

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

▪ STRUCTURAL ENGINEERS

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION proposed amendments to the Part titled The Structural Engineering Practice Act of 1989 (68 IAC 1480; 49 Ill Reg 10903) raising application fees for structural engineering licenses from \$100 to \$175 for the initial license, from \$30 per year (\$60 every 2 years) to \$125 every 2 years for license renewal, and from \$50 to \$55 for licensure as a structural engineering intern. For registration as a professional design firm, initial application fees and renewal fees are raised from \$75 to \$150. Total fees for restoring lapsed (not inactive) licenses or registrations may not exceed \$425 for individual structural engineering licensees or \$500 for a professional design firm. These amendments also clarify that foreign applicants can apply for licensure by endorsement; specifies the U.S. standards and codes on which a foreign applicant may have

to be tested; and allows foreign applicants to submit a National Council of Examiners for Engineering and Surveying (NCEES) record in lieu of sending transcripts. Other provisions clarify that the 2-year limit on accepted experience gained outside the U.S. does not apply to experience

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included in an NCEES Mutual Recognition Agreement and how a design firm can place its license on inactive status. Structural engineers and their employing firms are affected.

Questions/requests for copies/comments through 10/14/25: Craig Cellini, DFPR, 320 W. Washington St., 2nd Floor, Springfield IL 62786, 217-785-0810, fax 217-557-4451, Craig.Cellini@illinois.gov

▪ FIRE SERVICE PERSONNEL

The OFFICE OF THE STATE FIRE MARSHAL proposed amendments to the Part titled Requirements for the Participation and Certification of Fire Protection Personnel (41 IAC 141; 49 Ill Reg 10917) that update incorporated National Fire Protection Association (NFPA) qualification standards and clarify the positions to which these standards apply. This rulemaking also clarifies that certifications for all levels except Fire Investigator remain valid for 4 years after the date of original issue, the recertification date, or the date that a lapsed certification was made current, and that training used in one certification cycle cannot be applied towards recertification in a subsequent cycle. If recertification is not completed within 90 days after the current certification expires, the individual must complete an approved

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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.ilso.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.

Emergency Rule

PRISON MAIL

The DEPARTMENT OF CORRECTIONS adopted emergency amendments to Rights and Privileges (20 IAC 525; 49 Ill Reg 10945) effective 8/14/25 for a maximum of 150 days. These amendments update DOC procedures for processing incoming mail to individuals in custody and for reception of publications such as books, magazines, newspapers, pamphlets and newsletters. DOC states that these emergency rules are intended to prevent smuggling of contraband, hazardous substances, and other prohibited substances or materials into correctional facilities.

Electronic Mail Processing

The emergency rule authorizes DOC to process incoming mail by electronically scanning the contents and making digital copies or photocopies of the enclosed material (electronic mail processing). These copies may then be provided to the individuals to whom they are addressed in print form (mail copy processing) or electronically. Original copies of mail that is digitized or photocopied via electronic mail processing shall be retained for at least 6 months, unless the mail becomes the subject of a grievance, in which case it must be retained until the grievance process ends.

Privileged Mail

The emergency rule also adds DOC's Prison Rape Elimination Act (PREA) and Americans with Disabilities Act (ADA) Coordinators, foreign consular personnel, and rape crisis centers that have a memorandum of understanding with the facility to the list of persons and organizations who may send privileged mail (not subject to inspection by facility staff) to individuals in custody. Incoming privileged mail must be clearly marked with the name and address of the sender and be marked with "privileged", "confidential", "legal mail", "attorney correspondence" or another term indicating its privileged status. DOC may also require verification and security procedures for incoming privileged mail that include, but are not limited to, use of a sender ID number and control number obtained from DOC's Multi-Factor Authentication Mail System website.

Publications

Publications may enter a facility only through the mailroom, except for publications intended for the facility library, approved adult education or vocational services programs, or religious programs. However, individuals in custody may retain publications already in their personal possession upon transfer to another DOC facility. Individuals in custody may receive, request or purchase publications directly from the publisher, but cannot receive damaged or altered publications. All used books shall be assessed for damage or alteration before being given to an individual. Used books containing notes, pictures, and writings outside of their original state are prohibited. Relatives or friends are no longer permitted to solicit or purchase publications on behalf of an individual in custody or to bring approved publications to a DOC facility (previously, they could bring up to 5 approved publications per visit provided they were not packaged, wrapped or contained in any way).

Questions/requests for copies: Glen Austin, DOC, 1301 Concordia Court, P.O. Box 19277, Springfield IL 62794 9277, 217-786-6904, DOC.ProposedRulemaking@illinois.gov

Proposed Rulemakings

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level-specific course in order to make their certification current. Other provisions update the procedure for claims reimbursement to require fully

digital submissions; establish reimbursement rates for travel and lodging (in connection with training courses) at the federal rate in effect on April 1 of the year in which the training activity occurred, and a maximum meal reimbursement of \$100 per day for individuals who have utilized overnight lodging; and make other minor updates and clarifications. Units

of local government may be affected by this rulemaking.

Questions/requests for copies/comments through 10/14/25: Blake Fawns, OSFM, 1035 Stevenson Drive, Springfield IL 62703, 217-720-2964, SFM.141rulemaking@fdmail.sfm.illinois.gov

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 September 16, 2025 meeting in Chicago. Other items not published 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.

DEPT OF AGRICULTURE

Local Food Infrastructure Grant (8 IAC 340; 49 Ill Reg 3814) proposed 4/4/25

CAPITAL DEVELOPMENT BOARD

Illinois Energy Codes (71 IAC 600; 49 Ill Reg 7704) proposed 6/6/25

STATE BOARD OF ELECTIONS

Registration of Voters (26 IAC 216; 49 Ill Reg 8298) proposed 6/20/25

DEPT OF INNOVATION AND TECHNOLOGY

Access to Records of the Department of Innovation and Technology (2 IAC 1531; 49 Ill Reg 7205) proposed 5/23/25

Discrimination Procedures (4 IAC 1660; 49 Ill Reg 7221) proposed 5/23/25

DEPT OF NATURAL RESOURCES

Regulations for Exotic Weeds (17 IAC 1100; 49 Ill Reg 5670) proposed 4/25/25

POLLUTION CONTROL BOARD

Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments (35 IAC 845; 49 Ill Reg 7471) proposed 5/30/25

DEPT OF PUBLIC HEALTH

Newborn and Infant Screening and Treatment Code (77 IAC 661; 49 Ill Reg 7922) proposed 6/6/25

IL STUDENT ASSISTANCE COMMISSION

General Provisions (23 IAC 2700; 48 Ill Reg 17964) proposed 12/20/24

Illinois National Guard (ING) Grant Program (23 IAC 2730; 48 Ill Reg 17986) proposed 12/20/24

Monetary Award Program (MAP) (23 IAC 2735; 48 Ill Reg 17992) proposed 12/20/24

Early Childhood Access Consortium for Equity (ECACE) (23 IAC 2751; 48 Ill Reg 18003) proposed 12/20/24

Next JCAR Meeting: Tuesday, Sept. 16, 11 a.m.

Room C-600, Bilandic Bldg., 160 N. La Salle, 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 Dale Fowler
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

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