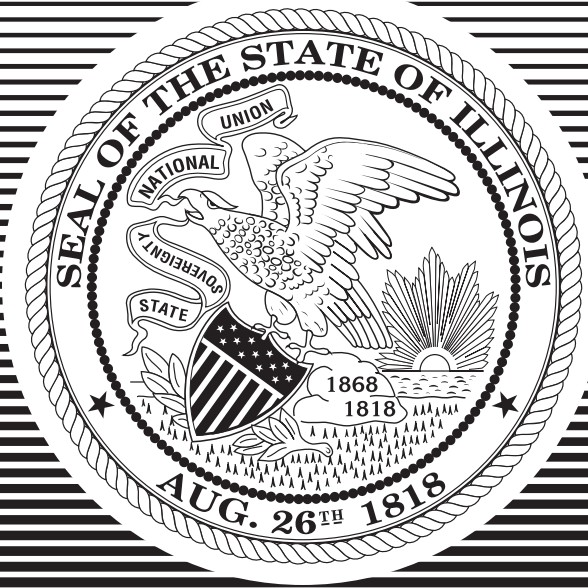

ILLINOIS

REGISTER



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Editor's Note: The Secretary of State Index Department is providing this opportunity to remind you that the next filing period for your Regulatory Agenda will occur from October 15, 2015 until January 4, 2016.

INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2015

Issue#	Rules Due Date	Date of Issue
1	December 22, 2014	January 2, 2015
2	December 29, 2014	January 9, 2015
3	January 5, 2015	January 16, 2015
4	January 12, 2015	January 23, 2015
5	January 20, 2015	January 30, 2015
6	January 26, 2015	February 6, 2015
7	February 2, 2015	February 13, 2015
8	February 9, 2015	February 20, 2015
9	February 17, 2015	February 27, 2015
10	February 23, 2015	March 6, 2015
11	March 2, 2015	March 13, 2015
12	March 9, 2015	March 20, 2015
13	March 16, 2015	March 27, 2015
14	March 23, 2015	April 3, 2015
15	March 30, 2015	April 10, 2015
16	April 6, 2015	April 17, 2015
17	April 13, 2015	April 24, 2015
18	April 20, 2015	May 1, 2015

19	April 27, 2015	May 8, 2015
20	May 4, 2015	May 15, 2015
21	May 11, 2015	May 22, 2015
22	May 18, 2015	May 29, 2015
23	May 26, 2015	June 5, 2015
24	June 1, 2015	June 12, 2015
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26	June 15, 2015	June 26, 2015
27	June 22, 2015	July 6, 2015
28	June 29, 2015	July 10, 2015
29	July 6, 2015	July 17, 2015
30	July 13, 2015	July 24, 2015
31	July 20, 2015	July 31, 2015
32	July 27, 2015	August 7, 2015
33	August 3, 2015	August 14, 2015
34	August 10, 2015	August 21, 2015
35	August 17, 2015	August 28, 2015
36	August 24, 2015	September 4, 2015
37	August 31, 2015	September 11, 2015
38	September 8, 2015	September 18, 2015
39	September 14, 2015	September 25, 2015
40	September 21, 2015	October 2, 2015
41	September 28, 2015	October 9, 2015
42	October 5, 2015	October 16, 2015
43	October 13, 2015	October 23, 2015
44	October 19, 2015	October 30, 2015
45	October 26, 2015	November 6, 2015
46	November 2, 2015	November 13, 2015
47	November 9, 2015	November 20, 2015
48	November 16, 2015	November 30, 2015
49	November 23, 2015	December 4, 2015
50	November 30, 2015	December 11, 2015
51	December 7, 2015	December 18, 2015
52	December 14, 2015	December 28, 2015

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Child Care
- 2) Code Citation: 89 Ill. Adm. Code 50
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
50.105	Amendment
50.230	Amendment
50.320	Amendment
50.420	Amendment
50.440	Amendment
- 4) Statutory Authority: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13]
- 5) Effective Date of Rules: November 23, 2015
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 39 Ill. Reg. 9731; July 17, 2015
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: The following changes were made to the text of the proposed rulemaking:
 1. Sections 50.110 and 50.430 are not included in this adopted rulemaking because all amendments originally proposed to those Sections have been removed; and
 2. In Section 50.230(c)(6)(D), "50%" was changed to "162%".
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

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- 13) Will this rulemaking replace an emergency rule currently in effect? Yes; 39 Ill. Reg. 10072
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The Department is reducing Child Care Assistance Program (CCAP) benefits to ensure the continued sustainability of CCAP. Therefore, these adopted amendments make a number of changes to CCAP as follows:
1. Amending language to raise the eligibility threshold at 162% of the Federal Poverty Level when resources are insufficient to serve all normally eligible applicants;
 2. Establishing priority service groups depending on available resources;
 3. Increasing each family's contribution to the cost of child care based on family income and the size of the family to determine the co-payment;
 4. Amending language to increase reasonable assurance that federal health and safety requirements are in place for license-exempt child centers;
 5. Clarifying the definition for "child care provider" or "child care facility";
 6. Adding a definition to define a member of the household and a Special Needs Child; and
 7. Clarifying provisions for payment for child care services.
- 16) Information and questions regarding these adopted rules shall be directed to:

