

# 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

### • VIDEO GAMING

The ILLINOIS GAMING BOARD proposed amendments to Video Gaming (General) (11 IAC 1800; 50 Ill Reg 7781) concerning revenue share agreements and business relationships of sales agents and brokers who negotiate use agreements with video gaming locations. The rulemaking requires all licensed sales agents and brokers to be employees of the terminal operators whom they represent, and no longer allows them to act as independent contractors. Terminal operators may not make revenue share agreements with any person or entity other than another licensed terminal operator. IGB may also disallow any revenue share agreements that create "undue economic concentration" within the Illinois video gaming market; undermine the integrity of Illinois video gaming; or otherwise violate or

conceal a violation of the Video Gaming Act or this Part. Licensed video gaming locations and terminal operators are affected.

*Questions/requests for copies/comments through 7/27/26: Daniel Gerber, IGB, 160 N. LaSalle St., Chicago IL 60601, 312-814-4700, [IGB.RuleComments@Illinois.gov](mailto:IGB.RuleComments@Illinois.gov)*

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**Due to the Juneteenth State holiday, next week's Flinn Report will be published Monday, June 22**

### • WATER & SEWER UTILITIES

The ILLINOIS COMMERCE COMMISSION proposed amendments to the Parts titled Uniform System of

Accounts for Water Utilities (83 IAC 605; 50 Ill Reg 7736) and Uniform System of Accounts for Sewer Utilities (83 IAC 650; 50 Ill Reg 7759). These rulemakings update accounting provisions published by the National Association of Regulatory Utility Commissioners (NARUC) and incorporated in the existing rules from the 1996 version to the 2025 version. The rulemaking also makes technical changes, primarily to reflect the different numbering of provisions in the 2025 version. Those affected by these rulemakings may include small municipal water and sewer utilities.

*Questions/requests for copies/comments on the 2 ICC rulemakings through 7/27/26: Stephanie Cook, ICC, 527 E. Capitol Ave., Springfield IL 62701, 217-782-7434, [Stephanie.Cook@illinois.gov](mailto:Stephanie.Cook@illinois.gov). Please reference Docket 25-1077.*

**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.

# Adopted Rules

## LEARNING STANDARDS

The STATE BOARD OF EDUCATION adopted amendments to Public Schools Evaluation, Recognition and Supervision (23 IAC 1; proposed at 50 Ill Reg 1356) effective 5/29/26 at 50 Ill Reg 7794, that update and expand upon SBE's standards for Social and Emotional Learning (SEL) in accordance with recommendations from the Emotional Intelligence and Social and Emotional Learning Task Force.

### SEL Goals

Beginning in the 2026-27 school year, SEL standards in Appendix D include 5 overall goals: self-awareness, self-management, social awareness, relationship skills, and responsible decision-making. Each goal is broken down into activities and tasks for students in early elementary (grades K-2), late elementary (grades 3-5), middle school (grades 6-8), early high school (grades 9-10), and late high school (grades 11-12), and desired outcomes/indicators for students in each age group.

-- **Self-awareness** is defined as "the ability to recognize and understand one's own emotions, identities, biases, and values; reflect on how personal experiences, power, and privilege shape one's attitudes and behaviors; and cultivate a sense of (the) individual within social, cultural and political contexts." This goal includes learning to identify various emotions and how to react to or cope with them; identifying and pursuing personal strengths and aspirations; understanding external influences from one's family and culture; and identifying resources and supports that can help the individual achieve these goals.

-- **Self-management** includes the ability to identify and use self-care strategies, express emotions in

healthy ways, exhibit self-discipline, motivation, planning and organization, cultivate resilience and overcome adversity. This goal includes learning to recognize signs of impending stress or frustration, use appropriate coping strategies, demonstrate impulse control, balance responsibilities and manage time effectively, seek appropriate help when facing challenges, and adapt to changes.

