

*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

### ■ DRINKING WATER

The POLLUTION CONTROL BOARD proposed amendments to Primary Drinking Water Standards (35 IAC 611; 47 Ill Reg 9557) implementing drinking water regulations adopted by the United States Environmental Protection Agency (USEPA) in the second half of 2020 and first half of 2021. These amendments include new federal regulations requiring drinking water fixtures to be certified as lead-free and prohibiting any use of lead pipe, fittings or solder in plumbing designed to carry water for human consumption. Other federal requirements implemented in this rulemaking include revisions of the lead and copper rules and approval of additional alternative test procedures for analyzing contaminants in drinking water. The rulemaking also includes changes to the Board's current Radionuclides Rule and removes

rules for unfiltered system suppliers using surface water sources and groundwater under the direct influence of surface water. Municipalities and businesses that supply or receive drinking water are affected.

#### Emergency Rule, Page 3

**Next JCAR Meeting:**  
Tues. July 18, 11 a.m.  
Rm 600, 160 N. La Salle St.,  
Chicago

#### Live streaming at JCAR website

*Questions/requests for copies/comments through 8/28/23: Clerk's Office, PCB, 60 E. Van Buren St., Ste. 630, Chicago IL 60605. Please reference Docket R21-10/R22-2. Comments may also be filed electronically through the Clerk's Office On-Line (COOL) at [pcb.illinois.gov](http://pcb.illinois.gov).*

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## Adopted Rules

### ■ PARKING TAX

The DEPARTMENT OF REVENUE adopted amendments to Parking Excise Tax (86 IAC 195; 46 Ill Reg 17865) effective 6/27/23, implementing PA 102-920 by adding an exemption from the parking tax for persons who park cars on their property during the State Fair in Springfield or the DuQuoin State Fair and are not otherwise subject to this tax. Since 1<sup>st</sup> Notice, DOR has removed proposed new definitions that conflicted with a subsequent Public Act (103-9). Non-profit entities that use State Fair parking for fundraising purposes, and other businesses or individuals that provide State Fair parking, are affected.

*Questions/requests for copies: Alexis Overstreet, DOR, 101 W.*

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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](http://www.cyberdriveillinois.com)) and General Assembly ([www.ilga.gov](http://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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*Jefferson St., Springfield IL 62794, 217/782-2844.*

## CONSERVATION POLICE

The DEPARTMENT OF NATURAL RESOURCES adopted amendments to Conservation Police Officer Professional Standards (17 IAC 2050; 47 Ill Reg 3153) effective 6/30/23, implementing Public Act 102-837, which made changes to hiring and training standards for DNR conservation police officers. The rulemaking requires conservation officers to obtain police officer certification under the Illinois Police Training Act within 1 year after being hired; removes the requirement that an officer hold at least a 4-year college degree or a 2-year degree plus at least 3 years of law enforcement experience at the time of hiring (candidates must be at least 21 years old, or 20 if they have completed an associate degree); removes the requirement to complete an exam administered by the Department of Central Management Services' Examination and Counseling Division; and changes the swimming competency test requirements to swimming 150 (currently 300) yards, treading water continuously for 2 (currently 10) minutes, retrieving a 5-pound object from a depth of 7 (currently 10) feet, and exiting the water without using a ladder or steps.

*Questions/requests for copies: John Fischer, DNR, One Natural Resources Way, Springfield IL 62702, 217/782-1809.*

## SOS PROCUREMENT

The SECRETARY OF STATE adopted amendments to Secretary of State Standard Procurement (44 IAC 2000; 47 Ill Reg 2619 and 4227), effective 7/3/23, combining two separately proposed rulemakings. These amendments codify SOS' current leasing practices and specifications for its statewide facilities (e.g., driver's license stations). Specifications for rentable areas, construction areas, space allowances, furnishings, improvements to real property, and disability access are added that align with specifications that the Department of Central Management Services has established for other State agencies. Other provisions update the name and composition of the Real Estate Review Board, which has been renamed the Real Estate Review Committee and consists of 4 appointees with real estate experience plus the SOS Chief of Staff (formerly, the SOS Administrator over Property Management); institute gender-neutral language; and improve readability. Since 1<sup>st</sup> Notice SOS has clarified various aspects of the response process for Requests for Information (RFIs).