Tracie Drew, Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Building, 3rd Floor
Springfield IL 62762

217/785-9772

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The full text of the Adopted Amendments begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 50
CHILD CARE

SUBPART A: GENERAL PROVISIONS

Section	
50.101	Incorporation by Reference
50.105	Definitions
50.110	Participant Rights and Responsibilities
50.120	Notification of Available Services
50.130	Child Care Overpayments and Recoveries

SUBPART B: APPLICABILITY

Section	
50.210	Child Care
50.220	Method of Providing Child Care
50.230	Child Care Eligibility
50.235	Income Eligibility Criteria
50.240	Qualified Provider (Repealed)
50.250	Additional Service to Secure or Maintain Child Care
50.260	Job Search (Repealed)

SUBPART C: PAYMENT FEES

Section	
50.310	Fees for Child Care Services
50.320	Maximum Monthly Income and Parent Fee by Family Size, Income Level and Number of Children Receiving Full-time Care

SUBPART D: PROVIDER REQUIREMENTS

Section	
50.400	Purpose
50.410	Qualified Provider

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- 50.420 Provider Registration and Certification Requirements
- 50.430 Provider Background Checks
- 50.440 Payment for Child Care Services

SUBPART E: GREAT START PROGRAM

- Section
- 50.510 Great START Program
- 50.520 Method of Providing the Wage Supplement
- 50.530 Eligibility
- 50.540 Employer Responsibility
- 50.550 Notification of Eligibility
- 50.560 Phase-in of Wage Supplement Scale
- 50.570 Wage Supplement Scale
- 50.580 Evaluation

SUBPART F: CHILD CARE COLLABORATION PROGRAM

- Section
- 50.610 Child Care Collaboration Program
- 50.620 Approvable Models of Collaboration
- 50.630 Requirements for Approval in the Child Care Collaboration Program
- 50.640 Notification of Eligibility
- 50.650 Rules and Reporting for the Child Care Collaboration Program

SUBPART G: GATEWAYS TO OPPORTUNITY CREDENTIALS

- Section
- 50.710 Gateways to Opportunity, the Illinois Professional Development System
- 50.720 Gateways to Opportunity Credentials
- 50.730 Application for Credentials
- 50.740 Framework for Gateways to Opportunity Credentials
- 50.750 Professional Knowledge
- 50.760 Gateways to Opportunity Registry

AUTHORITY: Implementing Articles I through IXA and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. I through IXA and 12-13].

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NOTICE OF ADOPTED AMENDMENTS

SOURCE: Emergency rules adopted at 21 Ill. Reg. 9502, effective July 1, 1997, for a maximum of 150 days; adopted at 21 Ill. Reg. 14961, effective November 10, 1997; emergency amendment at 22 Ill. Reg. 12816, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 21037, effective November 27, 1998; emergency amendment at 23 Ill. Reg. 10875, effective August 20, 1999, for maximum of 150 days; amended at 24 Ill. Reg. 1058, effective January 10, 2000; emergency amendment at 24 Ill. Reg. 6604, effective April 5, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 13987, effective September 1, 2000; amended at 24 Ill. Reg. 15423, effective October 10, 2000; emergency amendment at 25 Ill. Reg. 2735, effective February 5, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 8176, effective June 23, 2001; emergency amendment at 25 Ill. Reg. 8443, effective July 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 14854, effective October 31, 2001; emergency amendment at 25 Ill. Reg. 16116, effective December 1, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 7113, effective April 25, 2002; amended at 27 Ill. Reg. 12090, effective July 14, 2003; amended at 27 Ill. Reg. 18411, effective November 24, 2003; amended at 28 Ill. Reg. 6895, effective April 23, 2004; emergency amendment at 28 Ill. Reg. 10121, effective July 1, 2004, for a maximum of 150 days; emergency expired November 27, 2004; amended at 29 Ill. Reg. 2687, effective February 4, 2005; emergency amendment at 29 Ill. Reg. 13253, effective August 11, 2005, for a maximum of 150 days; emergency expired January 7, 2006; amended at 30 Ill. Reg. 11190, effective June 6, 2006; amended at 31 Ill. Reg. 12584, effective August 20, 2007; emergency amendment at 31 Ill. Reg. 13350, effective September 10, 2007, for a maximum of 150 days; emergency expired February 6, 2008; amended at 32 Ill. Reg. 6048, effective March 31, 2008; emergency amendment at 32 Ill. Reg. 6652, effective April 1, 2008, for a maximum of 150 days; amended at 32 Ill. Reg. 9604, effective June 20, 2008; amended at 32 Ill. Reg. 14742, effective August 28, 2008; amended at 33 Ill. Reg. 8195, effective June 8, 2009; emergency amendment at 33 Ill. Reg. 15889, effective November 1, 2009, for a maximum of 150 days; emergency amendment at 33 Ill. Reg. 16517, effective November 1, 2009, for a maximum of 150 days; emergency expired March 30, 2010; amended at 34 Ill. Reg. 5275, effective March 29, 2010; emergency amendment at 34 Ill. Reg. 8619, effective June 16, 2010, for a maximum of 150 days; emergency expired on November 12, 2010; amended at 34 Ill. Reg. 10512, effective July 8, 2010; amended at 34 Ill. Reg. 19539, effective December 6, 2010; amendment at 35 Ill. Reg. 1397, effective January 6, 2011; amended at 35 Ill. Reg. 3993, effective February 25, 2011; emergency amendment at 35 Ill. Reg. 6583, effective April 1, 2011, for a maximum of 150 days; emergency expired August 28, 2011; amended at 35 Ill. Reg. 8878, effective May 25, 2011; amended at 36 Ill. Reg. 1564, effective January 17, 2012; amended at 36 Ill. Reg. 12104, effective July 10, 2012; amended at 36 Ill. Reg. 14513, effective September 12, 2012; amended at 36 Ill. Reg. 16085, effective October 29, 2012; amended at 38 Ill. Reg. 18490, effective August 22, 2014; amended at 38 Ill. Reg. 19513, effective September 17, 2014; emergency amendment at 39 Ill. Reg. 10072, effective July 1, 2015, for a maximum of 150 days; emergency

