

# THE FLINN REPORT

ILLINOIS GENERAL ASSEMBLY  
JOINT COMMITTEE ON ADMINISTRATIVE RULES

Elaine Spencer, Editor

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The Flinn Report is a weekly summary of regulatory actions of State agencies published in the *Illinois Register* and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules (JCAR). The Flinn Report honors founding JCAR member Representative Monroe Flinn, and is designed to inform and involve the public in changes taking place in agency administration.

## Proposed Rulemakings

### ▪ PAWNBROKERS

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION proposed amendments to the Part titled Licensing and Regulation of Pawnbrokers (38 IAC 360; 49 Ill Reg 9311) that update procedures for licensing and disciplining pawnbrokers following enactment of the Pawnbroker Regulation Act of 2023 (Public Act 103-585). This rulemaking includes new statutory definitions of "pawn" and "pawnbroker"; modifications to the application and renewal process; changing the application and renewal fee to \$2,000 (currently, \$1,000 plus associated fees) and adding a new fee (\$800) for investigation of a new applicant; and an annual fiscal year (due on or before July 30) examination fee for pawnbrokers based on the total dollar amount financed in the previous calendar year (\$280 for licensees that have financed less than \$250,000; \$530 for licensees that have financed

\$250,000 or more). An in-person examination of each pawnbroker licensee must be conducted by the DFPR Division of Banking every 3 years, or whenever warranted due to complaints by customers or vendors, allegations of fraud, government investigations, change of ownership, or notice of cancellation of a surety bond. Examinations can be conducted

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virtually if the pawnbroker's most recent examination had no findings of noncompliance or financial or operational weaknesses, or if a virtual examination would be more cost effective. DFPR may also enter into cooperative agreements with other regulators to share and accept examination reports. Providers of Responsible Pawnbroker Training must renew their DFPR approval every even-numbered year, with applications accepted only between

August 1 and 31 of the renewal year and a renewal fee of \$2,000. Applications for initial approval of training vendors will be accepted every 4 years beginning in August 2024 and also require a \$2,000 application fee. The Responsible Pawnbroker Training curriculum must address, among other topics, federal, State and local laws affecting pawnbrokers; store operations; how to identify and price precious metals, jewelry, firearms and other commonly pawned items; how to identify and prevent money laundering and potentially fraudulent transactions; and the federal Military Lending Act (which regulates payday/consumer lending and other transactions involving members of the military or their families). The rulemaking also repeals an obsolete fee schedule for unregistered buyers (purchasers of scrap metal, precious metals, coins or jewelry doing business at temporary

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**ADOPTED RULES:** Rules adopted by agencies this week. **EMERGENCY RULES:** Temporary rules adopted for no more than 150 days.

**PROPOSED RULEMAKINGS:** Rules proposed by agencies this week, commencing a First Notice public comment period of at least 45 days.

**PEREMPTORY RULES:** Rules adopted without prior public notice or JCAR review as authorized by 5 ILCS 100/5-50.

▪ - Designates rules of special interest to small businesses, small municipalities and/or non-profit organizations. Agencies must consider comments from these groups and attempt to minimize regulatory burdens on them.

**QUESTIONS/COMMENTS:** Submit mail, e-mail or phone calls to the agency personnel listed below each summary.

**RULE TEXT:** First Notice proposed text, emergency rule and peremptory rule text is available at the Secretary of State website (<https://www.ilsos.gov/departments/index/register/home.html>) or at the Illinois General Assembly website (<http://www.ilga.gov>) under "Illinois Register". Second Notice text for proposed rulemakings (original version with any changes made by the agency during First Notice included) is available at the JCAR website.

# Proposed Rulemakings

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locations). Other changes include modifications to the surrender process, administrative hearing process (now aligned with other Division of Banking licensees in 38 IAC 100), and the basis for and process of issuing disciplinary orders. Finally, beginning 4/1/26, the Pawnbroker Section of the Division of Banking must file a semiannual (every April 1 and October 1) report with the DFPR Secretary of its expenses and

activities. Pawnbrokers and vendors offering pawnbroker training are affected by this rulemaking.

