

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

■ WATER & SEWER CHARGES

The DEPARTMENT OF REVENUE proposed a new Part titled Water and Sewer Assistance Charge (86 IAC 515; 46 Ill Reg 2602) implementing PA 102-262. The Act and the new Part allow water and sewer service providers to impose a monthly charge of 10 cents on residential customers and \$5 on non-residential customers to fund low-income water and sewer assistance programs. A water or sewer provider that chooses to participate in this program must file a monthly return with DOR that includes the charges collected during the previous month. Provisions of the Retailer's Occupation Tax Act that apply to retail sellers and do not conflict with the PA also apply to the water and sewer assistance charge. Those affected by this rulemaking include water and sewer service providers and businesses that are served by these providers.

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*.

Emergency Rules, Page 3

JCAR Meeting Tues. Feb. 15,
10:30 a.m., Rm C-1,
Stratton Bldg., Springfield

Questions/requests for copies/ comments through 3/30/22: Alexis K. Overstreet, DOR, 101 W. Jefferson St., Springfield IL 62794, (217) 782-2844.

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Adopted Rules

■ VACCINE REGISTRY

The DEPARTMENT OF PUBLIC HEALTH adopted amendments to Immunization Registry Code (77 IAC 689; 45 Ill Reg 9530) effective 1/28/22, replacing emergency amendments that were effective 7/16, 8/19 and 12/13/21. The rulemaking expands access to DPH's immunization registry (currently known as I-CARE) and clarify the purposes for which registry information may be used. Prospective registry users must complete a user agreement and be approved by DPH. Health care providers, schools, child care centers, colleges/universities, and health insurance plans may also access the registry for purposes of verifying immunization status or for coordination of medical care. However, access will not be granted to verify immunization status of employees, contractors

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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.

Adopted Rules

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or volunteers. In addition to the purposes listed in existing rule (ensuring accurate immunization records, assessing immunization rates) data in the registry may also be used as a vaccine tracking and verification system and to provide immunization-related announcements, notices and guidelines to users and participants. All COVID-19 immunizations administered in Illinois must be reported to the registry; reporting of other immunizations remains voluntary, except for publicly funded vaccine providers (e.g., participants in the Vaccines for Children program), for whom reporting is mandatory. **(NOTE: This provision does not reflect proposed legislation (HB 4244) that, if signed into law, would require all immunizations to be reported to the registry.)** Adult patients and the parents/legal guardians of minor patients may view their own immunization registry information without signing a user agreement by requesting the information from their immunization provider, from DPH, or by using a public portal or mobile application developed by DPH. A notarized consent form is no longer required for parents/guardians to view a child's immunization record. Patients or their parents/guardians may also use the currently provided opt-out form (which withholds patient information from the registry) to reverse that decision and opt back into the registry. DPH may also develop a public portal, digital platform or mobile application for

which users must be 18 or older and must register with current demographic and contact information. The information provided must exactly match the person's registry information in order to be granted access to the portal; if this information is not an exact match, an individual must contact DPH directly or their health care provider to gain access. Since 1st Notice, DPH has removed defunct provisions allowing the Department of the Lottery and the Office of the State Treasurer to access registry information in relation to the COVID-19 Vaccine Incentive Promotion (a series of cash and scholarship prize drawings held in July and August 2021). Those affected by this rulemaking include health care providers, schools, child care providers, and health insurers.

■ LONG TERM CARE

DPH also adopted a new Part titled Authorized Electronic Monitoring in Long-Term Care Facilities (77 IAC 389; 45 Ill Reg 13152) effective 1/27/22, implementing the Authorized Electronic Monitoring in Long-Term Care Facilities Act [210 ILCS 32]. The Act and the new Part allow, and set conditions for, voluntary electronic monitoring of resident rooms in skilled/intermediate care nursing homes, Intermediate Care Facilities for the Developmentally Disabled (ICF/DD), Medically Complex for the Developmentally Disabled (MC/DD) facilities, and supportive living or other specialty facilities for

persons with Alzheimer's or other dementia. Electronic monitoring of a resident may be implemented only with the consent of the resident or the resident's authorized representative and, if applicable, the resident's roommate or roommate's representative. Monitoring devices must be installed at the resident's or family's own expense, subject to conditions imposed by the facility (e.g., requiring professional installation in compliance with building codes). A facility that houses dementia patients may only place electronic monitoring devices in residents' rooms in buildings that are entirely dedicated to dementia care. The rule prescribes the content of electronic monitoring consent forms, which include standard restrictions that the resident/representative or roommate may place upon electronic monitoring (e.g., prohibiting audio recording, allowing the device to be turned off while the resident is dressing or receiving a medical or family visit). Monitoring devices may never be used to take still photographs or for the nonconsensual interception of private communications, and may not be turned off, disconnected or obstructed without the resident or representative's written consent. If a resident and roommate do not agree on whether to allow electronic monitoring, the resident who wants electronic monitoring must be given an opportunity to move to another shared room or to a private room (for which the

