1, 2013 and January 1, 2014	8171.04
Boiler Safety Specialist	04910	Northern	B	On or after December 1, 2013	December 1, 2013 and January 1, 2014	7697.76
Boiler Safety Specialist	04910	Northern	B	Prior to December 1, 2013	July 1, 2014	8261.52
Boiler Safety Specialist	04910	Northern	Q	Prior to December 1, 2013	July 1, 2014	8379.84
Boiler Safety Specialist	04910	Northern	S	Prior to December 1, 2013	July 1, 2014	8430.30
Boiler Safety Specialist	04910	Northern	B	On or after December 1, 2013	July 1, 2014	7943.10
Boiler Safety Specialist	04910	Northern	B	Prior to December 1, 2013	July 1, 2015	8517.30
Boiler Safety Specialist	04910	Northern	Q	Prior to December 1, 2013	July 1, 2015	8640.84
Boiler Safety Specialist	04910	Northern	S	Prior to December 1, 2013	July 1, 2015	8691.30
Boiler Safety Specialist	04910	Northern	B	On or after December 1, 2013	July 1, 2015	8190.18
Boiler Safety Specialist	04910	Northern	B	Prior to December 1, 2013	June 30, 2016	8632.14
Boiler Safety Specialist	04910	Northern	Q	Prior to December 1, 2013	June 30, 2016	8755.68
Boiler Safety Specialist	04910	Northern	S	Prior to December 1, 2013	June 30, 2016	8806.14
Boiler Safety Specialist	04910	Northern	B	On or after December 1, 2013	June 30, 2016	8299.80
Boiler Safety Specialist	04910	Northern	B	Prior to December 1, 2013	May 1, 2017	8774.75
Boiler Safety Specialist	04910	Northern	Q	Prior to December 1, 2013	May 1, 2017	8901.31

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Boiler Safety Specialist	04910	Northern	S	Prior to December 1, 2013	May 1, 2017	8954.54
Boiler Safety Specialist	04910	Northern	B	On or after December 1, 2013	May 1, 2017	8437.26
Boiler Safety Specialist	04910	Central	B	Prior to December 1, 2013	January 1, 2013	6514.56
Boiler Safety Specialist	04910	Central	Q	Prior to December 1, 2013	January 1, 2013	6608.52
Boiler Safety Specialist	04910	Central	S	Prior to December 1, 2013	January 1, 2013	6658.98
Boiler Safety Specialist	04910	Central	B	On or after December 1, 2013	December 1, 2013	6264.00
Boiler Safety Specialist	04910	Central	B	Prior to December 1, 2013	March 1, 2014	6650.28
Boiler Safety Specialist	04910	Central	Q	Prior to December 1, 2013	March 1, 2014	6745.98
Boiler Safety Specialist	04910	Central	S	Prior to December 1, 2013	March 1, 2014	6796.44
Boiler Safety Specialist	04910	Central	B	On or after December 1, 2013	March 1, 2014	6394.50
Boiler Safety Specialist	04910	Central	B	Prior to December 1, 2013	January 1, 2015	6876.48
Boiler Safety Specialist	04910	Central	Q	Prior to December 1, 2013	January 1, 2015	6975.66
Boiler Safety Specialist	04910	Central	S	Prior to December 1, 2013	January 1, 2015	7026.12
Boiler Safety Specialist	04910	Central	B	On or after December 1, 2013	January 1, 2015	6612.00
Boiler Safety Specialist	04910	Central	B	Prior to December 1, 2013	January 1, 2016	7057.44
Boiler Safety Specialist	04910	Central	Q	Prior to December 1, 2013	January 1, 2016	7160.10
Boiler Safety Specialist	04910	Central	S	Prior to December 1, 2013	January 1, 2016	7210.56
Boiler Safety Specialist	04910	Central	B	On or after December 1, 2013	January 1, 2016	6786.00
Boiler Safety Specialist	04910	Central	B	Prior to December 1, 2013	January 1, 2017	7147.92
Boiler Safety Specialist	04910	Central	Q	Prior to December 1, 2013	January 1, 2017	7251.02
Boiler Safety Specialist	04910	Central	S	Prior to December 1, 2013	January 1, 2017	7304.25
Boiler Safety Specialist	04910	Central	B	On or after December 1, 2013	January 1, 2017	6873.00
Boiler Safety Specialist	04910	Southern	B	Prior to December 1, 2013	January 1, 2013	5688.06

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Boiler Safety Specialist	04910	Southern	Q	Prior to December 1, 2013	January 1, 2013	5769.84
Boiler Safety Specialist	04910	Southern	S	Prior to December 1, 2013	January 1, 2013	5820.30
Boiler Safety Specialist	04910	Southern	B	On or after December 1, 2013	December 1, 2013	5468.82
Boiler Safety Specialist	04910	Southern	B	Prior to December 1, 2013	January 1, 2014	5801.16
Boiler Safety Specialist	04910	Southern	Q	Prior to December 1, 2013	January 1, 2014	5884.68
Boiler Safety Specialist	04910	Southern	S	Prior to December 1, 2013	January 1, 2014	5935.14
Boiler Safety Specialist	04910	Southern	B	On or after December 1, 2013	January 1, 2014	5578.44
Boiler Safety Specialist	04910	Southern	B	Prior to December 1, 2013	January 1, 2015	6032.58
Boiler Safety Specialist	04910	Southern	Q	Prior to December 1, 2013	January 1, 2015	6119.58
Boiler Safety Specialist	04910	Southern	S	Prior to December 1, 2013	January 1, 2015	6170.04
Boiler Safety Specialist	04910	Southern	B	On or after December 1, 2013	January 1, 2015	5801.16
Boiler Safety Specialist	04910	Southern	B	Prior to December 1, 2013	January 1, 2016	6213.54
Boiler Safety Specialist	04910	Southern	Q	Prior to December 1, 2013	January 1, 2016	6304.02
Boiler Safety Specialist	04910	Southern	S	Prior to December 1, 2013	January 1, 2016	6354.48
Boiler Safety Specialist	04910	Southern	B	On or after December 1, 2013	January 1, 2016	5975.16
Boiler Safety Specialist	04910	Southern	B	Prior to December 1, 2013	January 1, 2017	6605.04
Boiler Safety Specialist	04910	Southern	Q	Prior to December 1, 2013	January 1, 2017	6700.31
Boiler Safety Specialist	04910	Southern	S	Prior to December 1, 2013	January 1, 2017	6753.54
Boiler Safety Specialist	04910	Southern	B	On or after December 1, 2013	January 1, 2017	6351.00

NOTES: Regions – The counties in the regions are:

Northern Region: Boone, Cook, DeKalb, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry, Will, and Winnebago Counties.

Central Region: Bureau, Carroll, Champaign, DeWitt, Ford, Fulton, Hancock, Henderson,

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Henry, Iroquois, JoDaviess, Knox, LaSalle, Lee, Livingston, Logan, Marshall, Mason, McDonough, McLean, Mercer, Ogle, Peoria, Putnam, Rock Island, Schuyler, Stark, Stephenson, Tazewell, Vermilion, Warren, Whiteside, and Woodford Counties.

Southern Region: Adams, Alexander, Bond, Brown, Calhoun, Cass, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Greene, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Macon, Macoupin, Madison, Marion, Massac, Menard, Monroe, Montgomery, Morgan, Moultrie, Perry, Piatt, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Sangamon, Scott, Shelby, Union, Wabash, Washington, Wayne, White, and Williamson Counties.

Additional Provisions – Section 310.210 shall apply to employees occupying positions in the Boiler Safety Specialist class that are represented by the RC-008 bargaining unit.