## ▪ MONEY TRANSMITTERS

DFPR also proposed amendments to the Part titled Uniform Money Transmission Modernization Act (38 IAC 207; 49 Ill Reg 9306) that update the Part to align with the Act. This rulemaking adds definitions and clarifies that the provisions of the Financial Institutions Act apply to licensees, delegates, and other persons or entities engaged in activities regulated under this Part. When the Secretary of DFPR issues a

cease and desist, civil penalty, or administrative penalty order, formal written notice shall be given to the affected person, who then has 10 business days after receiving the notice to file a request for a hearing. Hearings shall be conducted according to the rules in 38 IAC 100. Businesses that engage in money transfers (e.g., currency exchanges) are affected.

*Questions/requests for copies/comments on the 2 DFPR rulemakings through 9/2/25: Craig Cellini, DFPR, 320 W. Washington St., 2<sup>nd</sup> Floor, Springfield IL 62786, 217-785-0810, fax 217-557-4451, [Craig.cellini@illinois.gov](mailto:Craig.cellini@illinois.gov)*

# Adopted Rules

## RELATIVE CAREGIVERS

The DEPARTMENT OF CHILDREN AND FAMILY SERVICES adopted a new Part titled Relative Home Certification (89 IAC 415; proposed at 49 Ill Reg 3639) effective 7/7/25 at 49 Ill Reg 9346, implementing Public Act 103-1061, which establishes standards for Relative Home Certification that will permit relative caregivers to receive the same subsidies as foster parents. The rules in this Part apply to prospective foster caregivers of a child or youth in DCFS care who are related to that child by blood, marriage, civil union, tribal custom or adoption, as well as to "fictive kin" who have a family-like relationship with the child. DCFS shall undertake a family finding and engagement process by which it will identify and contact potential relative caregivers of a child in its care to assess their willingness and ability to care for the child; these contacts shall include non-custodial parents, grandparents, godparents, fictive kin, and (if a child is of Native American descent) extended family members as defined in the federal Indian Child

Welfare Act. Before certifying a relative home, DCFS will conduct a fingerprint-based background check and check for records of any abuse or neglect reports on all adults living in the household. If the applicant or any other adult has a criminal conviction or indicated abuse/neglect report in their record, DCFS must consider factors such as the length of time since the conviction or report, the nature of the offense/allegation, and its relationship to the applicant's ability to care for a child prior to making a decision. DCFS will also assess the applicant for ability to meet the needs of the youth in care and the applicant's home for safety, needs and security considerations. Applicants who do not meet the criteria in this Part shall be given a reasonable opportunity to correct deficiencies before their application is rejected. DCFS will endeavor to assist families to meet the criteria necessary for relative home certification, which may include but is not limited to assistance with filling out applications, language/translation services, facilitating completion of the

fingerprinting process, and purchasing or providing funds for home repairs or necessary safety devices or equipment (e.g., infant/child car seats). Relative caregivers will also receive an orientation from DCFS. Payments made to relative caregivers will be the same as for non-relative foster parents and will be reviewed at least every 3 years. The rulemaking also specifies the elements of each form to be completed by a prospective relative caregiver. In response to comments, DCFS made the following changes since 1<sup>st</sup> Notice: removed preference for certain relatives in the event that multiple relatives have been identified for placement (the decision will be made by DCFS or a participating agency based on the child's best interests); added a definition of "family finding and engagement" and clarified other definitions; and has added or clarified procedures through which a relative who is denied certification or placement can appeal the decision or reapply for certification.

