

THE FLINN REPORT

ILLINOIS GENERAL ASSEMBLY JOINT COMMITTEE ON ADMINISTRATIVE RULES

Elaine Spencer, Editor

VOLUME 49

ISSUE 44

October 31, 2025

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

DRIVER'S LICENSES

The SECRETARY OF STATE proposed amendments to Issuance of Licenses (92 IAC 1030; 49 Ill Reg 14207) implementing Public Acts 104-260 and 104-278. The rulemaking extends the duration of Seasonal Restricted Commercial Driver's Licenses from 180 days to 210 days and adds Administrative Law Judges, as defined in Section 1-15 of the Illinois Administrative Procedure Act, to the definition of a judicial officer who may change their residential or mailing address on record with SOS to a business address in accordance with the Judicial Privacy Act.

Questions/requests for copies/comments through 12/15/25: Pamela Wright, SOS, 298 Howlett Building, Springfield IL 62756, 217-785-3094, pwright@ilsos.gov

• COMMERCIAL FISHING

The DEPARTMENT OF NATURAL RESOURCES proposed amendments to the Part titled Commercial Fishing and Musseling in Certain Waters of the State (17 IAC 830; 49 Ill Reg 14164) that reorganize and update the definitions Section, update the list of

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species that may be harvested, clarify the extent of waters open to commercial fishing, and clarify specific regulations for the harvest of bighead, silver, black and grass carp, roe-bearing species (e.g., sturgeon, paddlefish, bowfin), and fish species susceptible to viral hemorrhagic septicemia (VHS). The rulemaking also establishes a mussel harvesting season on the Wabash River from April 1 through September 30 and extends the mussel harvesting seasons on the Mississippi and Illinois Rivers to the

same dates (currently, the Mississippi River season is April 1 through August 31 and the Illinois River season is July 15 through August 31). Commercial fishing businesses are affected.

Questions/requests for copies/comments through 12/15/25: John Fischer, DNR, One Natural Resources Way, Springfield IL 62702, 217-782-1809, dnr.rules@illinois.gov

• CDB GRANT PROCEDURES

The CAPITAL DEVELOPMENT BOARD proposed a new Part titled General Grantmaking (CDB) (44 IAC 7060; 49 Ill Reg 14148) and proposed repeal of the Part titled Grant Agreement Procedures (71 IAC 41; 49 Ill Adm Code 14152) in order to align its noncompetitive grant rules with the Grant Accountability and Transparency Act (GATA). The new Part incorporates federal Uniform

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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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Grant Rules at 2 CFR 200 by reference and applies to all federal and State

pass-through grants awarded by CDB. It will replace the current 71 IAC 41, which dates from 2002 and contains obsolete specifications for CDB grant agreements. Businesses and non-profits that receive CDB grants may be affected.

Questions/requests for copies/comments through 12/15/25: Lauren Noll, CDB, 401 S. Spring St., 3rd Floor Stratton Building, Springfield IL 62706, 217-524-5065, Lauren.Noll@illinois.gov

Adopted Rules

• NURSE EDUCATION

The BOARD OF HIGHER EDUCATION adopted amendments to Nurse Educator Fellowship Program (23 IAC 1105; proposed at 49 Ill Reg 1097) effective 10/16/25 at 49 Ill Reg 14240, that update various aspects of the program. The rulemaking updates eligibility criteria to include persons with at least a master's degree who are employed in "at least a .50 full time equivalent" nursing faculty position (formerly, must be full-time) at an eligible institution and who did not receive the fellowship in the past year (formerly, past 5 years). Applicants may apply every 2 years (previously, 5 years), for a maximum award of \$25,000 (previously \$10,000). Applicants must also provide a fellowship plan that addresses the fellowship's impact on traditionally underserved students and communities, including but not limited to, rural low-income, and culturally and linguistically diverse populations. Nursing schools and nursing education program faculty are affected.