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rule modified in response to JCAR objection at 39 Ill. Reg. 15158, effective November 9, 2015, for the remainder of the 150 days; amended at 39 Ill. Reg. 15540, effective November 23, 2015.

SUBPART A: GENERAL PROVISIONS

Section 50.105 Definitions

"Access to Children" – an employee (including volunteers) whose job duties require that the employee be present in the child care facility during the hours that children are present in the facility and includes any person who is permitted to be alone outside the visual or auditory supervision of facility staff with children receiving care in the facility. All individuals with access to children in care must submit to the required background checks.

"Background Check" –

a criminal history check via fingerprints of persons age 18 and over that are submitted to the Illinois State Police and the Federal Bureau of Investigation (FBI) for comparison to their criminal history records, as appropriate; and

a check of the Statewide Automated Child Welfare Information System (SACWIS) and other state child protection systems, as appropriate, to determine whether an individual is currently alleged or has been indicated as a perpetrator of child abuse or neglect; and

a check of the Illinois and National Sex Offender Registries.

"Base Wages and Salary" – is the amount of gross earned income calculated by multiplying the number of hours worked by the hourly wage plus tips, before any deductions, such as taxes, pension payments, union dues, insurance, etc., are made. Base wages and salary do not include non-recurrent or inconsistent pay for overtime, incentives, bonuses, sick, vacation, travel reimbursements or other types of non-recurrent or inconsistent income.

"CANTS" – the Child Abuse and Neglect Tracking System operated and maintained by the Department of Children and Family Services. This system is being replaced by the Statewide Automated Child Welfare Information System (SACWIS).

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"Child Care Assistance Program" or "CCAP" – Child care services authorized by the Department of Human Services (DHS) as specified in 89 Ill. Adm. Code 50.

"Child Care Provider" or "Child Care Facility" – any individual ([other than a parent or legal guardian](#)), group of persons, agency, association, or organization that provides programs or services [for compensation](#), exclusively directed towards persons under the age of 18.

"Conviction" – *a judgment of conviction or sentence entered upon a plea of guilty or upon a verdict or finding of guilty of an offense, rendered by a legally constituted jury or by a court of competent jurisdiction authorized to try the case without a jury.* (Section 2-5 of the Criminal Code of 1961 [720 ILCS 5/2-5])

"Employment" or "Work" – a trade, profession, occupation, job or other means of livelihood for which a wage, salary or monetary compensation is paid.

"Family" – the applicant, his or her spouse, and the biological or adoptive children or stepchildren of the applicant or his or her spouse under age 21 living in the same household. Family must also include the child for whom care is requested, the child's dependent blood-related and adoptive siblings, and the child's and sibling's parents living in the same household. The family may also include other persons related by blood or law to the applicant or his or her spouse living in the same household if they are dependent upon the family for more than 50 percent of their support, if including these individuals would be beneficial for the family. The family may also include a child of the applicant or his or her spouse under age 21 who is dependent upon the family for more than 50 percent of his or her support and who is a full-time student away at school, provided he or she has not established legal residence outside the family household, if including this individual would be beneficial for the family.

"Improper Payment" – any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements, and includes any payment to an ineligible recipient, any payment for an ineligible service, any duplicate payment, payments for services not received, and any payment that does not account for applicable discounts.

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"Member of the Household" – a person who lives at the same address as the parent, legal guardian or child, as evidenced by factors including, but not limited to, maintaining clothing and personal effects at the household address, receiving mail at the household address, or using identification with the household address.