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# Adopted Rules

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Questions/requests for copies:  
Tamara Bristow, DCFS, 406 E. Monroe  
St., Station #65-D, Springfield IL  
62701, 217-524-1983,  
[DCFS.Policy@illinois.gov](mailto:DCFS.Policy@illinois.gov)

## EDUCATOR LICENSURE

The ILLINOIS STATE BOARD OF EDUCATION adopted amendments to the Part titled Educator Licensure (23 IAC 25; proposed at 49 Ill Reg 964) effective 7/1/25 at 49 Ill Reg 9405, reflecting recent Public Acts and other updates. This rulemaking adds new endorsements for dual high school/college credit teaching in grades 11 and 12 for biology, calculus, English composition, English literature, general math, history, psychology, speech, and statistics. It also extends a Section concerning supplemental documentation and review of certain licensure applications to include applications for endorsements and other credentials, and adds statutory provisions prohibiting alteration or misrepresentation of credentials during the application process. If the State Superintendent has reason to believe an applicant has knowingly altered or misrepresented their qualifications, a committee of ISBE staff will review the application and the State Superintendent will then decide whether or not the applicant's qualifications are acceptable. ISBE may offer the applicant an opportunity to appear at an informal hearing (either in person or by video conference) after the applicant has submitted all requested documentation. Other provisions remove a Section that permits the State Superintendent to initiate licensure actions against educators with unsatisfactory performance ratings; extend short-term licensure of

paraprofessionals through 6/30/26; add a definition of "official transcript" that includes electronic as well as paper records; require the content area test (for endorsement in a particular subject) to be taken prior to receiving the Professional Educator License (PEL) instead of prior to beginning student teaching or residency; and update the incorporated standards for proficiency in world languages. Service providers that evaluate credentials earned outside the United States for purposes of Illinois licensure must confirm that they use official transcripts in their evaluations. Finally, obsolete provisions that delayed the content area tests during the COVID-19 public health emergency are removed. Since 1<sup>st</sup> Notice, ISBE has shifted the ultimate responsibility for determining whether an applicant knowingly altered or misrepresented their qualifications on an application from the review committee to the State Superintendent. ISBE has also clarified that if an application is denied, the applicant will be ineligible to reapply for up to 5 years, as determined by the State Superintendent based on the severity of the reason for denial.

## SCHOOLS

ISBE also adopted amendments to Transitional Bilingual Education (23 IAC 228; proposed at 48 Ill Reg 15681) effective 7/1/25 at 49 Ill Reg 9475, to align the Part with federal laws and regulations, including the Individuals with Disabilities Education Act (IDEA), Section 504 of IDEA, civil rights laws, and federal guidance regarding translation and interpretation of Individualized Education Plans (IEPs) and associated documents into the languages used by a student's parents. Instead of requiring non-English speaking parents to request translations, the school is now required to provide translations

unless the parents decline. Other provisions add references to Section 504 plans (for students with disabilities who are accommodated in a regular classroom and do not have an IEP); require the State Superintendent to approve a district's federally required plans for moving students out of transitional bilingual programs when they achieve English proficiency, or after 3 consecutive years; and clarify provisions related to parent advisory committees. The rulemaking also removes obsolete references to programs and provisions that are no longer in effect.

ISBE adopted amendments to State Seal of Biliteracy (23 IAC 680; proposed at 48 Ill Reg 15706) effective 7/1/25 at 49 Ill Reg 9500, that remove references to the four domains of language proficiency (speaking, writing, reading and listening) and replace them with the concept of "communicative competence", defined as the knowledge of linguistic and sociolinguistic rules of a language and the ability to use such knowledge in communication. The rulemaking also replaces the term "world language" with "language other than English" and updates web links to approved language assessments.

Questions/requests for copies of the 3 ISBE rulemakings: Azita Kakvand, ISBE, 555 W. Monroe St., Suite 900, Chicago IL 60661, 312-783-2757, [rules@isbe.net](mailto:rules@isbe.net)

## ▪ REAL ESTATE

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION adopted amendments to Real Estate License Act of 2000 (68 IAC 1450; proposed at 49 Ill Reg 2702) effective 7/7/25 at 49 Ill Reg 9512, implementing various changes to the Act and removing obsolete requirements. The process of