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Proposed Rulemakings

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Emergency Rules

SCHOOLS

The STATE BOARD OF EDUCATION proposed amendments to Public Schools Evaluation, Recognition and Supervision (23 IAC 1; 46 Ill Reg 2169) implementing four Public Acts. The amendments add Asian-American history, including the history of Asian-Americans in Illinois and the Midwest and their contributions to civil rights from the 19th century onward, to the required subjects for inclusion in history and social science courses; permit students to be excused, upon written request from a parent or guardian to the principal, from the physical activity requirements of a physical education class during periods of religious fasting; require elementary schools to include play time in their instructional schedules and address opioid abuse in drug and alcohol abuse prevention programs; and require high schools to include media literacy in their required course offerings.

Questions/requests for copies/comments through 3/30/22: Azita Kakvand, SBE, 555 W. Monroe St., Suite 900, Chicago IL 60661, (312) 783-2757, rules@isbe.net

ICF/DD FACILITIES

The DEPARTMENT OF PUBLIC HEALTH proposed amendments to Intermediate Care for Developmentally Disabled

■ HEALTH CARE WORKERS

The DEPARTMENT OF PUBLIC HEALTH adopted emergency amendments to Health Care Worker Background Check Code (77 IAC 955; 46 Ill Reg 2763) effective 1/28/22 for a maximum of 150 days. The emergency amendments implement an Executive Order that waives certain provisions of the Health Care Worker Background Check Act so that Certified Nursing Assistants (CNAs) can be more readily employed. A CNA who has been inactive on DPH's Health Care Worker Registry for 5 years or less, was in good standing when the inactive period began, and submits all required forms to DPH may be hired without a background check. Military personnel with experience or training as combat medics or corpsmen may be hired as CNAs, and CNAs licensed or certified in good standing in another state may work in Illinois under the direction of the Illinois Emergency Management Agency or DPH for the duration of the Gubernatorial Disaster Proclamations. Hospitals, long term care facilities, and other care providers that employ CNAs are affected.

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

STATE POLICE

The ILLINOIS STATE POLICE MERIT BOARD adopted emergency amendments to the Part titled Procedures of the Department of State Police Merit Board (80 IAC 150; 46 Ill Reg 2768) effective 1/28/22 for a maximum of 150 days. An identical proposed rulemaking appears in this week's *Illinois Register* at 46 Ill Reg 2607. These rulemakings allow applicants for employment or advancement in the Illinois State Police to request a waiver of application and testing fees if their available income is 200% or less of the current Federal Poverty Level, or if payment of the fee would cause the applicant or the applicant's family substantial hardship. Waivers based on income will be granted or denied within 30 days after the ISPMB receives the request. Waivers based on hardship will be reviewed at the next scheduled Board meeting, or at the following meeting if received less than 7 days before a scheduled meeting. A majority affirmative vote of Board members is required to approve a hardship waiver; in the event of a tie vote the request will be denied.

Questions/requests for copies/comments on the proposed rulemaking through 3/30/22: Daniel Dykstra, ISPMB, 531 Sangamon Ave. East, Springfield IL 62702, fax: 217/786-0181, ddykstra@ispmeritboard.org

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Adopted Rules

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resident must pay the private room rate). Facilities in which electronic monitoring is used must post signage at entrances notifying visitors that some residents' rooms may be monitored; a separate sign must be posted outside each room that is electronically monitored. Residents of nursing homes, ICF/DD and MC/DD facilities are affected by this rulemaking.

Questions/requests for copies of the 2 DPH rulemakings: Tracey Trigillo, DPH, 524 S. 2nd St., 6th Fl., Springfield IL 62701, 217/782-1159, dph.rules@illinois.gov.