-- **Social awareness** is defined as "the ability to understand the perspectives of and empathize with others, including those with diverse backgrounds, cultures, abilities, identities, contexts, and life experiences". It includes learning to recognize emotions and perspectives of others that differ from one's own; actively listen to and support diverse viewpoints; attempt different roles in cooperative groups; learn about other cultures and their traditions; and engage with peers from different backgrounds.

-- **Relationship skills** establish, maintain, and/or restore "healthy, rewarding connections with individuals and groups" by "communicating clearly, listening actively, cooperating, resisting inappropriate social pressure, negotiating conflict constructively, and seeking or offering help when needed." This goal includes learning to work cooperatively with others, engage in collaborative problem-solving, present and support an opinion in a positive manner, use respectful and inclusive language, and find fair solutions to conflicts.

-- **Responsible decision-making** means considering one's social, emotional and physical safety and well-being; ethical standards; and benefits and consequences of various actions. This goal includes learning to consider multiple solutions to problems, identify how assumptions

or bias might influence this process, seek out multiple sources of information, and use information technology wisely.

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

## ▪ MORTGAGE LOANS

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION adopted amendments to the Part titled Residential Mortgage License Act of 1987 (38 IAC 1050; proposed at 49 Ill Reg 10373) effective 6/1/26 at 50 Ill Reg 8010, implementing Public Act 103-1015, effective 1/1/25. This rulemaking establishes requirements for "shared appreciation" mortgages in which the borrower agrees to share a portion of any appreciation in the home's value with the lender at the time the final payment is made, in return for the lender charging a below-market interest rate. The rulemaking adds a new Subpart addressing shared appreciation agreements, including expanding the definition of a mortgage loan to include shared appreciation agreements; defines terms specific to shared appreciation agreements; establishes disclosure and counseling requirements for shared appreciation agreements and the process for calculating property value under such agreements; addresses a lender's consideration of a borrower's ability to repay in the context of a shared appreciation agreement; and prescribes the form of the required disclosure to the borrower. Changes since 1<sup>st</sup> Notice clarify definitions and also clarify when and how various notices and disclosures must be provided (e.g., when estimates of the

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# Adopted Rules

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initial and final home value are revised). Mortgage lenders that offer shared appreciation agreements are affected by this rulemaking.

## • HEALTH CARE LICENSES

DFPR also adopted amendments to the Part titled Administrative Procedures for General Professional Regulation Under the Administrative Code (68 IAC 1130; proposed at 49 Ill Reg 8507), effective 6/1/26 at 50 Ill Reg 8067, concerning automatic and indefinite suspensions of health care licenses due to disqualifying criminal convictions. The rulemaking defines a "conviction" as a judgment of conviction or a sentence entered upon a guilty plea by the defendant or a verdict of guilty rendered in a jury trial or bench trial. When DFPR determines that a health care worker's license is subject to automatic and indefinite suspension due to a criminal conviction, the licensee will be notified by regular mail or e-mail at their address of record, and the licensee will have 20 days to send a written response contesting the action. DFPR will consider the response if the licensee can document that they have been misidentified as the individual with the criminal conviction; that the conviction has been vacated, overturned, or reversed or the offense has been pardoned; or that the conviction cited is not a disqualifying conviction for a health care licensee. If the licensee fails to document any of the listed grounds or fails to respond within 20 days after receiving notice of the intended suspension, DFPR will order the license suspended automatically and indefinitely. The rulemaking also corrects outdated information and inappropriate citations. Health care

workers licensed by DFPR may be affected by this rulemaking.

*Questions/requests for copies of the 2 DFPR rulemakings: 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)*

## HOSPITALS

The DEPARTMENT OF PUBLIC HEALTH adopted amendments to Hospital Licensing Requirements (77 IAC 250; proposed at 50 Ill Reg 10) effective 5/26/26 at 50 Ill Reg 8128, updating various Sections to reflect statute and removing outdated provisions. The rulemaking removes rules for chronic disease hospitals (which no longer exist); changes references to "alcoholism and intoxication treatment" services to "substance use disorder" services; update Sections concerning public notifications and postings, psychiatric services, other special care/service units (e.g., intensive care, burn units, neonatal units); update and clarify the definitions of various substance use disorder services and the titles of medical staff and personnel providing these services; and update incorporated and referenced standards and documents, including incorporation of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition (DSM-5).