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# Adopted Rules

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licensing brokers via reciprocity agreements with other jurisdictions is being replaced by an endorsement process allowing brokers licensed in other jurisdictions to obtain Illinois licensure by submitting required documentation and fees, passing an Illinois-specific exam on brokerage laws, and completing a 30-hour pre-licensure endorsement course. Effective 1/1/26, DFPR will no longer grant broker or managing broker licenses by reciprocity, but licenses granted by reciprocity before that date will remain in effect and can be renewed according to existing rules. An updated statutory definition of "brokerage agreement" has been added, and all such agreements must be in writing. A sponsoring broker doing business under an assumed name is no longer required to obtain assumed business name registration in every county in which the broker does business. Self-sponsored managing brokers, education providers, and business entities (corporations, LLCs, partnerships, etc.) may now obtain virtual office licenses for a fee of \$200 for initial licensure and \$100 for renewals, in addition to any licensure or renewal fees currently charged. A license that has been expired for less than 2 years may be renewed by paying the required renewal fees and submitting proof of completion of required continuing education (CE). If a license has been expired for more than 2 years but less than 5 years, the holder must complete a reinstatement process. If a license has been expired for 5 years or more, the holder must apply for a new (initial) license. A leasing agent, broker or managing broker whose license expired while the licensee was in active-duty military service or employed by DFPR is eligible to renew their license without paying lapsed

fees or completing CE requirements. A licensee whose license has been inactive or expired for more than 2 years, or who has completed a disciplinary term, may apply for reinstatement. Effective 7/1/25, the required CE curriculum for brokers will consist of 6 (currently 4) core hours, which must now include 2 hours of fair housing training, and 6 (currently 8) elective hours, which may include diversity, equity and inclusion training. (Since 1<sup>st</sup> Notice, DFPR has clarified that a licensee who completed 4 core hours between 5/1/24 and 6/30/25 has fulfilled the core hours requirement.) For CE credit hours earned in another jurisdiction, licensees must pay a \$50 (previously \$25) fee for recognition of these CE credits. Other provisions address the transition to the new CE requirements, brokerage agreements, and require that written residential listing agreements include an automatic expiration date or, for agreements lasting more than 1 year, the right of either party to terminate the agreement with 30 days' notice.

*Questions/requests for copies: Craig Cellini, DFPR, 320 W. Washington St., 2<sup>nd</sup> Floor, Springfield IL 62786, 217-785-0810, fax: 217-557-4451, [Craig.Cellini@illinois.gov](mailto:Craig.Cellini@illinois.gov)*

## • HEALTH CARE PROFESSIONALS

The DEPARTMENT OF PUBLIC HEALTH adopted amendments to State Loan Repayment Program Code (77 IAC 582; proposed at 49 Ill Reg 3006) effective 7/7/25 at 49 Ill Reg 9635, that add pharmacists to the list of health care professionals eligible for educational loan repayment, define the Part's underlying statute (the Underserved Healthcare Provider Workforce Act) and cross reference statutory definitions for various terms. Full-time clinical practice of at least 40 hours per week must include at least 32 hours of direct patient care, while

half-time practice of 20-39 hours per week must include at least 16 hours of direct patient care. Health care professionals who initially commit to working half time for a 4-year term in a Health Professional Shortage Area or profession will receive a maximum of \$25,000 (currently \$50,000) toward repayment of their student loans. Professionals who initially make a 2-year commitment to clinical practice in an HPSA may extend their commitment for up to 4 additional years (6 total) and receive an additional \$20,000 (full time) or \$10,000 (half time) in assistance for the 3<sup>rd</sup> and 4<sup>th</sup> years of service, and an additional \$10,000 (full time) or \$5,000 (half time) in assistance for the 5<sup>th</sup> and 6<sup>th</sup> years. Initial applications for the loan repayment program will be accepted from Aug. 1 through Sept. 30 annually; if funding is not exhausted, subsequent applications will be accepted from Jan. 1 through 31 and (if funding remains available) from April 1 through 30. Applications with the earliest submission dates will be given priority if all other considerations (financial need, length and type of service commitment, etc.) are equal. Notification of application approval or denial will be made electronically (previously, by regular mail "or other communication"). A professional who resigns from their current medical facility and does not assume employment at another facility approved by DPH will be in breach of their loan repayment agreement. Those affected by this rulemaking include physicians, advanced practice registered nurses, physician assistants, dentists, pharmacists, and other healthcare professionals enrolled in the DPH loan repayment program.