*Questions/requests for copies: Pamela Wright, SOS, 298 Howlett Building, Springfield IL 62756, 217/785-3094, [pwright@ilsos.gov](mailto:pwright@ilsos.gov)*

## STATE EMPLOYEES

The DEPARTMENT OF CENTRAL MANAGEMENT SERVICES adopted amendments

to Pay Plan (80 IAC 310; 47 Ill Reg 3553) effective 7/1/23 implementing annual updates for State fiscal year 2024. This rulemaking removes obsolete in-hire rates; increases numerous Merit Compensation System (MS) pay rates to reflect an increase in the State minimum wage (to \$14 an hour) effective 7/1/23; updates the list of divided classes (job titles represented by more than one bargaining unit); updates options for certain Public Service Administrator and Senior Public Service Administrator titles; updates listed titles and pay grades for various bargaining units; and updates pay rates for boiler safety specialists (Office of the State Fire Marshal) in the Central and Southern Regions whose pay is based on annually certified prevailing wages.

*Questions/requests for copies: Jason Doggett, CMS, 504 Stratton Building, Springfield IL 62706, 217/782-4267, fax 217/524-4570, [CMS.PayPlan@Illinois.gov](mailto:CMS.PayPlan@Illinois.gov)*

# Proposed Rulemakings

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## ■ DISEASE REPORTING

The DEPARTMENT OF PUBLIC HEALTH proposed amendments to Control of Communicable Diseases Code (77 IAC 690; 47 Ill Reg 10251) updating or clarifying specific procedures for reporting or managing cases of various diseases listed in this Part, including brucellosis (in animals), chickenpox, cholera, SARS, MERS, diphtheria, E. coli, hepatitis A, B, and C, histoplasmosis, legionellosis, malaria, measles, mumps, multi-drug resistant organisms (MDRO), pertussis (whooping cough), plague, polio, rabies (human and animal), respiratory syncytial virus (RSV) deaths in children under 5, rubella, salmonellosis, SARS-CoV-2 (COVID-19) pediatric deaths or intensive care unit admissions, staphylococcus, streptococcus infections in a hospital or health care facility, tetanus, tickborne infections (including Lyme Disease and Heartland virus), laboratory confirmed deaths from influenza in persons younger than 18, and any suspected outbreak of a known or unknown disease that may be a danger to public health, whether or not specified in rule. The reporting period for many of these diseases has been shortened from 7 days to 3 days. With regard to persons who die of infectious disease that may be spread through contact with the body or bodily fluids, the rulemaking makes the attending physician, advanced practice registered nurse, or physician

## ■ CHILD CARE

The DEPARTMENT OF HUMAN SERVICES adopted emergency amendments to Child Care (89 IAC 50; 47 Ill Reg 10648) effective 7/1/22 for a maximum of 150 days. Identical proposed amendments appear in this week's *Illinois Register* at 47 Ill Reg 9555. The emergency and proposed rules update income eligibility thresholds for the Child Care Assistance Program (CCAP) to 225% of the current Federal Poverty Level for initial eligibility and 275% FPL for continuing eligibility, and also update the co-payment schedules based on income and family size. The rule

assistant who certifies the person's death (currently, the physician or coroner) responsible for labeling the body as an infection hazard so that funeral directors or others who have contact with the body can take suitable precautions. Local health authorities that issue orders for isolation, quarantine or closure must notify DPH when these orders are discontinued as well as when they are issued. With regard to extensively drug-resistant organisms (XDROs), the rulemaking updates reporting procedures and registry access and requires general hospitals, long term acute care hospitals, and skilled or intermediate care nursing facilities to query or implement alert notification from the Department's XDRO Registry

## Emergency Rule

also makes permanent a provision allowing parents to qualify for CCAP up to 3 months out of every 12 months while in the process of establishing an eligible employment or educational activity (this provision had been scheduled to expire on 6/30/23). Parents and child care providers enrolled in CCAP are affected by these rulemakings.