■ PROFESSIONAL LICENSING

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION adopted amendments to Administrative Procedures for General Professional Regulation Under the Administrative Code (68 IAC 1130; 45 Ill Reg 13807) effective 1/28/22, implementing two Public Acts. PA 102-308 requires all persons whose professional licensing includes a continuing education requirement to complete sexual harassment prevention training prior to renewing their licenses. PA 102-4 requires holders of health care related licenses (including physicians, dentists, chiropractors, nurses, physician assistants, physical therapists, pharmacists, professional counselors/therapists, and speech-language pathologists) to complete a course

on "implicit bias awareness" as part of their continuing education prior to each license renewal, effective 1/1/23. The rulemaking defines implicit bias as "a form of bias that occurs automatically and unintentionally, that nevertheless affects judgments, decisions and behaviors". The rulemaking provides that sexual harassment prevention courses conducted by an employer in accordance with the Illinois Human Rights Act and implicit bias awareness courses conducted for purposes of professional accreditation or certification or as part of an institutional practice agreement will satisfy these requirements and can be counted toward a licensee's required continuing education hours. A person who holds multiple licenses is only required to take the sexual harassment or implicit bias course once per renewal period and does not have to repeat it for each license, although the course will count toward CE for all licenses held. The rulemaking also clarifies who may conduct these courses and the minimum topics for such courses. Since 1st Notice, DFPR has changed the effective date for implicit bias training to 1/1/23 in accordance with subsequent legislation. Persons who hold professional licenses granted by DFPR are affected by this rulemaking.

■ CANNABIS DISPENSARIES

DFPR also adopted an amendment to Cannabis Regulation and Tax Act (68 IAC 1291; 45 Ill Reg 13149), effective

1/28/21, replacing an emergency amendment effective 10/12/21. The rulemaking implements Public Act 102-98, which allows holders of early approval adult use cannabis dispensary licenses (issued to businesses originally established as medical cannabis dispensaries under the medical cannabis pilot program) to apply for relocation of the dispensary license if the city or county in which the dispensary is located prohibits adult use cannabis sales and has approved the dispensary's plans to relocate. DFPR must approve or deny relocation applications within 30 days, otherwise the application is approved by default. After DFPR has approved a relocation application, the licensee must submit floorplans for the new location, which DFPR must approve or reject within 10 days of submission. The new location must also pass a building and site inspection by DFPR before it opens for business. Those affected by this rulemaking include cannabis dispensary owners and units of local government.

■ LOAN RESALES

DFPR adopted amendments to Sales Finance Agency Act (38 IAC 160; 45 Ill Reg 13502), effective 1/28/22, allowing sales finance agencies to sell contracts and loans to entities used in a securitization or similar transaction and to retailers from whom the sales finance agency has purchased a contract. The proposed amendment clarifies that

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Proposed Rulemakings

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Facilities Code (77 IAC 350; 46 Ill Reg 2419) that reflect the change in the Part's statutory authority from the Nursing Home Care Act to the ID/DD Community Care Act. The rulemaking revises language throughout the Part to conform to the ID/DD Community Care Act and adds criteria and procedures for determining whether a facility is a "distressed facility" under the Act. The distressed facility designation will be based on the type and number of violations or deficiencies resulting in harm to residents that the facility has committed in the previous 24 months. DPH will publish a list of distressed facilities that will be reviewed and updated on a quarterly basis. A distressed facility may be placed under the management of a monitor or receiver by DPH, or the owners may contract with an independent consultant to make improvements. Distressed facilities cannot admit new residents until a plan of correction has been implemented, and will be removed from the list when they have passed at least 2 consecutive annual surveys without any violations of sufficient severity or frequency to warrant the distressed facility designation. The rulemaking also establishes Type AA (directly causing the death of a resident) and Type C (minimal risk of harm to residents) categories of violations in addition to the existing Type A and B violations and institutes a schedule of monetary penalties, ranging from \$175 for Type C violations in small facilities of fewer than 17

residents, up to \$25,000 for a Type AA violation in a large facility with over 100 residents. Other provisions establish procedures for assessing and appealing penalties; institute whistleblower protections and statutory limitations on experimental research or treatment involving ICF/DD residents; require child abuse/neglect and sex offender background checks for prospective employees (in addition to checks of the DPH Health Care Worker Registry); add provisions for care and treatment of sexual assault survivors; and update definitions, terminology and incorporations by reference.