"Parents" or "Parents or other Relatives" – applicants for or recipients of child care assistance who reside in the same household as the child. Parents or other relatives include:

a biological parent;

an adoptive parent;

a child's biological or adoptive parent who is the primary residential parent (custodian) of the child:

in an order of joint custody entered pursuant to Section 602.1 of the Illinois Marriage and Dissolution of Marriage Act [750 ILCS 5]; or

in an original or modification proceeding as provided in Section 201 of the Uniform Child-Custody Jurisdiction and Enforcement Act [750 ILCS 36], pursuant to Section 601 of the Illinois Marriage and Dissolution of Marriage Act;

a stepparent;

a legal guardian; or

a caretaker relative within the fifth degree of kinship. The degrees of kinship are the following blood and adoptive relatives:

First Degree of Kinship:

father; or

mother.

Second Degree of Kinship:

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brother;

sister;

grandfather; or

grandmother.

Third Degree of Kinship:

great-grandfather;

great-grandmother

uncle;

aunt;

nephew; or

niece.

Fourth Degree of Kinship:

great-great-grandfather;

great-great-grandmother;

great-uncle;

great-aunt;

first cousin;

great-niece; or

great-nephew.

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Fifth Degree of Kinship:

great-great-great-grandfather;

great-great-great-grandmother;

great-great-uncle;

great-great-aunt;

first cousin once removed;

second cousin;

great-great niece; or

great-great nephew.

Step-Relatives:

step-father;

step-mother;

step-brother; or

step-sister.

"Persons Subject to Background Checks" –

the operators of the child care facility;

all current and conditional employees of the child care facility;

any person who is used to replace or supplement staff; and

any person who has access to children.

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If the child care facility operates in a family home, the provider and all members of the household age 13 and over are subject to background checks, as appropriate, even if these members of the household are not usually present in the home during the hours the child care facility is in operation.

"Special Needs Child" –

a child with a disability, as defined in section 602 of the Individuals with Disabilities Education Act (20 USC 1401);

a child who is eligible for Early Intervention services under Part C (subchapter III) of the Individuals with Disabilities Education Act (20 USC 1431 et seq.);

a child who is less than 13 years of age and who is eligible for services under section 504 of the Rehabilitation Act of 1973 (29 USC 794).

"Teen Parent" – parents through age 19.

"Two-Parent Household" or "Two-Parent Family" – a family with two parents living in the home; includes unmarried parents who share a child in common.

(Source: Amended at 39 Ill. Reg. 15540, effective November 23, 2015)

SUBPART B: APPLICABILITY

Section 50.230 Child Care Eligibility

- a) To the extent resources permit, it is the intent of the Department to provide child care services to all applicants that meet the eligibility requirements set forth in this Section. If it is necessary to limit participation to stay within the amounts appropriated or resources available to the Department for child care services, participation will be limited to the priority service groups specified in subsection (c)(6) and that limitation in participation shall remain until such time as sufficient resources are available to serve all eligible applicants.
- ba) Child care services are restricted to children under age 13 and to children under age 19 who are under court supervision or have physical or mental incapacities as documented by a statement from a local health provider or other health

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professional.

cb) Parents and other relatives eligible to receive child care services include:

- 1) Recipients of Temporary Assistance for Needy Families (TANF) under Article IV of the Public Aid Code participating in work and/or training-related activities as specified in their RSP (see 89 Ill. Adm. Code 112.74) as approved by the Department's TANF case worker.
- 2) Working families, including teen parents enrolled full-time in elementary or high school or GED classes to obtain a high school degree or its equivalent, whose monthly incomes do not exceed the following amounts by family size:

Family Size	Gross Monthly Base Income
2	\$2,456 <u>2,268</u>
3	\$3,098 <u>2,857</u>
4	\$3,739 <u>3,446</u>
5	\$4,380 <u>4,035</u>
6	\$5,022 <u>4,624</u>
7	\$5,663 <u>5,213</u>
8	\$6,304 <u>5,802</u>
9	\$6,946 <u>6,391</u>
10	\$7,587 <u>6,980</u>

The above income guidelines will be indexed annually so that the thresholds are no less than 185% of the most current federal poverty level for each family size.

- 3) Families who do not receive TANF and need child care services in order to attend school or training (up to and including the acquisition of the first Associate Degree and/or the first Bachelor's Degree) whose monthly income does not exceed the monthly income ceilings in subsection cb(2). Child care services approved under this Part must be reasonably related to the education or training activity, including class hours and research, study, laboratory, library and transportation time, and unpaid educationally required work activities such as student teaching, an

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internship, a clinical, a practicum or an apprenticeship. Teen parents enrolled full-time in elementary or high school or GED classes will be eligible for full-time, full-year child care, including summers, when using a licensed child care provider, up to and including a three-month period after graduation, in order to secure employment or to prepare for higher education. If a parent is claimed as a dependent by another person for federal income tax purposes, that parent is only eligible if his or her income, when added to the income of the other person, does not exceed the monthly income ceiling in subsection (c**b**)(2) for that family size. All education programs under this Part must be administered by an educational institution accredited under requirements of State law, including, but not limited to, the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 [225 ILCS 410], the Real Estate Act of 2000 [225 ILCS 454], the Public Community College Act [110 ILCS 805], the University of Illinois Act [110 ILCS 305], the Chicago State University Law [110 ILCS 660], the Eastern Illinois University Law [110 ILCS 665], the Governors State University Law [110 ILCS 670], the Illinois State University Law [110 ILCS 675], the Northeastern Illinois University Law [110 ILCS 680], the Northern Illinois University Law [110 ILCS 685], the Western Illinois University Law [110 ILCS 690], or the Department of Financial and Professional Regulation. Social service agencies that provide recognized English as a Second Language (ESL) and other adult education courses and programs are not required to hold or maintain any separate type of accreditation, as long as the program they offer is supported by an accredited institution.