## NURSING HOMES

DPH also adopted amendments to Skilled Nursing and Intermediate Care Facilities Code (77 IAC 300; proposed at 50 Ill Reg 1804 and 2353), Skilled Care Facilities Code (77 IAC 330; proposed at 50 Ill Reg 1840) and Illinois Veterans' Homes Code (77 IAC 340; proposed at 50 Ill Reg 1869), all effective 5/26/26 at 50 Ill Reg 8176, 8244 and 8272.

## Complaints and Retaliation

All three rulemakings implement Public Act 103-1069, which prohibits retaliatory action by a facility, or any licensee or employee of a facility, against a resident who files a complaint or otherwise assists DPH in enforcement actions against a facility. The PA and these rulemakings also allow for residents to take civil action against a facility or licensee that engages in retaliatory action against the resident, and add a new Section to each Part that requires compliance with the Essential Support Person Act and its implementing rules at 77 IAC 50.

## Involuntary Discharges

Additionally, the Part 300 amendments implement changes to the Nursing Home Care Act from PA 104-191. The rulemaking updates the definition of "high-risk designation" and other statutory requirements related to the transfer and discharge of residents. A resident who has been discharged on a medical leave of absence (e.g., for hospital treatment) cannot be refused readmission if the resident's need for care does not exceed the capabilities of the facility and no grounds for involuntary discharge exist. If a resident is being involuntarily discharged for the safety of other residents, the discharged resident's managed care organization, if applicable, must be notified (along with DPH and the State Long Term Care Ombudsman). If a resident has requested a hearing from DPH after being involuntarily discharged or notified of a pending involuntary discharge, the hearing will not be canceled unless the resident withdraws the request. If a resident withdraws a hearing request based on an apparent promise of readmission from the facility, but the facility continues to deny the resident readmission, the facility may be sub-

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ject to disciplinary action, including a \$2,500 fine. DPH has authority to deny a transfer or discharge that it determines is not allowed under the Act. Other provisions list information that a facility must provide to DPH after it has been ordered to readmit a resident who was unlawfully discharged and require the resident's needs to be reassessed to ensure that the circumstances leading to the involuntary discharge are resolved, if possible.

## LABORATORIES

DPH also adopted amendments to Illinois Clinical Laboratories Code (77 IAC 450; proposed at 50 Ill Reg 1895) effective 5/26/26 at 50 Ill Reg 8297, implementing PA 102-1051, which clarifies that clinical laboratories shall examine specimens only at the request of a specified list of health care professionals, authorized law enforcement agencies, genetic counselors, and pharmacists. The rulemaking also clarifies and aligns existing requirements with federal regulations outlined in 42 CFR 493.

*Questions/requests for copies of the 5 DPH rulemakings: 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)*

## • CANNABIS & TOBACCO TAXES

The DEPARTMENT OF REVENUE adopted amendments to the Parts titled Cannabis Purchaser Excise Tax (86 IAC 423; proposed at 49 Ill Reg 15809, adopted at 50 Ill Reg 8312), Cigarette Tax Act (86 IAC 440; proposed at 49 Ill Reg 15814, adopted at 50 Ill Reg 8316), Cigarette Use Tax