■ HIV/AIDS GRANTS

DPH also proposed amendments to African-American HIV/AIDS Response Code (77 IAC 691; 46 Ill Reg 2585) that clarify aspects of the grant program implemented in this Part. An eligible community-based organization must have a board of directors with at least 51% African-American membership and must provide HIV/AIDS related services in a community that is either primarily populated by persons who identify as African-American, or in which African-Americans have been disproportionately impacted by HIV/AIDS. Other changes clarify the definition of a high risk community, incorporate the requirements of the Grant Accountability and Transparency Act and of the federal Office of Management and Budget concerning allowable grant expenditures, replace detailed

application instructions with a provision that DPH will provide these instructions to potential applicants, and clarify that the minimum grant award is \$25,000 per annual funding cycle. Non-profit organizations that qualify for this grant program are affected.

Questions/requests for copies/comments on the 2 DPH rulemakings through 3/30/22: Tracey Trigillo, DPH, 524 S. Second St., 6th Floor, Springfield IL 62701, (217)782-1159, dph.rules@illinois.gov

INSURANCE

The DEPARTMENT OF INSURANCE proposed amendments to Registration of Insurers (50 IAC 652; 46 Ill Reg 2398) implementing a change recently adopted by the National Association of Insurance Commissioners. The rulemaking establishes procedures for group capital calculations, criteria for exemptions and alternate procedures, and criteria for determining whether a non-U.S. jurisdiction recognizes and accepts the calculation. It also requires the annual Form B filing to be completed with both electronic and paper copies.

Questions/requests for copies/comments through 3/30/22: Laura Kotelman, DOI, 122 S. Michigan Ave., 19th Floor, Chicago IL 60603, 312/814-8214, Laura.Kotelman@illinois.gov, or Susan Anders, DOI, 320 W. Washington St., Fl. 4, Springfield IL 62767, 217/558-0957.

Adopted Rules

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these types of contract and loan sales are not prohibited under the Sales Finance Agency Act.

■ CREDIT UNIONS

DFPR adopted an emergency amendment to Illinois Credit Union Act (38 IAC 190; 45 Ill Reg 13508), effective 1/28/22, replacing an emergency amendment effective 10/15/21. The rulemaking provides that credit unions with a net worth to asset ratio of more than 6% but less than 7% will not be required to make a quarterly earnings retention transfer until after the quarter ending 3/31/22, unless DFPR determines that a transfer is necessary to address safety and soundness concerns. DFPR states that this rule extends to State-chartered credit unions a concession recently granted to federally-chartered credit unions.

Questions/requests for copies of the 4 DFPR rulemakings: Craig Cellini, DFPR, 320 W. Washington St., 2nd Floor, Springfield, IL 62786, 217/785-0813, fax: 217/557-4451.

■ BUSINESS GRANTS

The DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY adopted a new Part titled Back to Business Program (14 IAC 691; 45 Ill Reg 11456), effective 1/28/22, replacing emergency amendments that were effective 9/1 and 10/25/21. The rulemaking implements the Back to Business

(B2B) Grant Program, authorized by PA 102-16 and 102-17 to provide financial support to businesses and non-profit organizations adversely affected by the COVID-19 public health emergency. Businesses and organizations that were established prior to the pandemic or were started on or after 3/1/20 amid adverse conditions created by the COVID-19 emergency are eligible for the program, as are self-employed individuals and independent contractors operating as sole proprietors. Eligible businesses must have an annual gross income of \$20 million or less (\$35 million or less for hotels); if the business was in operation at the end of 2019, it must have earned at least \$5,000 less in gross income in 2020 than it did in 2019. Allowable expenditures covered by B2B grants, subsidies or reimbursements must be incurred between 3/1/20 and 12/31/24 and may include costs to hire or retain employees; mortgage, rent or utility costs; costs of COVID-19 prevention or mitigation (e.g., construction of barriers or partitions, physical plant alterations to accommodate social distancing, enhanced cleaning efforts); and related expenses outlined in U.S. Department of the Treasury guidance and the federal American Rescue Plan Act (ARPA). Priority will be given to small businesses and disproportionately impacted areas (determined by DCEO based on numbers or rates of COVID-19 infection and indicators of high poverty or unemployment; at least 40% of B2B funding will be