(Source: Amended by peremptory rulemaking at 41 Ill. Reg. 6695, effective May 24, 2017)

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Section 310.APPENDIX A Negotiated Rates of Pay**Section 310.TABLE W RC-062 (Technical Employees, AFSCME)**

<u>Title</u>	<u>Title Code</u>	<u>Bargaining Unit</u>	<u>Pay Grade</u>
Accountant	00130	RC-062	14
Accountant Advanced	00133	RC-062	16
Accountant Supervisor	00135	RC-062	18
Accounting and Fiscal Administration Career Trainee	00140	RC-062	12
Activity Therapist	00157	RC-062	15
Activity Therapist Coordinator	00160	RC-062	17
Activity Therapist Supervisor	00163	RC-062	20
Actuarial Assistant	00187	RC-062	16
Actuarial Examiner	00195	RC-062	16
Actuarial Examiner Trainee	00196	RC-062	13
Actuarial Senior Examiner	00197	RC-062	19
Actuary I	00201	RC-062	20
Actuary II	00202	RC-062	24
Agricultural Market News Assistant	00804	RC-062	12
Agricultural Marketing Generalist	00805	RC-062	14
Agricultural Marketing Reporter	00807	RC-062	18
Agricultural Marketing Representative	00810	RC-062	18
Agriculture Land and Water Resource Specialist I	00831	RC-062	14
Agriculture Land and Water Resource Specialist II	00832	RC-062	17
Agriculture Land and Water Resource Specialist III	00833	RC-062	20
Aircraft Pilot I	00955	RC-062	19
Aircraft Pilot II	00956	RC-062	22
Aircraft Pilot II – Dual Rating	00957	RC-062	23
Appraisal Specialist I	01251	RC-062	14
Appraisal Specialist II	01252	RC-062	16
Appraisal Specialist III	01253	RC-062	18
Arts Council Associate	01523	RC-062	12
Arts Council Program Coordinator	01526	RC-062	18
Arts Council Program Representative	01527	RC-062	15
Assignment Coordinator	01530	RC-062	20
Bank Examiner I	04131	RC-062	16
Bank Examiner II	04132	RC-062	19
Bank Examiner III	04133	RC-062	22

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Behavioral Analyst Associate	04355	RC-062	15
Behavioral Analyst I	04351	RC-062	17
Behavioral Analyst II	04352	RC-062	19
Business Administrative Specialist	05810	RC-062	16
Business Manager	05815	RC-062	18
Buyer	05900	RC-062	18
Cancer Registrar I	05951	RC-062	14
Cancer Registrar II	05952	RC-062	16
Cancer Registrar III	05953	RC-062	20
Cancer Registrar Assistant Manager	05954	RC-062	22
Cancer Registrar Manager	05955	RC-062	24
Capital Development Board Account Technician	06515	RC-062	11
Capital Development Board Art in Architecture Technician	06533	RC-062	12
Capital Development Board Construction Support Analyst	06520	RC-062	11
Capital Development Board Project Technician	06530	RC-062	12
Chemist I	06941	RC-062	16
Chemist II	06942	RC-062	19
Chemist III	06943	RC-062	21
Child Protection Advanced Specialist	07161	RC-062	19
Child Protection Associate Specialist	07162	RC-062	16
Child Protection Specialist	07163	RC-062	18
Child Support Specialist I	07198	RC-062	16
Child Support Specialist II	07199	RC-062	17
Child Support Specialist Trainee	07200	RC-062	12
Child Welfare Associate Specialist	07216	RC-062	16
Child Welfare Staff Development Coordinator I	07201	RC-062	17
Child Welfare Staff Development Coordinator II	07202	RC-062	19
Child Welfare Staff Development Coordinator III	07203	RC-062	20
Child Welfare Staff Development Coordinator IV	07204	RC-062	22
Children and Family Service Intern – Option I	07241	RC-062	12
Children and Family Service Intern – Option II	07242	RC-062	15
Clinical Laboratory Technologist I	08220	RC-062	18
Clinical Laboratory Technologist II	08221	RC-062	19
Clinical Laboratory Technologist Trainee	08229	RC-062	14
Communications Systems Specialist	08860	RC-062	23
Community Management Specialist I	08891	RC-062	15
Community Management Specialist II	08892	RC-062	17
Community Management Specialist III	08893	RC-062	19
Community Planner I	08901	RC-062	15

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Community Planner II	08902	RC-062	17
Community Planner III	08903	RC-062	19
Conservation Education Representative	09300	RC-062	12
Conservation Grant Administrator I	09311	RC-062	18
Conservation Grant Administrator II	09312	RC-062	20
Conservation Grant Administrator III	09313	RC-062	22
Construction Program Assistant	09525	RC-062	12
Correctional Counselor I	09661	RC-062	15
Correctional Counselor II	09662	RC-062	17
Correctional Counselor III	09663	RC-062	19
Corrections Apprehension Specialist	09750	RC-062	19
Corrections Industries Marketing Representative	09803	RC-062	17
Corrections Leisure Activities Specialist I	09811	RC-062	15
Corrections Leisure Activities Specialist II	09812	RC-062	17
Corrections Leisure Activities Specialist III	09813	RC-062	19
Corrections Parole Agent	09842	RC-062	17
Corrections Senior Parole Agent	09844	RC-062	19
Criminal Intelligence Analyst I	10161	RC-062	18
Criminal Intelligence Analyst II	10162	RC-062	20
Criminal Intelligence Analyst Specialist	10165	RC-062	22
Criminal Justice Specialist I	10231	RC-062	16
Criminal Justice Specialist II	10232	RC-062	20
Criminal Justice Specialist Trainee	10236	RC-062	13
Curator of the Lincoln Collection	10750	RC-062	16
Data Processing Supervisor I	11435	RC-062	11
Data Processing Supervisor II	11436	RC-062	14
Data Processing Supervisor III	11437	RC-062	18
Day Care Licensing Representative I	11471	RC-062	16
Developmental Disabilities Council Program Planner I	12361	RC-062	12
Developmental Disabilities Council Program Planner II	12362	RC-062	16
Developmental Disabilities Council Program Planner III	12363	RC-062	18
Dietary Manager I	12501	RC-062	16
Dietary Manager II	12502	RC-062	18
Dietitian	12510	RC-062	15
Disability Appeals Officer	12530	RC-062	22
Disability Claims Adjudicator I	12537	RC-062	16
Disability Claims Adjudicator II	12538	RC-062	18
Disability Claims Adjudicator Trainee	12539	RC-062	13
Disability Claims Analyst	12540	RC-062	21

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Disability Claims Specialist	12558	RC-062	19
Disaster Services Planner	12585	RC-062	19
Document Examiner	12640	RC-062	22
Economic Development Representative I	12931	RC-062	17
Economic Development Representative II	12932	RC-062	19
Educational Diagnostician	12965	RC-062	12
Employment Security Field Office Supervisor	13600	RC-062	20
Employment Security Manpower Representative I	13621	RC-062	12
Employment Security Manpower Representative II	13622	RC-062	14
Employment Security Program Representative	13650	RC-062	14
Employment Security Program Representative – Intermittent	13651	RC-062	14H
Employment Security Service Representative	13667	RC-062	16
Employment Security Service Representative (Intermittent)	13667	RC-062	16H
Employment Security Specialist I	13671	RC-062	14
Employment Security Specialist II	13672	RC-062	16
Employment Security Specialist III	13673	RC-062	19
Employment Security Tax Auditor I	13681	RC-062	17
Employment Security Tax Auditor II	13682	RC-062	19
Energy and Natural Resources Specialist I	13711	RC-062	15
Energy and Natural Resources Specialist II	13712	RC-062	17
Energy and Natural Resources Specialist III	13713	RC-062	19
Energy and Natural Resources Specialist Trainee	13715	RC-062	12
Engineering Technician IV (Department of Public Health)	13734	RC-062	18
Environmental Health Specialist I	13768	RC-062	14
Environmental Health Specialist II	13769	RC-062	16
Environmental Health Specialist III	13770	RC-062	18
Environmental Protection Associate	13785	RC-062	12
Environmental Protection Specialist I	13821	RC-062	14
Environmental Protection Specialist II	13822	RC-062	16
Environmental Protection Specialist III	13823	RC-062	18
Environmental Protection Specialist IV	13824	RC-062	22
Equal Pay Specialist	13837	RC-062	17
Executive I	13851	RC-062	18
Executive II	13852	RC-062	20
Financial Institutions Examiner I	14971	RC-062	16
Financial Institutions Examiner II	14972	RC-062	19
Financial Institutions Examiner III	14973	RC-062	22
Financial Institutions Examiner Trainee	14978	RC-062	13
Firearms Eligibility Analyst I	15371	RC-062	13