*Questions/requests for copies/comments on the proposed rulemaking through 8/28/23: Tracie Drew, DHS, 100 S. Grand Ave. East, Harris Building, 3<sup>rd</sup> Floor, Springfield IL 62762, 217/785-9772.*

in order to identify new admissions with XDROs. Those affected by this rulemaking include local health departments, healthcare providers, hospitals, long-term care facilities, and persons employed in the healthcare or food handling industries.

*Questions/requests for copies/comments through 8/28/23: 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)*

## ■ SALES TAXES

The DEPARTMENT OF REVENUE proposed amendments to Retailers'

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# Proposed Rulemakings

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Occupation Tax (86 IAC 130; 47 Ill Reg 10353) implementing various Public Acts and other updates. These amendments include references to cannabis dispensaries and add references to the Cannabis Regulation and Tax Act; incorporate DOR policies contained in letter rulings regarding computer software; update tax rules applicable to medical appliances; extend the manufacturing machinery and equipment exemption to graphic arts equipment; clarify that federal taxes on diesel fuel are not deductible from gross receipts when calculating sales tax liability; update the rate used for prepayment of sales taxes on motor fuel; clarify that a hearing must be requested within 20 days in disputes involving certificates of registration; and update or correct various cross references, statutory references, and language. Businesses subject to sales taxes are affected.

## UTILITIES

DOR also proposed amendments to the Part titled The Public Utilities Revenue Act (86 IAC 510; 47 Ill Reg 10453) reflecting statutory changes to the Act made from 1969 through 1998. The rulemaking adds statutory definitions and clarifies that a seller of electricity is subject to taxation under the Act only if that entity owns, leases or controls the facilities used to distribute that electricity. Other provisions clarify that monies received by DOR will be deposited in the Personal Property Tax Replacement Fund in the State Treasury (changed from the General Revenue Fund in 1980); add statutory provisions for imposition of taxes on electric distribution and invested capital that were effective on 1/1/98; clarify when returns are due, what information must be contained in returns, and that failure to file a return or filing a fraudulent return is a business offense subject to a fine of no more than \$7,500; clarify requirements for a certificate of registration, recordkeeping and for claims to recover erroneously paid

taxes; and clarify how the Retailers' Occupation Tax Act applies to entities subject to this Act.

*Questions/requests for copies/comments on the 2 DOR rulemakings through 8/28/23: Part 130, Kimberly Rossini; Part 510, Alexis K. Overstreet; DOR, 101 W. Jefferson St., Springfield IL 62794, 217/782-2844.*

## STATE EMPLOYEES

The DEPARTMENT OF CENTRAL MANAGEMENT SERVICES proposed an amendment to Extensions of Jurisdiction (80 IAC 305; 47 Ill Reg 9551) that applies Personnel Code Jurisdictions A (classification and pay), B (merit and fitness) and C (conditions of employment) to the Department of Human Services position of Tobacco Compliance Specialist.

*Questions/requests for copies/comments through 8/28/23: Sean Coombe, CMS, 313 S. Sixth St., Springfield IL 62702, 217/524-7518, [sean.coombe@illinois.gov](mailto:sean.coombe@illinois.gov)*

## Second Notice

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The following rulemaking was moved to Second Notice this week by the agency listed below, commencing the JCAR review period. This rulemaking will appear in next week's *Illinois Register* and be considered at the July 18, 2023, meeting in Chicago. 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 COMMERCE & ECONOMIC OPPORTUNITY

State Designated Cultural Districts (14 IAC 615; 47 Ill Reg 3894) proposed 3/24/23