A) Below Post-Secondary Education Eligibility and Participation Requirements

This category of education includes literacy and other adult basic education, English as a Second Language, and GED preparation programs. There is no work requirement for the first 24 non-consecutive months the client participates. From the 25th month on, the client must work at least 20 hours per week. Child care provided to a teen parent to obtain a high school diploma or its equivalent does not count against this 24-month limit. Individuals enrolled in below post-secondary education must maintain a "C" average if this measurement is used by the institution to determine satisfactory progress. The individual will be allowed one semester below a "C" average to bring the grades up to a "C" average.

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When grades are not used, progress will be determined by the written policy of the institution to establish a comparable grade level upon completion of the academic term. The determination of satisfactory progress must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months.

- B) Vocational Education Eligibility and Participation Requirements
Programs in this category of education may be offered by a public community college, public or private university, or private business/technical school. The program usually results in the receipt of a Certificate of Achievement or Completion and/or prepares the client for a specific job or to obtain a license required by some occupations. There is no work requirement for the first 24 non-consecutive months the client participates. From the 25th month on, the client must work at least 20 hours per week. Individuals enrolled in vocational education must maintain a "C" average if this measurement is used by the institution to determine satisfactory progress. The individual will be allowed one semester below a "C" average to bring the grades up to a "C" average. When grades are not used, progress will be determined by the written policy of the institution to establish a comparable grade level upon completion of the academic term. The determination of satisfactory progress must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months.
- C) Post-Secondary Education
- i) This category of education includes all undergraduate college level courses that could result in an Associate or Bachelor's Degree. Families eligible to receive child care services while they attend an education or training program under this Section must:
- be enrolled in a program accredited under requirements of State law as stated in subsection ~~(c)~~(3).

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- not already have an Associate or Bachelor's Degree, if requesting child care to earn an Associate Degree. Child care will not be approved for attainment of a second Associate Degree.
 - not already have a Bachelor's Degree, if requesting child care to earn a Bachelor's Degree. Child care will not be approved for attainment of a second Bachelor's Degree.
 - not be in an advanced degree program (beyond a Bachelor's Degree). Child care will not be approved for education beyond the attainment of a Bachelor's Degree.
- ii) There is no work requirement for the first 48 non-consecutive months the client participates. From the 49th month on, the client must work at least 20 hours per week. Clients who do not work and who need child care to attend college must maintain a 2.5 grade point average (GPA) (on a 4.0 scale) if this measurement is used by the institution to determine satisfactory progress. Clients who work 20 hours or more per week in paid employment while they attend college must maintain a 2.0 GPA (on a 4.0 scale). In the absence of a GPA, satisfactory progress will be determined by the written policy of the institution. The determination of satisfactory progress, including test/retest results or GPA, must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months. If the client's GPA falls below 2.5 or 2.0 for those students who work or at any time the client does not maintain satisfactory progress, the client may continue to go to school for another semester. If the GPA is below 2.5 or 2.0 two semesters in a row, the client will be ineligible for child care until his or her GPA is at or above 2.5 or 2.0.
- D) For child care services received under education/training, a parent enrolled in web-based courses or correspondence learning from an

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accredited university or college is only eligible for child care assistance if both of the following are met:

- i) The class is offered only at a regularly scheduled time (i.e., 11:00 a.m. every Monday and Wednesday) or the parent must leave the home to have access to a computer.
 - ii) The child or children for whom care is requested must be under the age of six, except during the summer or school breaks. Care shall not be authorized during the hours the child is in school or is home schooled, or if the child is in a two-parent family when the other parent is available to care for the child.
- E) Study Time
Child care services may be granted for up to one hour of study time per week for each classroom hour or course credit. When possible, study periods should be arranged around regularly scheduled classes in order to provide a consistent and uninterrupted routine for children in care. Study time granted to add an extra day of care must be approved first by the Department's Bureau of Child Care and Development Policy Unit.
- 4) Relatives (other than parents) who receive child-only TANF benefits as a Representative Payee for children in need of care while they work.
 - 5) Families with active CCAP cases in which all parents in the household are called into active military duty and the relative caregivers are employed or in an approved education/training activity.
 - 6) In the event the Department must limit participation due to insufficient appropriations or available resources, applicants included in the priority service groups are:
 - A) Recipients of Temporary Assistance for Needy Families as described in subsection (c)(1);
 - B) Teen parents enrolled full-time in elementary school, high school or GED classes to obtain a high school degree or its equivalent;

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C) Families with a special needs child;

D) Working families whose monthly incomes do not exceed 162% of the most current Federal Poverty Level for their family size.

de) All families must be residents of Illinois.

ed) Payment for child care services to eligible parents may begin:

1) if care was provided at the time and all eligibility factors are met, on either:

A) the date of the parent's signature; or

B) one week (seven calendar days) prior to the stamped date of receipt by the Department or its agents, whichever is later; or

2) on the date the child care provider actually begins providing child care services, if the application is received in advance of services being provided and all eligibility factors are met.

fe) Eligibility ceases 10 calendar days from the date of the termination notice sent to the parent by the Department or its agents following a determination of ineligibility. Care will be terminated immediately if it is determined the child is no longer enrolled with the approved provider.