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Firearms Eligibility Analyst II	15372	RC-062	16
Firearms Eligibility Analyst Trainee	15375	RC-062	11
Fire Protection Specialist I	15351	RC-062	16
Flight Safety Coordinator	15640	RC-062	22
Forensic Scientist I	15891	RC-062	18
Forensic Scientist II	15892	RC-062	20
Forensic Scientist III	15893	RC-062	22
Forensic Scientist Trainee	15897	RC-062	15
Gaming Licensing Analyst	17171	RC-062	13
Gaming Operations Supervisor	17181	RC-062	26
Gaming Senior Special Agent	17191	RC-062	23
Gaming Shift Supervisor	17187	RC-062	24
Gaming Special Agent	17192	RC-062	19
Gaming Special Agent Trainee	17195	RC-062	14
Gaming Unit Supervisor	17201	RC-062	26
Guardianship Representative	17710	RC-062	17
Habilitation Program Coordinator	17960	RC-062	17
Handicapped Services Representative I	17981	RC-062	11
Health Facilities Surveyor I	18011	RC-062	16
Health Facilities Surveyor II	18012	RC-062	19
Health Facilities Surveyor III	18013	RC-062	20
Health Information Administrator	18041	RC-062	15
Health Services Investigator I – Opt. A	18181	RC-062	19
Health Services Investigator I – Opt. B	18182	RC-062	20
Health Services Investigator II – Opt. A	18185	RC-062	22
Health Services Investigator II – Opt. B	18186	RC-062	22
Health Services Investigator II – Opt. C	18187	RC-062	25
Health Services Investigator II – Opt. D	18188	RC-062	25
Historical Documents Conservator I	18981	RC-062	13
Historical Exhibits Designer	18985	RC-062	15
Historical Research Editor II	19002	RC-062	14
Human Relations Representative	19670	RC-062	16
Human Resources Representative	19692	RC-062	17
Human Resources Specialist	19693	RC-062	20
Human Rights Investigator I	19774	RC-062	16
Human Rights Investigator II	19775	RC-062	18
Human Rights Investigator III	19776	RC-062	19
Human Rights Mediator	19771	RC-062	17
Human Rights Specialist I	19778	RC-062	14

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Human Rights Specialist II	19779	RC-062	16
Human Rights Specialist III	19780	RC-062	18
Human Services Casework Manager	19788	RC-062	20
Human Services Caseworker	19785	RC-062	16
Human Services Grants Coordinator I	19791	RC-062	14
Human Services Grants Coordinator II	19792	RC-062	17
Human Services Grants Coordinator III	19793	RC-062	20
Human Services Grants Coordinator Trainee	19796	RC-062	12
Human Services Sign Language Interpreter	19810	RC-062	16
Iconographer	19880	RC-062	12
Industrial and Community Development Representative I	21051	RC-062	17
Industrial and Community Development Representative II	21052	RC-062	19
Industrial Services Consultant I	21121	RC-062	14
Industrial Services Consultant II	21122	RC-062	16
Industrial Services Consultant Trainee	21125	RC-062	11
Industrial Services Hygienist	21127	RC-062	19
Industrial Services Hygienist Technician	21130	RC-062	16
Industrial Services Hygienist Trainee	21133	RC-062	12
Information Technology/Communication Systems Specialist I	21216	RC-062	19
Information Technology/Communication Systems Specialist II	21217	RC-062	24
Instrument Designer	21500	RC-062	18
Insurance Analyst III	21563	RC-062	14
Insurance Analyst IV	21564	RC-062	16
Insurance Company Claims Examiner II	21602	RC-062	19
Insurance Company Field Staff Examiner	21608	RC-062	16
Insurance Company Financial Examiner Trainee	21610	RC-062	13
Insurance Performance Examiner I	21671	RC-062	14
Insurance Performance Examiner II	21672	RC-062	17
Insurance Performance Examiner III	21673	RC-062	20
Intermittent Unemployment Insurance Representative	21689	RC-062	12H
Internal Auditor I	21721	RC-062	17
Internal Security Investigator I, not Department of Corrections	21731	RC-062	18
Internal Security Investigator II, not Department of Corrections	21732	RC-062	21
International Marketing Representative I, Department of Agriculture	21761	RC-062	14
Juvenile Justice Youth and Family Specialist, Option 1	21991	RC-062	18
Juvenile Justice Youth and Family Specialist, Option 2	21992	RC-062	20
KidCare Supervisor	22003	RC-062	20
Labor Conciliator	22750	RC-062	20

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Laboratory Equipment Specialist	22990	RC-062	18
Laboratory Quality Specialist I	23021	RC-062	19
Laboratory Quality Specialist II	23022	RC-062	21
Laboratory Research Specialist I	23027	RC-062	19
Laboratory Research Specialist II	23028	RC-062	21
Land Acquisition Agent I	23091	RC-062	15
Land Acquisition Agent II	23092	RC-062	18
Land Acquisition Agent III	23093	RC-062	21
Land Reclamation Specialist I	23131	RC-062	14
Land Reclamation Specialist II	23132	RC-062	17
Liability Claims Adjuster I	23371	RC-062	14
Liability Claims Adjuster II	23372	RC-062	18
Library Associate	23430	RC-062	12
Life Sciences Career Trainee	23600	RC-062	12
Liquor Control Special Agent II	23752	RC-062	15
Local Historical Services Representative	24000	RC-062	17
Local Housing Advisor I	24031	RC-062	14
Local Housing Advisor II	24032	RC-062	16
Local Housing Advisor III	24033	RC-062	18
Local Revenue and Fiscal Advisor I	24101	RC-062	15
Local Revenue and Fiscal Advisor II	24102	RC-062	17
Local Revenue and Fiscal Advisor III	24103	RC-062	19
Lottery Regional Coordinator	24504	RC-062	19
Lottery Sales Representative	24515	RC-062	16
Management Operations Analyst I	25541	RC-062	18
Management Operations Analyst II	25542	RC-062	20
Manpower Planner I	25591	RC-062	14
Manpower Planner II	25592	RC-062	17
Manpower Planner III	25593	RC-062	20
Manpower Planner Trainee	25597	RC-062	12
Medical Assistance Consultant I	26501	RC-062	13
Medical Assistance Consultant II	26502	RC-062	16
Medical Assistance Consultant III	26503	RC-062	19
Mental Health Administrator I	26811	RC-062	18
Mental Health Administrator II	26812	RC-062	20
Mental Health Administrator Trainee	26817	RC-062	16
Mental Health Recovery Support Specialist I	26921	RC-062	17
Mental Health Recovery Support Specialist II	26922	RC-062	18
Mental Health Specialist I	26924	RC-062	12

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Mental Health Specialist II	26925	RC-062	14
Mental Health Specialist III	26926	RC-062	16
Mental Health Specialist Trainee	26928	RC-062	11
Meteorologist	27120	RC-062	18
Methods and Procedures Advisor I	27131	RC-062	14
Methods and Procedures Advisor II	27132	RC-062	16
Methods and Procedures Advisor III	27133	RC-062	20
Methods and Procedures Career Associate I	27135	RC-062	11
Methods and Procedures Career Associate II	27136	RC-062	12
Methods and Procedures Career Associate Trainee	27137	RC-062	09
Metrologist Associate	27146	RC-062	15
Microbiologist I	27151	RC-062	16
Microbiologist II	27152	RC-062	19
<u>Museum Theater Systems Technician (Historic Preservation Agency)</u>	<u>28700</u>	<u>RC-062</u>	<u>15</u>
Natural Resources Advanced Specialist	28833	RC-062	20
Natural Resources Coordinator	28831	RC-062	15
Natural Resources Specialist	28832	RC-062	18
Oral Health Consultant	30317	RC-062	18
Paralegal Assistant	30860	RC-062	14
Pension and Death Benefits Technician I	30961	RC-062	12
Pension and Death Benefits Technician II	30962	RC-062	19
Plumbing Consultant (Department of Public Health)	32910	RC-062	22
Police Training Specialist	32990	RC-062	17
Private Secretary I	34201	RC-062	16
Program Integrity Auditor I	34631	RC-062	16
Program Integrity Auditor II	34632	RC-062	19
Program Integrity Auditor Trainee	34635	RC-062	12
Property Consultant	34900	RC-062	15
Public Aid Investigator	35870	RC-062	19
Public Aid Investigator Trainee	35874	RC-062	14
Public Aid Lead Casework Specialist	35880	RC-062	17
Public Aid Program Quality Analyst	35890	RC-062	19
Public Aid Quality Control Reviewer	35892	RC-062	17
Public Aid Quality Control Supervisor	35900	RC-062	19
Public Aid Staff Development Specialist I	36071	RC-062	15
Public Aid Staff Development Specialist II	36072	RC-062	17
Public Health Educator Associate	36434	RC-062	14
Public Health Program Specialist I	36611	RC-062	14

