

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.

Adopted Rules

■ FIREARM SALES

The ILLINOIS STATE POLICE adopted amendments to Firearms Owner's Identification Card Act (20 IAC 1230; 45 Ill Reg 16315) effective 4/12/22 that establish procedures for identifying stolen firearms in ISP's FOID Card and Firearms Concealed Carry License system. Beginning 7/1/22, identification information for firearms (e.g., serial numbers) may be entered into the ISP Stolen Firearms System whenever a firearm is sold or transferred. Effective 1/1/24, use of the system becomes mandatory whenever a firearm is sold/transferred, and proof that the system was searched must be provided to the purchaser/recipient of the firearm. If the information entered in the system matches that of a reported stolen firearm, ISP will contact the local law enforcement agency that reported the stolen firearm, and the seller and buyer must

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*.

cooperate with ISP in this investigation. However, a match in the system will not, by itself, constitute confirmation that a purchased/transferred firearm has been stolen. Businesses that sell or transfer firearms are affected.

■ SEX OFFENDERS

ISP also adopted amendments to the Part titled Sex Offender Registration Act (20 IAC 1280; 46

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Emergency Rulemaking

HOSPITALS

The DEPARTMENT OF PUBLIC HEALTH adopted emergency amendments to Hospital Licensing Requirements (77 IAC 250; 46 Ill Reg 6808) effective 4/16/22 for a maximum of 150 days, renewing a previous emergency rule that expired on 4/15/22. This emergency rule allows hospitals to increase bed capacity and/or re-allocate bed designations between clinical services if necessary to meet extraordinary needs due to the COVID-19 pandemic. Hospitals may increase or re-allocate beds, or take previously increased bed capacity out of circulation, without prior notice to DPH if DPH is notified within 30 days after the action.

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

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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III Reg 843) effective 4/12/22, concerning appeal processes for certain persons required to register with local law enforcement authorities as sex offenders. The rulemakings provide that when an offender fails to register for the required time period (10 years or life, depending on the offense), ISP shall extend the offender's registration period for another 10 years and give written notice of the extension to the law enforcement agency in whose jurisdiction the offender resides. The offender shall obtain a copy of the notice from the local LE agency; if the offender believes this extension was not justified, the offender has 10 business days after receiving the notice to request that ISP investigate the circumstances that led to the extension. The ISP Director will decide whether the evidence is sufficient to justify the extension; if the Director determines there was insufficient evidence to justify an extension, the offender will be notified and given the opportunity for a hearing before an administrative law judge. The ALJ will then issue a recommendation to the Director and the Director will issue a final decision. Local law enforcement agencies may be affected by this rulemaking.

Questions/requests for copies of the 2 ISP rulemakings: Maureen B. McCurry, ISP, 801 S. Seventh St., Suite 1000-S, Springfield, IL 62703, 217/782-7658.

■ BAIID PROVIDERS

The SECRETARY OF STATE adopted amendments to Procedures and Standards (92 IAC 1001; 45 III Reg 5489) effective 4/13/22, concerning installers of breath alcohol ignition interlock devices (BAIIDs) in vehicles driven by persons who are under driving restrictions as a result of alcohol- or drug-related traffic offenses. The rulemaking requires BAIID providers to perform installations in a "professional" manner, comply with state and local zoning requirements, keep their premises sanitary, refrain from smoking cigarettes or cannabis in the presence of a BAIID permittee, and in certain cases, disable the remote start feature on vehicles when a BAIID is installed (if the remote start does not need to be disabled, post-inspection installation is required to insure that the BAIID and remote start do not interfere with each other). Providers must also visit each installation site before notifying SOS that an employee or contractor is an approved installer, and annually thereafter, to ensure that all requirements of SOS BAIID rules are met. Since 1st Notice, SOS has clarified the extent of restrictions on the presence of pets or other animals, smoking, and deactivation of remote start features. Businesses that install BAIID devices are affected.

Questions/requests for copies: Pamela Wright, SOS, 298 Howlett Bldg., Springfield IL 62756, 217/785-3094, pwright@ilsos.gov

■ SNAP ELIGIBILITY

The DEPARTMENT OF HUMAN SERVICES adopted an amendment to Supplemental Nutrition Assistance Program (SNAP) (89 IAC 121; 45 III Reg 15932) effective 4/12/22, replacing an emergency amendment that was effective 12/1/21. The rulemaking implements a federally mandated adjustment to medical expense deductions intended to maintain the cost neutrality of the SNAP program. The standard medical deduction from monthly income for households with elderly or disabled members who are not residents of group homes or supportive living facilities is reduced to \$150 (formerly \$165) per month. However, households whose medical expenses exceed \$185 (formerly \$200) per month may claim their actual expenses in excess of \$35 per month instead of the standard amount.

Questions/requests for copies: Tracie Drew, DHS, 100 S. Grand Ave. East, 3rd Floor, Springfield IL 62762, 217/785-9772.

■ TAX INVESTIGATIONS

The DEPARTMENT OF REVENUE adopted amendments to the Parts titled Retailers' Occupation Tax (86 IAC 130; 45 III Reg 13575), Liquor Control Act (86 IAC 420; 45 III Reg 13642), Cigarette Tax Act (86 IAC 440; 45 III Reg 13646) and Cigarette Use Tax Act (86 IAC 450; 45 III Reg

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Adopted Rules

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13651) effective 4/12/22, clarifying the confidentiality provision in each of the applicable statutes that allows DOR to share tax information outside the agency only for an official purpose. The Part 130 amendment states that when DOR and a law enforcement authority engage in a joint investigation of alleged sales tax

violations, a written agreement between DOR and the law enforcement authority is not required for the joint investigation to meet the “official purpose” requirement. Amendments to Parts 420, 440 and 450 clarify that DOR’s sharing of tax information with a law enforcement authority as part of a joint investigation into alleged tax violations constitutes an official purpose under the

applicable Acts. Those affected by these rulemakings include local law enforcement agencies that participate in DOR tax violation investigations.

Questions/requests for copies of the 4 DOR rulemakings: Jennifer R. Kieffer, DOR, 101 W. Jefferson St., Springfield IL 62794, 217/782-2844.

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 appear in next week’s *Illinois Register* and be considered at the May 17, 2022, meeting in Chicago. Further comments concerning these rulemakings should be addressed to JCAR using the contact information on page 1.

DEPT OF LABOR

Health and Safety (56 IAC 350; 46 Ill Reg 3482) proposed 3/4/22

DEPT OF CHILDREN AND FAMILY SERVICES

Equal Employment Opportunity Through the Department of Children and Family Services (89 IAC 429; 45 Ill Reg 7226) proposed 6/18/21

STATE POLICE MERIT BOARD

Procedures of the Department of State Police Merit Board (80 IAC 150; 46 Ill Reg 2607) proposed 2/14/22

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