(Source: Amended at 39 Ill. Reg. 15540, effective November 23, 2015)

SUBPART C: PAYMENT FEES

Section 50.320 Maximum Monthly Income and Parent Fee by Family Size and Income Level

Family Size 2	
Monthly Income	Monthly Co-Pay

Family Size 3	
Monthly Income	Monthly Co-Pay

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

\$ 0 - <u>531613</u>	\$ <u>2.001.00</u>	\$ 0 - <u>670773</u>	\$ <u>2.001.00</u>
<u>532614</u> - <u>664736</u>	<u>3.007.00</u>	<u>671774</u> - <u>838927</u>	<u>3.009.00</u>
<u>665737</u> - <u>797859</u>	<u>11.0043.00</u>	<u>839928</u> - <u>1,0051,081</u>	<u>14.0046.00</u>
<u>798860</u> - <u>930981</u>	<u>17.0049.00</u>	<u>1,0061,082</u> - <u>1,1721,236</u>	<u>22.0024.00</u>
<u>931982</u> - <u>1,0621,104</u>	27.00	<u>1,1731,237</u> - <u>1,3401,390</u>	34.00
<u>1,0631,105</u> - <u>1,1951,226</u>	<u>39.0036.00</u>	<u>1,3411,391</u> - <u>1,5071,545</u>	<u>49.0046.00</u>
<u>1,1961,227</u> - <u>1,3281,349</u>	<u>53.0047.00</u>	<u>1,5081,546</u> - <u>1,6751,699</u>	<u>67.0059.00</u>
<u>1,3291,350</u> - <u>1,4611,471</u>	<u>68.0058.00</u>	<u>1,6761,700</u> - <u>1,8421,853</u>	<u>86.0073.00</u>
<u>1,4621,472</u> - <u>1,5931,594</u>	<u>86.0071.00</u>	<u>1,8431,854</u> - <u>2,0092,008</u>	<u>108.0089.00</u>
<u>1,5941,595</u> - <u>1,7261,717</u>	<u>105.0085.00</u>	<u>2,0102,009</u> - <u>2,1772,162</u>	<u>133.00407.00</u>
<u>1,7271,718</u> - <u>1,8591,839</u>	<u>127.00400.00</u>	<u>2,1782,163</u> - <u>2,3442,317</u>	<u>160.00426.00</u>
<u>1,8601,840</u> - <u>1,9921,962</u>	<u>150.00417.00</u>	<u>2,3452,318</u> - <u>2,5122,471</u>	<u>189.00447.00</u>
<u>1,9931,963</u> - <u>2,1242,084</u>	<u>175.00434.00</u>	<u>2,5132,472</u> - <u>2,6792,626</u>	<u>221.00469.00</u>
<u>2,1252,085</u> - <u>2,2572,207</u>	<u>202.00453.00</u>	<u>2,6802,627</u> - <u>2,8472,780</u>	<u>255.00492.00</u>
<u>2,2582,208</u> - <u>2,3902,268</u>	<u>231.00473.00</u>	<u>2,8482,781</u> - <u>3,0142,857</u>	<u>291.00218.00</u>
<u>2,391</u> - <u>2,456</u>	<u>250.00</u>	<u>3,015</u> - <u>3,098</u>	<u>315.00</u>

Family Size 4	
Monthly Income	Monthly Co-Pay
\$ 0 - <u>809932</u>	\$ <u>2.001.00</u>
<u>810933</u> - <u>1,0111,118</u>	<u>3.0041.00</u>
<u>1,0121,119</u> - <u>1,2131,304</u>	<u>17.0049.00</u>
<u>1,2141,305</u> - <u>1,4151,490</u>	<u>27.0029.00</u>
<u>1,4161,491</u> - <u>1,6171,677</u>	<u>42.0041.00</u>
<u>1,6181,678</u> - <u>1,8191,863</u>	<u>59.0055.00</u>
<u>1,8201,864</u> - <u>2,0212,049</u>	<u>80.0071.00</u>
<u>2,0222,050</u> - <u>2,2232,235</u>	<u>104.0088.00</u>
<u>2,2242,236</u> - <u>2,4252,422</u>	<u>131.00408.00</u>
<u>2,4262,423</u> - <u>2,6282,608</u>	<u>160.00429.00</u>
<u>2,6292,609</u> - <u>2,8302,794</u>	<u>193.00452.00</u>
<u>2,8312,795</u> - <u>3,0322,980</u>	<u>228.00476.00</u>
<u>3,0332,981</u> - <u>3,2343,167</u>	<u>266.00203.00</u>
<u>3,2353,168</u> - <u>3,4363,353</u>	<u>308.00232.00</u>
<u>3,4373,354</u> - <u>3,6383,446</u>	<u>352.00262.00</u>
<u>3,639</u> - <u>3,739</u>	<u>380.00</u>