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Public Health Program Specialist II	36612	RC-062	16
Public Health Program Specialist III	36613	RC-062	19
Public Health Program Specialist Trainee	36615	RC-062	12
Public Information Coordinator	36750	RC-062	18
Public Information Officer I	37001	RC-062	12
Public Information Officer II	37002	RC-062	14
Public Information Officer III	37003	RC-062	19
Public Information Officer IV	37004	RC-062	21
Public Safety Drug Screening Specialist	37006	RC-062	17
Public Safety Inspector	37007	RC-062	16
Public Safety Inspector Trainee	37010	RC-062	10
Public Service Administrator, Option 8Z	37015	RC-062	19
Public Service Administrator, Options 2, 6, 7 Gaming Board and Departments of Healthcare and Family Services and Revenue, 8C, 9A and 9B	37015	RC-062	24
Public Service Administrator, Options 8B and 8Y	37015	RC-062	23
Railroad Safety Specialist I	37601	RC-062	19
Railroad Safety Specialist II	37602	RC-062	21
Railroad Safety Specialist III	37603	RC-062	23
Railroad Safety Specialist IV	37604	RC-062	25
Real Estate Investigator	37730	RC-062	19
Real Estate Professions Examiner	37760	RC-062	22
Recreation Worker I	38001	RC-062	12
Recreation Worker II	38002	RC-062	14
Rehabilitation Counselor	38145	RC-062	17
Rehabilitation Counselor Senior	38158	RC-062	19
Rehabilitation Counselor Trainee	38159	RC-062	15
Rehabilitation Services Advisor I	38176	RC-062	20
Rehabilitation Workshop Supervisor I	38194	RC-062	12
Rehabilitation Workshop Supervisor II	38195	RC-062	14
Rehabilitation Workshop Supervisor III	38196	RC-062	16
Reimbursement Officer I	38199	RC-062	14
Reimbursement Officer II	38200	RC-062	16
Research Economist I	38207	RC-062	18
Research Scientist I	38231	RC-062	13
Research Scientist II	38232	RC-062	16
Research Scientist III	38233	RC-062	20
Residential Services Supervisor	38280	RC-062	15
Resource Planner I	38281	RC-062	17

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Resource Planner II	38282	RC-062	19
Resource Planner III	38283	RC-062	22
Retirement System Disability Specialist	38310	RC-062	19
Revenue Audit Supervisor	38369	RC-062	25
Revenue Audit Supervisor (states other than IL and not assigned to RC-062-29 – Hired prior to April 1, 2013)	38369	RC-062	27
Revenue Audit Supervisor (See Note – Hired prior to April 1, 2013)	38369	RC-062	29
Revenue Auditor I	38371	RC-062	16
Revenue Auditor I (states other than IL and not assigned to RC-062-21 – Hired prior to April 1, 2013)	38371	RC-062	19
Revenue Auditor I (See Note – Hired prior to April 1, 2013)	38371	RC-062	21
Revenue Auditor II	38372	RC-062	19
Revenue Auditor II (states other than IL and not assigned to RC-062-24 – Hired prior to April 1, 2013)	38372	RC-062	22
Revenue Auditor II (See Note – Hired prior to April 1, 2013)	38372	RC-062	24
Revenue Auditor III	38373	RC-062	22
Revenue Auditor III (states other than IL and not assigned to RC-062-26 – Hired prior to April 1, 2013)	38373	RC-062	24
Revenue Auditor III (See Note – Hired prior to April 1, 2013)	38373	RC-062	26
Revenue Auditor Trainee	38375	RC-062	12
Revenue Auditor Trainee (states other than IL and not assigned to RC-062-15 – Hired prior to April 1, 2013)	38375	RC-062	13
Revenue Auditor Trainee (See Note – Hired prior to April 1, 2013)	38375	RC-062	15
Revenue Collection Officer I	38401	RC-062	15
Revenue Collection Officer II	38402	RC-062	17
Revenue Collection Officer III	38403	RC-062	19
Revenue Collection Officer Trainee	38405	RC-062	12
Revenue Computer Audit Specialist	38425	RC-062	23
Revenue Computer Audit Specialist (states other than IL and not assigned to RC-062-27 – Hired prior to April 1, 2013)	38425	RC-062	25
Revenue Computer Audit Specialist (See Note – Hired prior to April 1, 2013)	38425	RC-062	27
Revenue Senior Special Agent	38557	RC-062	23
Revenue Special Agent	38558	RC-062	19
Revenue Special Agent Trainee	38565	RC-062	14
Revenue Tax Specialist I	38571	RC-062	12

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Revenue Tax Specialist II (IL)	38572	RC-062	14
Revenue Tax Specialist II (states other than IL, CA or NJ)	38572	RC-062	17
Revenue Tax Specialist II (CA or NJ)	38572	RC-062	19
Revenue Tax Specialist III	38573	RC-062	17
Revenue Tax Specialist Trainee	38575	RC-062	10
Senior Public Service Administrator, Option 7 Gaming Board and Department of Revenue	40070	RC-062	26
Sex Offender Therapist I	40531	RC-062	17
Sex Offender Therapist II	40532	RC-062	19
Site Assistant Superintendent I	41071	RC-062	15
Site Assistant Superintendent II	41072	RC-062	17
Site Interpretive Coordinator	41093	RC-062	13
Site Services Specialist I	41117	RC-062	15
Site Services Specialist II	41118	RC-062	17
Social Service Consultant I	41301	RC-062	18
Social Service Consultant II	41302	RC-062	19
Social Service Program Planner I	41311	RC-062	15
Social Service Program Planner II	41312	RC-062	17
Social Service Program Planner III	41313	RC-062	20
Social Service Program Planner IV	41314	RC-062	22
Social Services Career Trainee	41320	RC-062	12
Social Worker I	41411	RC-062	17
Staff Development Specialist I	41771	RC-062	18
Staff Development Technician I	41781	RC-062	12
Staff Development Technician II	41782	RC-062	15
State Mine Inspector	42230	RC-062	19
State Mine Inspector-at-Large	42240	RC-062	21
State Police Field Specialist I	42001	RC-062	18
State Police Field Specialist II	42002	RC-062	20
Statistical Research Specialist I	42741	RC-062	12
Statistical Research Specialist II	42742	RC-062	14
Statistical Research Specialist III	42743	RC-062	17
Storage Tank Safety Specialist	43005	RC-062	18
Telecommunications Specialist	45295	RC-062	15
Telecommunications Systems Analyst	45308	RC-062	17
Telecommunications Systems Technician I	45312	RC-062	10
Telecommunications Systems Technician II	45313	RC-062	13
Terrorism Research Specialist I	45371	RC-062	18

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Terrorism Research Specialist II	45372	RC-062	20
Terrorism Research Specialist III	45373	RC-062	22
Terrorism Research Specialist Trainee	45375	RC-062	14
Unemployment Insurance Adjudicator I	47001	RC-062	11
Unemployment Insurance Adjudicator II	47002	RC-062	13
Unemployment Insurance Adjudicator III	47003	RC-062	15
Unemployment Insurance Revenue Analyst I	47081	RC-062	15
Unemployment Insurance Revenue Analyst II	47082	RC-062	17
Unemployment Insurance Revenue Specialist	47087	RC-062	13
Unemployment Insurance Special Agent	47096	RC-062	18
Vehicle Emission Compliance Supervisor, Environmental Protection Agency	47583	RC-062	15
Veterans Educational Specialist I	47681	RC-062	15
Veterans Educational Specialist II	47682	RC-062	17
Veterans Educational Specialist III	47683	RC-062	21
Veterans Employment Representative I	47701	RC-062	14
Veterans Employment Representative II	47702	RC-062	16
Volunteer Services Coordinator I	48481	RC-062	13
Volunteer Services Coordinator II	48482	RC-062	16
Volunteer Services Coordinator III	48483	RC-062	18
Wage Claims Specialist	48770	RC-062	09
Weatherization Specialist I	49101	RC-062	14
Weatherization Specialist II	49102	RC-062	17
Weatherization Specialist III	49103	RC-062	20
Weatherization Specialist Trainee	49105	RC-062	12
Workers Compensation Insurance Compliance Investigator	49640	RC-062	20

NOTES: Shift Differential Pay – Employees shall be paid a shift differential of \$0.80 per hour in addition to their base salary rate for all hours worked if their normal work schedule for that day provides that they are scheduled to work and they work ½ or more of the work hours before 7 a.m. or after 3 p.m. The payment shall be for all paid time. Incumbents who currently receive a percentage shift differential providing more than the cents per hour indicated in this Note based on the base rate of pay prior to the effective date shall have that percentage converted to the cents per hour equivalent rounded to the nearest cent and shall continue to receive the higher cents per hour rate. This provision shall not apply to employees who, because of "flex-time" scheduling made at their request, are scheduled and work hours that would otherwise qualify them for premium pay under this provision.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Option Clarification – The positions allocated to the Public Service Administrator title that are assigned to a negotiated RC-062 pay grade have the following Options: 2; 6; 7; 8B; 8C; 8Y; 8Z; 9A; and 9B. The positions allocated to the Senior Public Service Administrator title that are assigned to a negotiated RC-062 pay grade have the Option 7. See the definition of option in Section 310.50.