allocated to these areas). DCEO may also provide targeted funding opportunities for industries and businesses most impacted by the pandemic itself or by COVID-19 prevention directives (e.g., indoor capacity restrictions, social distancing). Assistance may also be targeted to businesses that have experienced substantial declines in gross receipts or other economic harm due to the pandemic, as well as businesses with less capacity to weather financial hardship (e.g., smallest businesses, those with less access to credit, those serving disadvantaged communities). DCEO may also prioritize funding for an industry or business district not enumerated in ARPA; if it does so, it will compile an assessment outlining how that industry or district was affected in comparison to industries that are included in ARPA and will maintain this assessment for 5 years. DCEO will determine whether to provide targeted funding opportunities based on an ongoing assessment of business community needs and will announce any targeted funding opportunities on its website. The grant application, review and payment process is subject to the Grant Accountability and Transparency Act (GATA). Grants may also be awarded to qualified partners (financial institutions or non-profit organizations) who will in turn assist affected businesses and organizations. The rulemaking also outlines application, reporting and recordkeeping procedures and lists types of businesses that

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are excluded from B2B funding. Since 1st Notice, DCEO has added an appeals process for applicants seeking to appeal a decision of a qualified partner to the agency; corrected the formula used by a qualified partner to determine an award size; clarified which businesses are not eligible for grants and deficiencies that, if not corrected, may require a recipient to return B2B funds; added deadlines for applicants to resolve identified deficiencies; and made various procedural changes and clarifications. Small businesses and non-profit agencies impacted by the COVID-19 emergency are affected by this rulemaking.

Questions/requests for copies: Jolene Clarke, DCEO, 500 E. Monroe St., Springfield IL 62701, jolene.clarke@illinois.gov

■ INTERNET SALES TAXES

The DEPARTMENT OF REVENUE adopted amendments to the Part titled Leveling the Playing Field for Illinois Retail Act (86 IAC 131; 45 Ill Reg 13589) effective 1/26/22, replacing two emergency amendments that expired 12/9/21. The rulemaking implements recent Public Acts and clarifies various aspects of the Act that apply to internet sales handled by marketplace facilitators (online platforms such as Amazon and eBay that advertise items for sale by third-party sellers and collect/remit payment for these items). With regard to the Chicago Municipal Soft Drink Tax and the

Metropolitan Pier and Exposition Authority Retailer's Occupation Tax, the rule requires food delivery services that meet the applicable threshold (\$100,000 or more in gross sales receipts, or 200 or more sales transactions, in the previous 12 months) and serve food service establishments in the applicable taxing areas to collect and pay these taxes. These proposed rules provide further information regarding the manner and circumstances in which these taxes are imposed and reverse provisions of DOR Compliance Alert 2021-01 with regard to collection of these taxes. Food delivery services that meet the definition of marketplace facilitators (e.g., DoorDash, GrubHub) must provide food service establishments with certification that the delivery service will assume responsibility for collecting and paying sales tax on sales made through that delivery service. A food service establishment that receives this certification from a delivery service will generally be relieved of sales tax liability for sales made through that delivery service. The emergency rule also clarifies which taxes are incurred by remote retailers (sellers with no physical presence, such as an office, warehouse or distribution center, in Illinois), marketplace sellers (persons/businesses that conduct their online sales through marketplace facilitators), and marketplace facilitators not subject to the Act. Remote retailers that make only tax-exempt sales are not subject to the Act. Occasional sales (those

not made in the regular course of business, e.g., sales of equipment or assets that the retailer will no longer use) do not count toward the tax remittance threshold for remote retailers, but must be included in the tax remittance threshold for marketplace facilitators. The emergency rule also explains how retailers that use origin sourcing (applying sales taxes at the seller's location; the alternate method, destination sourcing, applies sales taxes at the buyer's location) determine the location of the sale and the applicable sales taxes. Other provisions establish that sales by a remote retailer of any item that requires Illinois registration or title (e.g., vehicles, trailers, watercraft) are subject to Illinois sales tax; clarify the types of records marketplace facilitators and tax-exempt marketplace sellers must keep; clarify how misallocation of sales tax revenue based on incorrect information concerning tax jurisdiction boundaries will be resolved; and remove various examples related to auctioneers since recent legislation changed the applicability of the Act to licensed auctioneers. Changes since 1st Notice shift certain effective dates to 2/1/22 and clarify the definition of a remote retailer, aspects of tax liability for out of State sales activity, and procedures for determining application of the Chicago food and beverage tax. Those affected by this rulemaking include food service establishments that use online ordering and delivery services;

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Adopted Rules

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small businesses that conduct sales through marketplace facilitators; and licensed auctioneers.