Family Size 5	
Monthly Income	Monthly Co-Pay
\$ 0 - <u>9471,091</u>	\$ <u>2.001.00</u>
<u>9481,092</u> - <u>1,1841,309</u>	<u>3.0043.00</u>
<u>1,1851,310</u> - <u>1,4211,527</u>	<u>20.0023.00</u>
<u>1,4221,528</u> - <u>1,6581,745</u>	<u>31.0034.00</u>
<u>1,6591,746</u> - <u>1,8941,963</u>	<u>49.0048.00</u>
<u>1,8951,964</u> - <u>2,1312,181</u>	<u>70.0065.00</u>
<u>2,1322,182</u> - <u>2,3682,399</u>	<u>94.0083.00</u>
<u>2,3692,400</u> - <u>2,6052,617</u>	<u>122.00403.00</u>
<u>2,6062,618</u> - <u>2,8412,836</u>	<u>153.00426.00</u>
<u>2,8422,837</u> - <u>3,0783,054</u>	<u>188.00450.00</u>
<u>3,0793,055</u> - <u>3,3153,272</u>	<u>226.00477.00</u>
<u>3,3163,273</u> - <u>3,5523,490</u>	<u>267.00206.00</u>
<u>3,5533,491</u> - <u>3,7883,708</u>	<u>312.00238.00</u>
<u>3,7893,709</u> - <u>4,0253,926</u>	<u>360.00271.00</u>
<u>4,0263,927</u> - <u>4,2624,035</u>	<u>412.00306.00</u>
<u>4,263</u> - <u>4,380</u>	<u>445.00</u>

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

Family Size 6	
Monthly Income	Monthly Co-Pay
\$ 0 - <u>1,086</u> 1,250	\$ <u>2.00</u> 1.00
<u>1,087</u> 1,251 - <u>1,358</u> 1,500	<u>3.00</u> 15.00
<u>1,359</u> 1,501 - <u>1,629</u> 1,750	<u>22.00</u> 26.00
<u>1,630</u> 1,751 - <u>1,900</u> 2,000	<u>36.00</u> 39.00
<u>1,901</u> 2,001 - <u>2,172</u> 2,250	<u>56.00</u> 55.00
<u>2,173</u> 2,251 - <u>2,443</u> 2,500	<u>80.00</u> 74.00
<u>2,444</u> 2,501 - <u>2,715</u> 2,750	<u>108.00</u> 95.00
<u>2,716</u> 2,751 - <u>2,986</u> 2,999	<u>140.00</u> 118.00
<u>2,987</u> 3,000 - <u>3,257</u> 3,249	<u>175.00</u> 144.00
<u>3,258</u> 3,250 - <u>3,529</u> 3,499	<u>215.00</u> 172.00
<u>3,530</u> 3,500 - <u>3,800</u> 3,749	<u>259.00</u> 203.00
<u>3,801</u> 3,750 - <u>4,072</u> 3,999	<u>306.00</u> 236.00
<u>4,073</u> 4,000 - <u>4,343</u> 4,249	<u>358.00</u> 272.00
<u>4,344</u> 4,250 - <u>4,614</u> 4,499	<u>413.00</u> 310.00
<u>4,615</u> 4,500 - <u>4,886</u> 4,624	<u>472.00</u> 351.00
<u>4,887</u> - <u>5,022</u>	<u>510.00</u>

Family Size 7	
Monthly Income	Monthly Co-Pay
\$ 0 - <u>1,225</u> 1,409	\$ <u>2.00</u> 1.00
<u>1,226</u> 1,410 - <u>1,531</u> 1,691	<u>3.00</u> 17.00
<u>1,532</u> 1,692 - <u>1,837</u> 1,973	<u>25.00</u> 29.00
<u>1,838</u> 1,974 - <u>2,143</u> 2,254	<u>40.00</u> 44.00
<u>2,144</u> 2,255 - <u>2,449</u> 2,536	<u>63.00</u> 62.00
<u>2,450</u> 2,537 - <u>2,755</u> 2,818	<u>90.00</u> 83.00
<u>2,756</u> 2,819 - <u>3,061</u> 3,100	<u>122.00</u> 107.00
<u>3,062</u> 3,101 - <u>3,367</u> 3,381	<u>158.00</u> 133.00
<u>3,368</u> 3,382 - <u>3,673</u> 3,663	<u>198.00</u> 162.00
<u>3,674</u> 3,664 - <u>3,980</u> 3,945	<u>243.00</u> 194.00
<u>3,981</u> 3,946 - <u>4,286</u> 4,227	<u>292.00</u> 229.00
<u>4,287</u> 4,228 - <u>4,592</u> 4,508	<u>345.00</u> 266.00
<u>4,593</u> 4,509 - <u>4,898</u> 4,790	<u>403.00</u> 306.00
<u>4,899</u> 4,791 - <u>5,204</u> 5,072	<u>466.00</u> 349.00
<u>5,205</u> 5,073 - <u>5,510</u> 5,213	<u>533.00</u> 395.00
<u>5,511</u> - <u>5,663</u>	<u>575.00</u>

