

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation, also titled The Flinn Report in memory of founding JCAR member Rep. Monroe Flinn, is designed to inform and involve the public in changes taking place in agency administration.

Proposed Rulemakings

■ INVEST IN KIDS

The DEPARTMENT OF REVENUE proposed amendments to the Part titled Invest in Kids Act (86 IAC 1000; 46 Ill Reg 1594) implementing Public Act 102-16. This rulemaking adds technical academies that operate or will operate jointly administered career and technical education (CTE) programs to the types of schools that may receive scholarships from scholarship granting organizations on behalf of qualified students attending these academies. The rule also strikes a reference to Illinois Appellate Courts in Appendix A. Persons making scholarship contributions under the Act to technical academies are affected by this rulemaking.

Questions/requests for copies/ comments through 3/7/22:

COVID-19 ACTIONS

Executive Orders of the Governor concerning the COVID-19 public health emergency can be accessed at <https://www2.illinois.gov/government/executive-orders>. Emergency rules adopted by State agencies will be summarized in The Flinn Report as they are published in the *Illinois Register*.

[Peremptory Rule, Page 3](#)

[JCAR Meeting Action, Page 3](#)

Richard S. Wolters, DOR, 101 W. Jefferson St., Springfield IL 62794, (217) 782-2844.

INSURANCE

The DEPARTMENT OF INSURANCE proposed amendments to Acquisition of Control of a Domestic Company

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Adopted Rules

ROADSIDE MEMORIALS

The DEPARTMENT OF TRANSPORTATION adopted amendments to Roadside Memorials (92 IAC 549; 45 Ill Reg 11808) effective 1/6/22, updating the messages and design of roadside memorial signs and plaques erected by DOT at the sites of fatal vehicle accidents. Memorial markers for fatal accidents attributed to driving under the influence that are erected on or after 7/1/21 shall bear the message "Don't Drive Under the Influence"; those erected prior to that date will continue to bear the message "Please Don't Drink and Drive". Memorials to other fatal accidents shall be 36 by 24 inches in size with the message "Reckless Driving Costs Lives" if the accident is attributed to reckless driving; otherwise the memorial sign shall be 36 by 18

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ADOPTED RULES: Rules adopted by agencies this week. **EMERGENCY RULES:** Adopted for a temporary period not to exceed 150 days.
PROPOSED RULES: Rules proposed by agencies this week, commencing a 45-day First Notice period during which public comments must be accepted.
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 not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.
QUESTIONS/COMMENTS: Submit mail, email or phone calls to the agency personnel listed below each summary.
RULE TEXT: Available on the Secretary of State (www.cyberdriveillinois.com) and General Assembly (www.ilga.gov) websites under Illinois Register. Second Notice text (original version with changes made by the agency during First Notice included) is available on the JCAR website.

Proposed Rulemakings

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(50 IAC 651; 46 Ill Reg 1562), Securities Regulation (50 IAC 913; 46 Ill Reg 1578) and Management Information Reports (50 IAC 915; 46 Ill Reg 1589). Amendments to Part 913 remove an outdated biographical affidavit form that is no longer being used and add a reference to the National

Association of Insurance Commissioners (NAIC) form that is currently in use and available on the NAIC website. The Part 651 and Part 915 rulemakings correct cross references to the obsolete form in Part 913.

Questions/requests for copies/ comments on the 3 DOI rulemakings through 3/7/22:

Laura Kotelman, DOI, 122 S. Michigan Ave., 19th Fl., Chicago IL 60603, 312/814-8214, Laura.Kotelman@illinois.gov, or Susan Anders, DOI, 320 W. Washington St., 4th Fl., Springfield IL 62767-0001, 217/558-0957.

Adopted Rules

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inches and bear the message "Drive With Care". Memorial markers and plaques shall be maintained for at least 2 years after the memorial was erected or the last person was memorialized on the plaque.

Questions/requests for copies: Greg Stucka, DOT, 2300 S. Dirksen Parkway, Room 317, Springfield IL 62764, 217/524-2638.

SCHOOL FINANCES

The OFFICE OF THE AUDITOR GENERAL adopted an amendment to Code of Regulations (74 IAC 420; 45 Ill Reg 9519) effective 1/4/22, removing a requirement that regional offices of education and

educational service centers audited pursuant to the School Code prepare their annual financial statements on an accrual basis of accounting in accordance with generally accepted accounting principles. (Regional offices and educational service centers are still required to make their records available to the Auditor General and complete annual financial reports by August 31.)

Questions/requests for copies: Margaret Livingston, Office of the Auditor General, 740 E. Ash St., Springfield IL 62703, 217/782-6046.

PUBLIC INFORMATION

The OFFICE OF THE STATE TREASURER adopted amendments to Access to Records of the

Office of the State Treasurer (2 IAC 651; 45 Ill Reg 12466), effective 1/7/22, updating the Part to reflect changes to the Freedom of Information Act and better reflect current practices. Requests for public records will normally receive a response within 5 business days unless extended for reasons outlined in FOIA (e.g., the size of the request). A denial may be appealed to the Public Access Counselor within the Office of the Attorney General. Types of records that are exempt from disclosure, along with fees that may be charged for paper and electronic records, are included.

Questions/requests for copies: Laura J. Duque, Office of the State Treasurer, 100 W. Randolph St., Suite 15-600, Chicago IL 60601, 217/720-0991, LDuque@illinois.treasurer.gov

Peremptory Rule

VACCINE MANDATE

The DEPARTMENT OF LABOR adopted a peremptory amendment to Health and Safety (56 IAC 350; 46 Ill Reg 1668) effective 1/7/22, implementing the federal Occupational Safety and Health Administration (OSHA) COVID-19 vaccine mandate for

large public employers in Illinois. The peremptory rule, which was to expire on 7/24/22, implemented an OSHA Emergency Temporary Standard requiring employees of entities with more than 100 workers to be fully vaccinated against COVID-19 or, if claiming a medical or religious exemption from vaccination, to be regularly tested

for COVID-19. State and local government bodies with more than 100 employees are affected.

Questions/requests for copies:
Anna Koepfel, DOL, 524 S. Second St., Suite 400, Springfield IL 62701, 217-558-1270, Anna.Koepfel@illinois.gov

JCAR Meeting Action

At its 1/18/22 meeting, the Joint Committee on Administrative Rules took the following action:

EXTENSION

JCAR, with the concurrence of the Department of Commerce and Economic Opportunity, extended the Second Notice period for the rulemaking titled Data Center Investment Program (14 IAC 521; 45 Ill Reg 2530) an additional 45 days. This rulemaking will be considered again at the Feb. 15 meeting.

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 February 15, 2022, JCAR meeting in Springfield. Other items not published in the *Register* or The Flinn Report may also be considered. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

IL GAMING BOARD

Riverboat and Casino Gambling (86 IAC 3000; 45 Ill Reg 14290) proposed 11/19/21

STATE BOARD OF ELECTIONS

Personnel (26 IAC 212; 45 Ill Reg 14131) proposed 11/12/21

Joint Committee on Administrative Rules

Senator Bill Cunningham, *co-chair*
Senator John F. Curran
Senator Donald DeWitte
Senator Kimberly Lightford
Senator Tony Muñoz
Senator Sue Rezin

Representative Tom Demmer
Representative Michael Halpin
Representative Frances Ann Hurley
Representative Steven Reick
Representative Curtis Tarver, II
Representative Keith Wheeler, *co-chair*

Kim Schultz
Executive Director