Longevity Pay – Effective January 1, 2002, the Step 8 rate shall be increased by \$25 per month for those employees who attain 10 years of continuous service and have three or more years of creditable service on Step 7 in the same or higher pay grade on or before January 1, 2002. For those employees who attain 15 years of continuous service and have three or more years of creditable service on Step 7 in the same or higher pay grade on or before January 1, 2002, the Step 8 rate shall be increased by \$50 per month. For employees not eligible for longevity pay on or before January 1, 2002, the Step 8 rate shall be increased by \$25 per month for those employees who attain 10 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade. For those employees who attain 15 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade, the Step 8 rate shall be increased by \$50 per month. Effective July 1, 2010, the Step 8 rate shall be increased by \$50 per month for those employees who attain 10 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade on or before July 1, 2010. For those employees who attain 15 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade on or before July 1, 2010, the Step 8 rate shall be increased by \$75 per month. Effective July 1, 2013, the Step 8 rate shall be increased by \$25 per month to \$75 a month for those employees who attain 10 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade on or before July 1, 2013. For those employees who attain 15 years of continuous service and have three or more years of creditable service on Step 8 in the same or higher pay grade on or before July 1, 2013, the Step 8 rate shall be increased by \$25 per month to \$100 a month. Employees whose salaries are red-circled above the maximum Step rate continue to receive all applicable general increases and any other adjustments (except the longevity pay) provided for in the Agreement. For these employees, the longevity pay shall be limited to the amount that would increase the employee's salary to the amount that is equal to that of an employee on the maximum Step rate with the same number of years of continuous and creditable

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

service. Employees receiving the longevity pay shall continue to receive the longevity pay as long as they remain in the same or successor classification as a result of a reclassification or reevaluation. Employees who are eligible for the increase provided for longevity pay on or before January 1, 2002, shall continue to receive longevity pay after being placed on Step 8 while they remain in the same or lower pay grade.

For the Revenue Tax Specialist II position classification title only – The pay grade assigned to the employee is based on the location of the position and the residence held by the employee. In the same position classification, the employee holding a position and residence outside the boundaries of the State of Illinois is assigned to a different pay grade than the pay grade assigned to the employee holding a position within the boundaries of the State of Illinois. The pay grade assigned to the employee holding a position located within the boundaries of the State of Illinois is the pay grade with the (IL) indication next to the position classification. The pay grade assigned to the employee holding the position located outside the boundaries of the State of Illinois is determined by the location of the employee's residence or position location (e.g., IL, CA or NJ or a state other than IL, CA or NJ). If the employee's residence moves to another state while the employee is in the same position located outside the boundaries of the State of Illinois, or moves into another position located outside the boundaries of the State of Illinois in the same position classification, the base salary may change depending on the location of the employee's new residence. In all cases, change in base salary shall be on a step for step basis (e.g., if the original base salary was on Step 5 in one pay grade, the new base salary will also be on Step 5 of the newly appropriate pay grade).

For the Revenue Audit Supervisor, Revenue Auditor I, II and III, Revenue Auditor Trainee, and Revenue Computer Audit Specialist position classification titles only – Effective July 1, 2010, State employees appointed to positions allocated to the Revenue Audit Supervisor, Revenue Auditor I, II and III, Revenue Auditor Trainee, and Revenue Computer Audit Specialist classifications shall be assigned to the pay grades:

Revenue Audit Supervisor, RC-062-29
Revenue Auditor I, RC-062-21
Revenue Auditor II, RC-062-24
Revenue Auditor III, RC-062-26
Revenue Auditor Trainee, RC-062-15

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

Revenue Computer Audit Specialist, RC-062-27

if the employee lives in California, 50% or more of the employee's work is within a 200 mile radius of the Paramus NJ Illinois Department of Revenue office, or 50% or more of the employee's work is within the District of Columbia. This shall not apply to employees who are hired after April 1, 2013.

Effective July 1, 2014
Bargaining Unit: RC-062

<u>Pay</u> <u>Grade</u>	<u>Pay</u> <u>Plan</u> <u>Code</u>	<u>S T E P S</u>										
		<u>1c</u>	<u>1b</u>	<u>1a</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
9	B	3027	3127	3227	3327	3430	3539	3649	3766	3877	4061	4223
9	Q	3151	3254	3358	3462	3568	3683	3796	3920	4037	4230	4401
9	S	3215	3321	3427	3533	3641	3759	3874	3999	4116	4311	4484
10	B	3124	3227	3330	3433	3559	3664	3785	3905	4025	4231	4402
10	Q	3250	3358	3465	3572	3702	3814	3944	4067	4195	4418	4594
10	S	3318	3427	3536	3645	3776	3891	4020	4144	4280	4500	4679
11	B	3240	3347	3453	3560	3681	3800	3938	4067	4194	4416	4592
11	Q	3371	3481	3592	3704	3836	3961	4102	4240	4373	4610	4793
11	S	3436	3550	3663	3777	3910	4036	4181	4319	4456	4692	4879
12	B	3371	3481	3592	3704	3840	3965	4114	4248	4405	4641	4826
12	Q	3508	3625	3740	3856	3998	4130	4289	4435	4595	4846	5041
12	S	3577	3694	3813	3931	4074	4208	4371	4520	4681	4933	5132
12H	B	20.74	21.42	22.10	22.79	23.63	24.40	25.32	26.14	27.11	28.56	29.70
12H	Q	21.59	22.31	23.02	23.73	24.60	25.42	26.39	27.29	28.28	29.82	31.02
12H	S	22.01	22.73	23.46	24.19	25.07	25.90	26.90	27.82	28.81	30.36	31.58
13	B	3498	3612	3728	3843	3984	4136	4290	4446	4614	4871	5063

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

13	Q	3642	3762	3883	4002	4148	4312	4481	4645	4816	5090	5294
13	S	3711	3834	3956	4078	4229	4396	4567	4727	4902	5178	5385
14	B	3647	3767	3887	4008	4159	4321	4511	4675	4852	5137	5342
14	Q	3803	3928	4053	4178	4336	4515	4709	4886	5073	5367	5580
14	S	3872	4000	4127	4255	4422	4594	4793	4973	5159	5453	5668
14H	B	22.44	23.18	23.92	24.66	25.59	26.59	27.76	28.77	29.86	31.61	32.87
14H	Q	23.40	24.17	24.94	25.71	26.68	27.78	28.98	30.07	31.22	33.03	34.34
14H	S	23.83	24.62	25.40	26.18	27.21	28.27	29.50	30.60	31.75	33.56	34.88
15	B	3792	3917	4042	4167	4351	4530	4706	4898	5082	5388	5601
15	Q	3957	4087	4218	4348	4538	4727	4918	5121	5310	5626	5854
15	S	4029	4163	4295	4428	4623	4810	5004	5208	5396	5715	5943
16	B	3969	4099	4230	4362	4556	4758	4954	5162	5368	5685	5913
16	Q	4141	4278	4415	4550	4758	4975	5182	5395	5610	5944	6184
16	S	4221	4361	4498	4638	4843	5060	5269	5480	5699	6027	6267
16H	B	24.42	25.22	26.03	26.84	28.04	29.28	30.49	31.77	33.03	34.98	36.39
16H	Q	25.48	26.33	27.17	28.00	29.28	30.62	31.89	33.20	34.52	36.58	38.06
16H	S	25.98	26.84	27.68	28.54	29.80	31.14	32.42	33.72	35.07	37.09	38.57
17	B	4159	4295	4432	4570	4780	4999	5212	5423	5643	5979	6218
17	Q	4338	4481	4625	4767	4996	5226	5444	5665	5898	6248	6500
17	S	4417	4562	4708	4853	5085	5314	5534	5753	5982	6339	6591
18	B	4377	4522	4665	4809	5041	5274	5516	5740	5971	6326	6581
18	Q	4571	4722	4873	5024	5271	5515	5766	6001	6240	6615	6878
18	S	4646	4800	4953	5106	5355	5601	5853	6088	6330	6697	6967
19	B	4612	4764	4916	5067	5325	5577	5834	6083	6336	6722	6990
19	J	4612	4764	4916	5067	5325	5577	5834	6083	6336	6722	6990
19	Q	4821	4980	5138	5297	5568	5825	6103	6357	6624	7023	7304
19	S	4901	5062	5224	5387	5656	5915	6189	6445	6711	7109	7393