Questions/requests for copies: Eric Villarreal, BHE, 1 North Old State Capitol Plaza, Suite 333, Springfield IL 62701-1377, 217-318-2476, villarreal@ibhe.org

• EARLY CHILDHOOD SCHOLARSHIPS

The ILLINOIS STUDENT ASSISTANCE COMMISSION proposed a new Part titled Early Childhood Access

Consortium for Equity (ECACE) (23 IAC 2751; proposed at 48 Ill Reg 18003) effective 10/16/25 at 49 Ill Reg 14291, implementing Public Act 103-588. The PA and this rulemaking establish a scholarship program for early childhood directors, teachers and assistants and family child care providers or assistants who are pursuing more advanced degrees or credentials. Eligible applicants must be: currently working in a preschool, a licensed day care center or day care home, or in a license-exempt facility serving children from birth to age 5; enrolled for at least 3 credit hours, or accepted for enrollment, at a public or non-profit private institution that is participating in the ECACE and provides Gateways to Opportunity credentials; and pursuing a 2-year or 4-year degree in early childhood education, with or without a Professional Educator License. Recipients must also pledge to return to or continue working in early childhood care or education in Illinois after their degree is completed. Scholarship applications will be available at ISAC's website. Applications must be resubmitted annually and accompanied by a Free Application for Federal Student Aid (FAFSA) or an Alternative Application (used by ISAC to determine eligibility for persons who do not qualify for federal student aid, e.g., certain non-U.S. citizens). Scholarship funds may be applied to any attendance costs remaining after all other financial aid is used, up to the lesser of the actual cost of attendance or the annual

maximum of \$7,500. The number of awards made per year is subject to available funding, with priority given to renewing/continuing scholarship recipients if funds are not sufficient to meet demand. Since 1st Notice, ISAC has updated its definition of "incumbent workforce" to reflect statute; updated the definitions of "licensed facility" and "license-exempt facility"; and clarified that if an application is incomplete, ISAC will notify the applicant so that missing information can be supplied, but the application will only be processed after it is completed. Early childhood and day care personnel who are seeking enhanced credentials are affected by this rulemaking.

STUDENT ASSISTANCE

ISAC also adopted amendments to General Provisions (23 IAC 2700; proposed at 48 Ill Reg 17964), Illinois National Guard (ING) Grant Program (23 IAC 2730; proposed at 48 Ill Reg 17986), and Monetary Award Program (MAP) (23 IAC 2735; proposed at 48 Ill Reg 17992), all effective 10/16/25 at 49 Ill Reg 14249, 14272, and 14278. The Part 2700 rulemaking removes State and federal tax returns or transcripts from the list of documents accepted as proof of a student's or parent's Illinois residency, while the Part 2735 amendments also require all MAP payment requests for any portion of an academic year to be submitted to ISAC by July 1 (formerly,

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Adopted Rules

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the deadline for summer term payments was July 31). Since 1st Notice, ISAC removed a proposed change to the definition of "regular

school year" from Part 2700. The Part 2730 rulemaking changes priority claim dates for ING grants to May or June for the spring semester (previously, last two weeks of March and first two weeks of April) and July or August for summer terms (previously, July).

Questions/requests for copies of the 4 ISAC rulemakings: Sarah Dulay, ISAC, 1755 Lake Cook Road, Deerfield, IL 60015, 847-831-6757, sarah.dulay@illinois.gov

Second Notices

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 November 18, 2025 meeting in Chicago. Further comments concerning these rulemakings should be addressed to JCAR at jcar@ilga.gov.

DEPT OF CHILDREN AND FAMILY SERVICES

Permanency Planning (89 IAC 315; 49 Ill Reg 7391) proposed 5/30/25

Administrative Case Reviews and Court Hearings (89 IAC 316; 49 Ill Reg 5999) proposed 5/9/25

DEPT OF COMMERCE AND ECONOMIC OPPORTUNITY

Illinois Live Theater Production Tax Credit (14 IAC 532; 49 Ill Reg 10655) proposed 8/22/25

ELEVATOR SAFETY REVIEW BOARD

Illinois Elevator Safety Rules (41 IAC 1000; 49 Ill Reg 3711) proposed 3/28/25

DEPT OF FINANCIAL AND PROFESSIONAL REGULATION

Cemetery Oversight Act (68 IAC 1249; 49 Ill Reg 5568) proposed 4/25/25

Funeral Directors and Embalmers Licensing Code (68 IAC 1250; 49 Ill Reg 5595) proposed 4/25/25

Pharmacy Practice Act (68 IAC 1330; 49 Ill Reg 4982) proposed 4/18/25

DEPT OF HUMAN SERVICES

Related Program Provisions (89 IAC 117; 49 Ill Reg 32) proposed 1/3/25

OFFICE OF THE STATE FIRE MARSHAL

Requirements for the Participation and Certification of Fire Protection Personnel (41 IAC 141; 49 Ill Reg 10917) proposed 8/29/25

Next JCAR Meeting: Tuesday, Nov. 18, 11 a.m.

Room C-600, Bilandic Building, 160 N. La Salle St., Chicago

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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