Act (86 IAC 450; proposed at 49 Ill Reg 15859, adopted at 50 Ill Reg 8360) and Tobacco Products Tax Act of 1995 (86 IAC 660; proposed at 49 Ill Reg 15884, adopted at 50 Ill Reg 8384), all effective 6/1/26, implementing PA 103-1001. The PA and these rulemakings clarify that in cases where DOR has seized cannabis or tobacco products or vending devices and would normally hold a hearing to determine whether the retailer/distributor was properly licensed, a hearing is not required if the owner of the property from which the items were seized and the person in whose possession the items were found (if other than the owner) sign a waiver and consent to forfeiture. Amendments to Parts 440, 450 and 660 additionally specify how distributors (including secondary distributors) and manufacturers must record and report tobacco product sales, purchases, and inventory; reflect statutory penalties for violations and grounds for revoking, cancelling or suspending licenses; allow duly authorized DOR employees to conduct arrests and seizures without a warrant if they witness a violation or discover contraband items in person; and allow persons affected by a licensing penalty to protest the action. Rulemakings for Parts 440 and 450 also explain how "reasonable cause" for possession of contraband cigarettes (e.g., those without an Illinois tax stamp) is determined. The Part 660 amendments also implement changes to tobacco product taxes and the definition of nicotine products that were effective 7/1/25. This rulemaking clarifies that "nicotine products", for purposes of taxation, do not include pouches, patches, gum or other products approved by the Food and Drug Administration specifically as tobacco cessation aids. Manufacturers, distributors, and

retailers of cannabis or tobacco products are affected.

*Questions/requests for copies of the 4 DOR rulemakings: Kimberly Rossini, DOR, 101 W. Jefferson St., Springfield IL 62794, 217-782-7055, [REV.GCO@illinois.gov](mailto:REV.GCO@illinois.gov)*

## • COMMERCIAL FISHING

The DEPARTMENT OF NATURAL RESOURCES adopted amendments to the Part titled Commercial Fishing and Musseling in Certain Waters of the State (17 IAC 830; proposed at 49 Ill Reg 14164) effective 6/1/26 at 50 Ill Reg 8079, that reorganize and update the definitions Section, update the list of 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 (previously, the Mississippi River season was April 1 through August 31 and the Illinois River season was July 15 through August 31). Since 1<sup>st</sup> Notice, DNR has incorporated by reference its reciprocal commercial fishing agreements with the states of Iowa, Missouri and Kentucky for Mississippi River and Ohio River fishing, and made other clarifying changes. Commercial fishing businesses are affected.

*Questions/requests for copies: John Fischer, DNR, One Natural Resources Way, Springfield IL 62702, 217-782-1809, [dnr.rules@illinois.gov](mailto:dnr.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 July 14, 2026, meeting in Chicago. Other items not listed 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).

### DEPT OF COMMERCE AND ECONOMIC OPPORTUNITY

Advancing Innovative Manufacturing (AIM) for Illinois Tax Credit Program (14 IAC 565; 50 Ill Reg 5088) proposed 4/10/26

### IL EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY

State Not-For-Profit Security Grant Program (29 IAC 120; 50 Ill Reg 4612) proposed 3/27/26

### DEPT OF HUMAN SERVICES

Office of Inspector General Investigations of Alleged Abuse, Neglect, or Financial Exploitation in State-Operated Facilities and Community Agencies (59 IAC 50; 50 Ill Reg 2263) proposed 2/20/26

### DEPT OF PUBLIC HEALTH

Emergency Medical Services, Trauma Centers, Pediatric Emergency and Critical Care Centers, Stroke Centers Hospital Code (77 Ill. Adm. Code 515; 50 Ill Reg 2401) proposed 2/20/26

## JCAR Membership Change

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The Joint Committee on Administrative Rules thanks recently retired **Senator Dale Fowler**, R-Harrisburg, for his service to JCAR. Sen. Fowler has served on the Committee since 2023.

### **Next JCAR Meeting: Tuesday, June 16, 11 a.m.**

Room C-600, Bilandic Bldg., 160 N. LaSalle 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 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

Kim Schultz, Executive Director ■ Kevin Kulavic, Deputy Director  
700 Stratton Office Building, Springfield IL 62706  
217-785-2254 ■ [jcar@ilga.gov](mailto:jcar@ilga.gov)