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

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20	B	4873	5033	5194	5354	5625	5885	6167	6435	6701	7108	7392
20	Q	5092	5259	5427	5596	5877	6155	6447	6724	7003	7432	7729
20	S	5172	5344	5514	5684	5965	6240	6532	6810	7090	7514	7815
21	B	5146	5315	5485	5655	5946	6233	6523	6820	7105	7548	7849
21	U	5146	5315	5485	5655	5946	6233	6523	6820	7105	7548	7849
21	Q	5377	5555	5732	5910	6214	6513	6817	7129	7428	7889	8204
21	S	5457	5637	5817	5997	6299	6597	6906	7215	7511	7975	8293
22	B	5441	5619	5799	5978	6290	6595	6908	7228	7529	7998	8318
22	Q	5683	5871	6058	6245	6573	6896	7219	7552	7870	8358	8689
22	S	5766	5957	6146	6336	6656	6982	7304	7641	7960	8445	8783
23	B	5770	5961	6151	6341	6677	7020	7352	7690	8023	8531	8873
23	Q	6033	6233	6432	6630	6980	7337	7682	8040	8387	8912	9268
23	S	6111	6313	6514	6716	7065	7424	7769	8124	8474	9000	9357
24	B	6141	6344	6546	6749	7107	7482	7838	8202	8570	9109	9472
24	J	6141	6344	6546	6749	7107	7482	7838	8202	8570	9109	9472
24	Q	6419	6630	6843	7054	7431	7816	8194	8567	8956	9519	9900
24	S	6499	6714	6928	7142	7513	7901	8277	8657	9044	9604	9988
25	B	6547	6763	6979	7194	7586	7988	8385	8783	9184	9773	10163
25	J	6547	6763	6979	7194	7586	7988	8385	8783	9184	9773	10163
25	Q	6838	7065	7289	7514	7927	8342	8766	9183	9598	10212	10622
25	S	6919	7147	7376	7603	8014	8430	8849	9266	9681	10299	10714
26	B	6984	7214	7445	7676	8097	8527	8957	9375	9796	10427	10844
26	U	6984	7214	7445	7676	8097	8527	8957	9375	9796	10427	10844
26	Q	7323	7563	7805	8047	8482	8931	9382	9822	10259	10924	11361
26	S	7390	7634	7876	8120	8563	9018	9473	9914	10359	11032	11473
27	B	7456	7702	7949	8195	8641	9096	9556	10005	10455	11129	11576
27	J	7456	7702	7949	8195	8641	9096	9556	10005	10455	11129	11576

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PEREMPTORY AMENDMENTS

27	U	7456	7702	7949	8195	8641	9096	9556	10005	10455	11129	11576
27	Q	7794	8051	8308	8565	9031	9506	9992	10459	10928	11634	12100
28	B	7823	8081	8340	8598	9063	9544	10029	10499	10969	11679	12148
29	U	8211	8481	8752	9022	9513	10016	10523	11017	11511	12256	12745

(Source: Amended by peremptory rulemaking at 41 Ill. Reg. 6695, effective May 24, 2017)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
140.20	Amendment
140.475	Amendment
140.481	Amendment
- 4) Register Citation to Notice of Proposed Rules: 41 Ill. Reg. 3098; March 17, 2017
- 5) Date, Time and Location of Public Hearing:

Wednesday, June 21, 2017
10:00 a.m. – 12:00 p.m.
Prescott Bloom Building
201 South Grand Avenue, East
Springfield IL 62763
- 6) Other Pertinent Information: The hearing will be held for the sole purpose of gathering public comments on the proposed amendments. Persons interested in presenting testimony at this hearing are advised of the following procedures:
 - a) Persons must sign in at the registration desk and those wishing to provide oral testimony will indicate this on the space provided on the sign in sheet. Persons wishing to provide oral testimony must submit a written copy of the testimony at that time.
 - b) Written testimony from those choosing not to speak will also be accepted during the registration period.
 - c) Speakers will be heard on a first come, first serve basis.
 - d) All oral testimony will be recorded by mechanical means.
 - e) Individuals giving oral testimony are asked to limit their comments to three minutes.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- f) Organizations are asked to select one spokesperson to present oral testimony on behalf of the organization and will be asked to limit their comments to five minutes.
- g) To assist the orderly conduct of the hearing and to ensure that the opinions of all interested individuals and/or groups are considered, the Department may impose other rules of procedure as necessary, including, but not limited to, adjusting the time limit or the order of presentation.
- h) The hearing officer may end the public hearing before the listed ending time if there is: no one available and ready to offer comments on the proposed amendments, insufficient time for a person to offer comments for a full three-minute span, or to accommodate public safety in an emergency situation.
- i) Unforeseen changes regarding the public hearing will be posted on the Department's web site.
- j) Name and address of Agency Contact Person: Questions regarding these proposed amendments or the public hearing shall be directed to:

Illinois Department of Healthcare and Family Services
Office of General Counsel
Attention Rules Chief
401 S. Clinton St.
Chicago IL 60607

email: HFS.Rules@Illinois.gov

JOINT COMMITTEE ON ADMINISTRATIVE RULES

MICHAEL A BILANDIC BUILDING
ROOM 600C
CHICAGO, ILLINOIS
JUNE 13, 2017
11:00 A.M.

***NOTICE:** It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:*

*Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706*

RULEMAKINGS SCHEDULED FOR JCAR REVIEW

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

PROPOSED RULEMAKINGSCentral Management Services

1. Pay Plan (80 Ill. Adm. Code 310)
 - First Notice Published: 41 Ill. Reg. 3632 – 3/31/17
 - Expiration of Second Notice: 6/28/17

Commerce Commission

2. Minimum Safety Standards for Transportation of Gas and for Gas Pipeline Facilities (83 Ill. Adm. Code 590)
 - First Notice Published: 40 Ill. Reg. 14978 – 11/4/16
 - Expiration of Second Notice: 7/7/17

Community College Board

3. Public Access to Information (Repealer) (2 Ill. Adm. Code 5176)
 - First Notice Published: 40 Ill. Reg. 16386 – 12/30/16
 - Expiration of Second Notice: 6/14/17
4. Access to Records of the Illinois Community College Board (2 Ill. Adm. Code 5176)
 - First Notice Published: 40 Ill. Reg. 16391 – 12/30/16
 - Expiration of Second Notice: 6/14/17

Education

5. Educator License (23 Ill. Adm. Code 25)
 - First Notice Published: 41 Ill. Reg. 2800 – 3/10/17
 - Expiration of Second Notice: 7/7/17

Educational Labor Relations Board

6. Freedom of Information (Repealer) (2 Ill. Adm. Code 2676)
 - First Notice Published: 41 Ill. Reg. 279 – 1/13/17
 - Expiration of Second Notice: 7/5/17
7. Access to Records of the Illinois Educational Labor Relations Board (2 Ill. Adm. Code 2676)
 - First Notice Published: 41 Ill. Reg. 289 – 1/13/17
 - Expiration of Second Notice: 7/5/17
8. General Procedures (80 Ill. Adm. Code 1100)
 - First Notice Published: 40 Ill. Reg. 15193 – 11/14/16
 - Expiration of Second Notice: 7/5/17
9. Hearing Procedures (80 Ill. Adm. Code 1105)
 - First Notice Published: 40 Ill. Reg. 15202 – 11/14/16
 - Expiration of Second Notice: 7/5/17
10. Representation Procedures (80 Ill. Adm. Code 1110)
 - First Notice Published: 40 Ill. Reg. 15215 – 11/14/16
 - Expiration of Second Notice: 7/5/17
11. Unfair Labor Practice Proceedings (80 Ill. Adm. Code 1120)
 - First Notice Published: 40 Ill. Reg. 15242 – 11/14/16
 - Expiration of Second Notice: 7/5/17

12. Fair Share Fee Objections (80 Ill. Adm. Code 1125)
 - First Notice Published: 40 Ill. Reg. 15256 – 11/14/16
 - Expiration of Second Notice: 7/5/17
13. Collective Bargaining and Impasse Resolution (80 Ill. Adm. Code 1130)
 - First Notice Published: 40 Ill. Reg. 15263 – 11/14/16
 - Expiration of Second Notice: 7/5/17

Environmental Protection Agency

14. Procedures for Issuing Loans from the Public Water Supply Loan Program (Repealer) (35 Ill. Adm. Code 662)
 - First Notice Published: 41 Ill. Reg. 2145 – 2/24/17
 - Expiration of Second Notice: 6/18/17
15. Procedures for Issuing Loans from the Public Water Supply Loan Program (35 Ill. Adm. Code 662)
 - First Notice Published: 41 Ill. Reg. 2239 – 2/24/17
 - Expiration of Second Notice: 6/18/17
16. Procedures for Issuing Loans from the Water Pollution Control Loan Program (Repealer) (35 Ill. Adm. Code 365)
 - First Notice Published: 40 Ill. Reg. 14142 – 10/21/16
 - Expiration of Second Notice: 6/18/17
17. Procedures for Issuing Loans from the Water Pollution Control Loan Program (New Part) (35 Ill. Adm. Code 365)
 - First Notice Published: 40 Ill. Reg. 14243 – 10/21/16
 - Expiration of Second Notice: 6/18/17