Questions/requests for copies: Alexis K. Overstreet, DOR, 101 W. Jefferson St., Springfield, IL 62794, (217) 782-2844.

■ POLICE USE OF FORCE

The ILLINOIS STATE POLICE adopted a new Part titled Use of Force Reporting (20 IAC 1244; 45 Ill Reg 9393) effective 1/31/22, implementing requirements of the Uniform Crime Reporting Act [50 ILCS 709]. The rulemaking requires law enforcement agencies to report use of force incidents to ISP for forwarding to the FBI Use of Force National Database. Law enforcement agencies shall submit a monthly use of force report to ISP utilizing the National Incident-Based Reporting System (NIBRS). This report shall include information required in the most current FBI Use of Force specifications, including any action that resulted in the death or serious bodily injury of a person or the discharge of a firearm at or in the direction of a person. If an agency has no use of force incidents to report in a given month, it must submit a zero report for that month no later than the 15th day of the following month. ISP will forward these reports to the FBI on a monthly basis. Local law enforcement agencies are affected by this rulemaking.

Questions/requests for copies: Maureen B. McCurry, ISP, 801 S. 7th St., Suite 1000-S, Springfield IL 62703, 217/782-7658.

■ AFTER SCHOOL PROGRAMS

The STATE BOARD OF EDUCATION adopted a new Part titled After-School Grant Program (23 IAC 268; 45 Ill Reg 10905), effective 1/27/22, implementing provisions of the Fiscal Year 2022 budget that provide grants to school districts and community organizations for after-school programming. The program is open to school districts that have at least one school with a 70% or higher low income enrollment, or other entities (e.g., Regional Offices of Education, Intermediate Service Centers, community-based organizations) with a district-wide, evidence-based low income concentration of 70% or more. Each qualifying school will receive a base grant of \$2,500, plus an additional amount per low-income student based upon the amount of funding available and the number of students served. No more than 5% of each grant may be spent on administrative expenses. Other, non-school-district entities' grant amounts will be based upon the available appropriated funds. Application procedures for school district and non-school entities are outlined, along with evaluation criteria. The purpose of the grants is to improve academic outcomes for students, provide opportunities for enrichment activities in a safe and healthy environment, and strengthen public, private, and

philanthropic partnerships to provide quality support services for students facing the greatest challenges. Since 1st Notice, SBE has added language clarifying items to be included in the grant application. Those affected by this rulemaking include non-profit community organizations.

Questions/requests for copies: Azita Kakvand, SBE, 555 West Monroe Street, Suite 900, Chicago IL 60661, (312) 783-2757, rules@isbe.net

■ VEHICLE REGISTRATION

The SECRETARY OF STATE adopted an amendment to Certificates of Title, Registration of Vehicles (92 IAC 1010; 45 Ill Reg 13660), effective 1/25/22, that allows Electronic Registration and Titling (ERT) service providers to charge vendors up to \$14 (formerly, up to \$10) for each ERT transaction. The maximum fee to be imposed upon a customer utilizing ERT services will be \$35 (formerly \$25), in addition to any other fee permitted by statute or rule. Businesses that provide ERT services are affected by this rulemaking.

Questions/requests for copies: Pamela Wright, SOS, 298 Howlett Building, Springfield, IL 62756, pwright@ilsos.gov

Second Notices

The following rulemaking was moved to Second Notice this week by the agency listed below, commencing the JCAR review period. This rulemaking will be considered at the February 15, 2022, JCAR meeting. Other items not published in the *Register* or The Flinn Report may also be considered. Further comments concerning this rulemaking should be addressed to JCAR using the contact information on page 1.

DEPT OF CENTRAL MANAGEMENT SERVICES

Pay Plan (80 IAC 310; 45 Ill Reg 15499) proposed 12/17/21

Joint Committee on Administrative Rules

Senator Bill Cunningham, <i>co-chair</i>	Representative Tom Demmer
Senator John F. Curran	Representative Michael Halpin
Senator Donald DeWitte	Representative Frances Ann Hurley
Senator Kimberly Lightford	Representative Steven Reick
Senator Tony Muñoz	Representative Curtis Tarver, II
Senator Sue Rezin	Representative Keith Wheeler, <i>co-chair</i>

**Kim Schultz
Executive Director**