*Questions/requests for copies: Tracey Trigillo, DPH, 524 S. Second St., 6<sup>th</sup> Floor, Springfield IL 62701, 217-782-1159, [dph.rules@illinois.gov](mailto:dph.rules@illinois.gov)*

## Second Notices

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The following rulemakings were moved to Second Notice this week by the agencies listed below, commencing the JCAR review period. These rulemakings will be considered at the August 13, 2025 meeting in Springfield. Other items not published in the *Illinois Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR at [jcar@ilga.gov](mailto:jcar@ilga.gov).

### **IL LABOR RELATIONS BOARD**

General Procedures (80 IAC 1200; 49 Ill Reg 7266) proposed 5/23/25

Unfair Labor Practice Proceedings (80 IAC 1220; 49 Ill Reg 7271) proposed 5/23/25

Police Officer Decertification Proceedings (Repealer) (80 IAC 1240; 49 Ill Reg 7276) proposed 5/23/25

### **POLLUTION CONTROL BOARD**

Pretreatment Programs (35 IAC 310; 49 Ill Reg 5693) proposed 4/25/25

Permits (35 IAC 502; 49 Ill Reg 5702) proposed 4/25/25

Groundwater Quality (35 IAC 620; 49 Ill Reg 5705) proposed 4/25/25

UIC Permit Program (35 IAC 704; 49 Ill Reg 5718) proposed 4/25/25

Identification and Listing of Hazardous Waste (35 IAC 721; 49 Ill Reg 5726) proposed 4/25/25

Standards for Universal Waste Management (35 IAC 733; 49 Ill Reg 5737) proposed 4/25/25

Standards for the Management of Used Oil (35 IAC 739; 49 Ill Reg 5748) proposed 4/25/25

Tiered Approach to Corrective Action Objectives (35 IAC 742; 49 Ill Reg 5758) proposed 4/25/25

Solid Waste (35 IAC 807; 49 Ill Reg 5773) proposed 4/25/25

Standards for New Solid Waste Landfills (35 IAC 811; 49 Ill Reg 5781) proposed 4/25/25

Site-Specific Closures of Coal Combustion Waste Surface Impoundments (35 IAC 840; 49 Ill Reg 5793) proposed 4/25/25

Management of Used and Waste Tires (35 IAC 848; 49 Ill Reg 5799) proposed 4/25/25

Procedures for Reporting Releases of Radionuclides at Nuclear Power Plants (35 IAC 1010; 49 Ill Reg 5806) proposed 4/25/25

Drycleaner Environmental Response Trust Fund Program (35 IAC 1501; 49 Ill Reg 5811) proposed 4/25/25

### **DEPT OF PUBLIC HEALTH**

Skilled Nursing and Intermediate Care Facilities Code (77 IAC 300; 49 Ill Reg 5872) proposed 5/2/25

### **SECRETARY OF STATE**

Issuance of Licenses (92 IAC 1030; 49 Ill Reg 5916) proposed 5/2/25

### **STATE EMPLOYEES' RETIREMENT SYSTEM**

The Administration and Operation of the State Employees' Retirement System of Illinois (80 IAC 1540; 49 Ill Reg 6855) proposed 5/16/25



**Next JCAR Meeting: Wednesday, Aug. 13, 10:30 a.m.**

Room C-1, Stratton Bldg., 401 S. Spring St., Springfield  
Meeting will be live streamed on the JCAR website

**Joint Committee on Administrative Rules**

Senator Bill Cunningham, Co-Chair  
Senator Cristina Castro  
Senator Donald DeWitte  
Senator Dale Fowler  
Senator Napoleon Harris, III  
Senator Sally Turner

Representative Ryan Spain, Co-Chair  
Representative Eva-Dina Delgado  
Representative Jackie Haas  
Representative Steven Reick  
Representative Curtis Tarver, II  
Representative Dave Vella

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