Healthcare and Family Services

18. Medical Payment (89 Ill. Adm. Code 140)
 - First Notice Published: 40 Ill. Reg. 15645 – 11/28/16
 - Expiration of Second Notice: 7/22/17

Human Services

19. Electronic Prescription Monitoring Program (77 Ill. Adm. Code 280)
 - First Notice Published: 41 Ill. Reg. 2322 – 2/24/17
 - Expiration of Second Notice: 7/13/17

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20. Aid to the Aged, Blind or Disabled (89 Ill. Adm. Code 113)
-First Notice Published: 41 Ill. Reg. 2343 – 2/24/17
-Expiration of Second Notice: 6/22/17

Illinois Gaming Board

21. Video Gaming (General) (11 Ill. Adm. Code 1800)
-First Notice Published: 41 Ill. Reg. 2669 – 2/24/17
-Expiration of Second Notice: 6/14/17

Insurance

22. Acquisition of Control of a Domestic Company (50 Ill. Adm. Code 651)
-First Notice Published: 41 Ill. Reg. 312 – 1/13/17
-Expiration of Second Notice: 6/16/17
23. Pre-Acquisition Notification (50 Ill. Adm. Code 653)
-First Notice Published: 41 Ill. Reg. 332 – 1/13/17
-Expiration of Second Notice: 6/16/17
24. Prior Notification of Dividends on Common Stock and Other Distributions (50 Ill. Adm. Code 655)
-First Notice Published: 41 Ill. Reg. 340 – 1/13/17
-Expiration of Second Notice: 6/16/17

Natural Resources

25. General Hunting and Trapping on Department-Owned or -Managed Sites (17 Ill. Adm. Code 510)
-First Notice Published: 41 Ill. Reg. 2354 - 2/24/17
-Expiration of Second Notice: 7/6/17
26. Nuisance Wildlife Control Permits (17 Ill. Adm. Code 525)
-First Notice Published: 41 Ill. Reg. 3131 - 3/17/17
-Expiration of Second Notice: 7/6/17
27. Landowner Permits (17 Ill. Adm. Code 528)
-First Notice Published: 41 Ill. Reg. 2362 - 2/24/17
-Expiration of Second Notice: 7/6/17
28. Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Rabbit Hunting (17 Ill. Adm. Code 530)

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- First Notice Published: 41 Ill. Reg. 2374 - 2/24/17
-Expiration of Second Notice: 7/6/17
29. Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote, Bobcat and Woodchuck (Groundhog) Hunting (17 Ill. Adm. Code 550)
-First Notice Published: 41 Ill. Reg. 2392 - 2/24/17
-Expiration of Second Notice: 7/6/17
30. Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, River Otter, Beaver, Bobcat and Woodchuck (Groundhog) Trapping (17 Ill. Adm. Code 570)
-First Notice Published: 41 Ill. Reg. 2408 - 2/24/17
-Expiration of Second Notice: 7/6/17
31. Duck, Goose and Coot Hunting (17 Ill. Adm. Code 590)
-First Notice Published: 41 Ill. Reg. 2425 - 2/24/17
-Expiration of Second Notice: 7/6/17
32. White-Tailed Deer Hunting By Use of Firearms (17 Ill. Adm. Code 650)
-First Notice Published: 41 Ill. Reg. 2490 - 2/24/17
-Expiration of Second Notice: 7/6/17
33. White-Tailed Deer Hunting By Use of Muzzleloading Rifles (17 Ill. Adm. Code 660)
-First Notice Published: 41 Ill. Reg. 2516 - 2/24/17
-Expiration of Second Notice: 7/6/17
34. White-Tailed Deer Hunting By Use of Bow and Arrow (17 Ill. Adm. Code 670)
-First Notice Published: 41 Ill. Reg. 2532 - 2/24/17
-Expiration of Second Notice: 7/6/17
35. Youth Hunting Seasons (17 Ill. Adm. Code 685)
-First Notice Published: 41 Ill. Reg. 2561 - 2/24/17
-Expiration of Second Notice: 7/6/17
36. Squirrel Hunting (17 Ill. Adm. Code 690)
-First Notice Published: 41 Ill. Reg. 2568 - 2/24/17
-Expiration of Second Notice: 7/6/17
37. The Taking of Wild Turkeys – Spring Season (17 Ill. Adm. Code 710)
-First Notice Published: 41 Ill. Reg. 2581 - 2/24/17
-Expiration of Second Notice: 7/6/17

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38. The Taking of Wild Turkeys – Fall Gun Season (17 Ill. Adm. Code 715)
 - First Notice Published: 41 Ill. Reg. 2609 - 2/24/17
 - Expiration of Second Notice: 7/6/17
 39. The Taking of Wild Turkeys – Fall Archery Season (17 Ill. Adm. Code 720)
 - First Notice Published: 41 Ill. Reg. 2617 - 2/24/17
 - Expiration of Second Notice: 7/6/17
 40. Dove Hunting (17 Ill. Adm. Code 730)
 - First Notice Published: 41 Ill. Reg. 2634 - 2/24/17
 - Expiration of Second Notice: 7/6/17
 41. Crow, Woodcock, Snipe, Rail and Teal Hunting (17 Ill. Adm. Code 740)
 - First Notice Published: 41 Ill. Reg. 2654 - 2/24/17
 - Expiration of Second Notice: 7/6/17

Pollution Control Board

42. General Rules (35 Ill. Adm. Code 101)
 - First Notice Published: 41 Ill. Reg. 1293 - 2/10/17
 - Expiration of Second Notice: 7/18/17
43. Regulatory and Informational Hearings and Proceedings (35 Ill. Adm. Code 102)
 - First Notice Published: 41 Ill. Reg. 1364 - 2/10/17
 - Expiration of Second Notice: 7/18/17
44. Enforcement (35 Ill. Adm. Code 103)
 - First Notice Published: 41 Ill. Reg. 1394 - 2/10/17
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45. Regulatory Relief Mechanisms (35 Ill. Adm. Code 104)
 - First Notice Published: 41 Ill. Reg. 1411 - 2/10/17
 - Expiration of Second Notice: 7/18/17
46. Appeals of Final Decisions of State Agencies (35 Ill. Adm. Code 105)
 - First Notice Published: 41 Ill. Reg. 1446 - 2/10/17
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47. Proceedings Pursuant to Specific Rules or Statutory Provisions (35 Ill. Adm. Code 106)
 - First Notice Published: 41 Ill. Reg. 1466 - 2/10/17
 - Expiration of Second Notice: 7/18/17

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48. Petition to Review Pollution Control Facility Siting Decisions (35 Ill. Adm. Code 107)
-First Notice Published: 41 Ill. Reg. 1524 - 2/10/17
-Expiration of Second Notice: 7/18/17
49. Administrative Citations (35 Ill. Adm. Code 108)
-First Notice Published: 41 Ill. Reg. 1534 - 2/10/17
-Expiration of Second Notice: 7/18/17
50. Tax Certifications (35 Ill. Adm. Code 125)
-First Notice Published: 41 Ill. Reg. 1544 - 2/10/17
-Expiration of Second Notice: 7/18/17
51. Identification and Protection of Trade Secrets and Other Non-Disclosable Information (35 Ill. Adm. Code 130)
-First Notice Published: 41 Ill. Reg. 1552 - 2/10/17
-Expiration of Second Notice: 7/18/17

Public Health

52. Laboratory Service Fees (77 Ill. Adm. Code 475)
-First Notice Published: 40 Ill. Reg. 9325 – 7/15/16
-Expiration of Second Notice: 7/3/17

EMERGENCY RULEMAKING

Military Affairs

53. Illinois Manual for Courts-Martial and Nonjudicial Punishment (95 Ill. Adm. Code 400)
-Published: 41 Ill. Reg. 5459 – 5/19/17

PEREMPTORY RULEMAKING

Central Management Services

54. Pay Plan (80 Ill. Adm. Code 310)
-Published: 41 Ill. Reg. 5822 – 5/26/17

INTERNAL RULEMAKING

Revenue

55. Public Information, Rulemaking and Organization (2 Ill. Adm. Code 1200)

-Published: 41 Ill. Reg. 6367 – 6/2/17

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of May 23, 2017 through May 30, 2017. The following rulemakings are scheduled for review at the Committee's June 13, 2017 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
7/5/17	<u>Illinois Educational Labor Relations Board,</u> Collective Bargaining and Impasse Resolution (80 Ill. Adm. Code 1130)	11/14/16 40 Ill. Reg. 15263	6/13/17
7/5/17	<u>Illinois Educational Labor Relations Board,</u> Fair Share Fee Objections (80 Ill. Adm. Code 1125)	11/14/16 40 Ill. Reg. 15256	6/13/17
7/5/17	<u>Illinois Educational Labor Relations Board,</u> Unfair Labor Practice Proceedings (80 Ill. Adm. Code 1120)	11/14/16 40 Ill. Reg. 15242	6/13/17
7/5/17	<u>Illinois Educational Labor Relations Board,</u> Representation Procedures (80 Ill. Adm. Code 1110)	11/14/16 40 Ill. Reg. 15215	6/13/17
7/5/17	<u>Illinois Educational Labor Relations Board,</u> Hearings Procedures (80 Ill. Adm. Code 1105)	11/14/16 40 Ill. Reg. 15202	6/13/17
7/5/17	<u>Illinois Educational Labor Relations Board,</u> General Procedures (80 Ill. Adm. Code 1100)	11/14/16 40 Ill. Reg. 15193	6/13/17

7/5/17	<u>Illinois Educational Labor Relations Board</u> , Freedom of Information (Repealer) (2 Ill. Adm. Code 2676)	1/13/17 41 Ill. Reg. 279	6/13/17
7/5/17	<u>Illinois Educational Labor Relations Board</u> , Access to Records of the Illinois Educational Labor Relations Board (2 Ill. Adm. Code 2676)	1/13/17 41 Ill. Reg. 289	6/13/17
7/6/17	<u>Department of Natural Resources</u> , White-Tailed Deer Hunting By Use of Bow and Arrow (17 Ill. Adm. Code 670)	2/24/17 41 Ill. Reg. 2532	6/13/17
7/6/17	<u>Department of Natural Resources</u> , White-Tailed Deer Hunting By Use of Muzzleloading Rifles (17 Ill. Adm. Code 660)	2/24/17 41 Ill. Reg. 2516	6/13/17
7/6/17	<u>Department of Natural Resources</u> , White-Tailed Deer Hunting By Use of Firearms (17 Ill. Adm. Code 650)	2/24/17 41 Ill. Reg. 2490	6/13/17
7/6/17	<u>Department of Natural Resources</u> , Duck, Goose and Coot Hunting (17 Ill. Adm. Code 590)	2/24/17 41 Ill. Reg. 2425	6/13/17
7/6/17	<u>Department of Natural Resources</u> , Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, River Otter, Beaver, Bobcat and Woodchuck (Groundhog) Trapping (17 Ill. Adm. Code 570)	2/24/17 41 Ill. Reg. 2408	6/13/17
7/6/17	<u>Department of Natural Resources</u> , Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote, Bobcat and Woodchuck (Groundhog) Hunting (17 Ill. Adm. Code 550)	2/24/17 41 Ill. Reg. 2392	6/13/17
7/6/17	<u>Department of Natural Resources</u> , Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Rabbit Hunting (17 Ill. Adm. Code 530)	2/24/17 41 Ill. Reg. 2374	6/13/17
7/6/17	<u>Department of Natural Resources</u> , Landowner Permits (17 Ill. Adm. Code 528)	2/24/17 41 Ill. Reg. 2362	6/13/17

7/6/17	<u>Department of Natural Resources</u> , Nuisance Wildlife Control Permits (17 Ill. Adm. Code 525)	3/17/17 41 Ill. Reg. 3131	6/13/17
7/6/17	<u>Department of Natural Resources</u> , General Hunting and Trapping and Department-Owned or –Managed Sites (17 Ill. Adm. Code 510)	2/24/17 41 Ill. Reg. 2354	6/13/17
7/6/17	<u>Department of Natural Resources</u> , Crow, Woodchuck, Snipe, Rail and Teal Hunting (17 Ill. Adm. Code 740)	2/24/17 41 Ill. Reg. 2654	6/13/17
7/6/17	<u>Department of Natural Resources</u> , Dove Hunting (17 Ill. Adm. Code 730)	2/24/17 41 Ill. Reg. 2634	6/13/17
7/6/17	<u>Department of Natural Resources</u> , The Taking of Wild Turkeys – Fall Archery Season (17 Ill. Adm. Code 720)	2/24/17 41 Ill. Reg. 2617	6/13/17
7/6/17	<u>Department of Natural Resources</u> , The Taking of Wild Turkeys – Fall Gun Season (17 Ill. Adm. Code 715)	2/24/17 41 Ill. Reg. 2609	6/13/17
7/6/17	<u>Department of Natural Resources</u> , The Taking of Wild Turkeys – Spring Season (17 Ill. Adm. Code 710)	2/24/17 41 Ill. Reg. 2581	6/13/17
7/6/17	<u>Department of Natural Resources</u> , Squirrel Hunting (17 Ill. Adm. Code 690)	2/24/17 41 Ill. Reg. 2568	6/13/17
7/6/17	<u>Department of Natural Resources</u> , Youth Hunting Seasons (17 Ill. Adm. Code 685)	2/24/17 41 Ill. Reg. 2561	6/13/17
7/7/17	<u>Illinois Commerce Commission</u> , Minimum Safety Standards for Transportation of Gas and for Gas Pipeline Facilities (83 Ill. Adm. Code 590)	11/4/16 40 Ill. Reg. 14978	6/13/17

7/7/17	<u>Illinois State Board of Education</u> , Educator Licensure (23 Ill. Adm. Code 25)	3/10/17 41 Ill. Reg. 2800	6/13/17
7/13/17	<u>Department of Human Services</u> , Electronic Prescription Monitoring Program (77 Ill. Adm. Code 2080)	2/24/17 41 Ill. Reg. 2322	6/13/17

CHIEF PROCUREMENT OFFICER FOR THE
DEPARTMENT OF TRANSPORTATION

JULY 2017 REGULATORY AGENDA

a) Part (Heading and Code Citations): Chief Procurement Officer for the Department of Transportation – Contract Procurement; 44Ill. Admin. Code 6

1) Rulemaking:

A) Description: The Chief Procurement Officer for the Department of Transportation (CPO) will be amending this Part, as necessary to reflect changes made to 30 ILCS 500 by the 100th General Assembly.

B) Statutory Authority: 30 ILCS 500

C) Scheduled meeting/hearing date: None scheduled

D) Date Agency anticipates First Notice: Fall 2017

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

F) Agency contact person for information:

Bill Grunloh, Chief Procurement Officer
Illinois Department of Transportation
2300 South Dirksen Parkway
Springfield IL 62764

217/558-5434

G) Related rulemakings and other pertinent information: None

2017-124
Gubernatorial Disaster Declaration
Clinton, Jackson, Marshall, Union and Woodford Counties

WHEREAS, beginning April 28, 2017, severe storms moved through Illinois generating heavy rainfall; and,

WHEREAS, according to the National Weather Service, some areas of the state received in excess of ten inches of rain over a three-day period, causing flash flooding and widespread river flooding; and,

WHEREAS, a second storm system that began affecting Illinois on May 3, 2017, produced significant rainfall, exacerbating the flood conditions; and,

WHEREAS, the high precipitation totals resulted in near-record flooding on several rivers throughout the state, most notably the Big Muddy, Kaskaskia and Mississippi Rivers, as well as major and moderate flooding on numerous Illinois waterways; and,

WHEREAS, the flooding has caused significant property damage and resulted in costly emergency protective measures and permanent infrastructure damages for state and local governments, especially damaged roadways; and,

WHEREAS, based on reports received by the Illinois Emergency Management Agency, local resources and capabilities have been exhausted and State resources are needed to respond to and recover from the effects of the severe storms; and,

WHEREAS, these conditions provide legal justification under Section 7 of the Illinois Emergency Management Act for the issuance of a proclamation of disaster.

NOW, THEREFORE, in the interest of aiding the people of Illinois and the local governments responsible for ensuring public health and safety, I, Bruce Rauner, Governor of the State of Illinois, hereby proclaim as follows:

Section 1. Pursuant to the provisions of Section 7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7, I find that a disaster exists within the State of Illinois and specifically declare Clinton, Jackson, Marshall, Union and Woodford Counties as disaster areas.

Section 2. The Illinois Emergency Management Agency is directed to continue implementation of the State Emergency Operations Plan and to coordinate State resources to support local governments in disaster response and recovery operations.

Section 3. This proclamation shall be effective immediately and remain in effect for 30 days.

Issued by the Governor May 24, 2017
Filed by the Secretary of State May 24, 2017

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

Rules acted upon in Volume 41, Issue 23 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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