Family Size 8	
Monthly Income	Monthly Co-Pay
\$ 0 - <u>1,363</u> 1,568	\$ <u>2.00</u> 1.00
<u>1,364</u> 1,569 - <u>1,704</u> 1,882	<u>3.00</u> 19.00
<u>1,705</u> 1,883 - <u>2,045</u> 2,196	<u>28.00</u> 32.00
<u>2,046</u> 2,197 - <u>2,386</u> 2,509	<u>45.00</u> 49.00
<u>2,387</u> 2,510 - <u>2,726</u> 2,823	<u>70.00</u> 69.00
<u>2,727</u> 2,824 - <u>3,067</u> 3,136	<u>100.00</u> 93.00
<u>3,068</u> 3,137 - <u>3,408</u> 3,450	<u>135.00</u> 119.00
<u>3,409</u> 3,451 - <u>3,749</u> 3,763	<u>175.00</u> 148.00
<u>3,750</u> 3,764 - <u>4,089</u> 4,077	<u>220.00</u> 180.00
<u>4,090</u> 4,078 - <u>4,430</u> 4,391	<u>270.00</u> 216.00
<u>4,431</u> 4,392 - <u>4,771</u> 4,704	<u>325.00</u> 254.00
<u>4,772</u> 4,705 - <u>5,112</u> 5,018	<u>384.00</u> 296.00
<u>5,113</u> 5,019 - <u>5,452</u> 5,331	<u>449.00</u> 341.00
<u>5,453</u> 5,332 - <u>5,793</u> 5,645	<u>518.00</u> 389.00

Family Size 9	
Monthly Income	Monthly Co-Pay
\$ 0 - <u>1,502</u> 1,728	\$ <u>2.00</u> 1.00
<u>1,503</u> 1,729 - <u>1,878</u> 2,073	<u>3.00</u> 20.00
<u>1,879</u> 2,074 - <u>2,253</u> 2,418	<u>31.00</u> 36.00
<u>2,254</u> 2,419 - <u>2,628</u> 2,764	<u>49.00</u> 54.00
<u>2,629</u> 2,765 - <u>3,004</u> 3,109	<u>77.00</u> 76.00
<u>3,005</u> 3,110 - <u>3,379</u> 3,455	<u>110.00</u> 102.00
<u>3,380</u> 3,456 - <u>3,755</u> 3,800	<u>149.00</u> 131.00
<u>3,756</u> 3,801 - <u>4,130</u> 4,145	<u>193.00</u> 163.00
<u>4,131</u> 4,146 - <u>4,505</u> 4,491	<u>243.00</u> 199.00
<u>4,506</u> 4,492 - <u>4,881</u> 4,836	<u>298.00</u> 238.00
<u>4,882</u> 4,837 - <u>5,256</u> 5,182	<u>358.00</u> 280.00
<u>5,257</u> 5,183 - <u>5,632</u> 5,527	<u>424.00</u> 326.00
<u>5,633</u> 5,528 - <u>6,007</u> 5,873	<u>495.00</u> 375.00
<u>6,008</u> 5,874 - <u>6,383</u> 6,218	<u>571.00</u> 428.00

DEPARTMENT OF HUMAN SERVICES

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<u>5,794,564</u> - <u>6,134,580</u> <u>6,135</u> - <u>6,304</u>	<u>593,004</u> <u>40.00</u> <u>641.00</u>	<u>6,384,621</u> - <u>6,758,639</u> <u>6,759</u> - <u>6,946</u>	<u>653,004</u> <u>84.00</u> <u>706.00</u>
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Family Size 10	
Monthly Income	Monthly Co-Pay
\$ 0 - <u>1,641,887</u>	\$ <u>2.00</u> <u>1.00</u>
<u>1,642,888</u> - <u>2,051,264</u>	<u>3.00</u> <u>2.00</u>
<u>2,052,265</u> - <u>2,461,641</u>	<u>34.00</u> <u>39.00</u>
<u>2,462,642</u> - <u>2,871,018</u>	<u>54.00</u> <u>59.00</u>
<u>2,872,019</u> - <u>3,281,396</u>	<u>84.00</u> <u>83.00</u>
<u>3,282,397</u> - <u>3,691,773</u>	<u>121.00</u> <u>111.00</u>
<u>3,692,774</u> - <u>4,101,150</u>	<u>163.00</u> <u>143.00</u>
<u>4,102,151</u> - <u>4,511,527</u>	<u>211.00</u> <u>178.00</u>
<u>4,512,528</u> - <u>4,921,905</u>	<u>265.00</u> <u>217.00</u>
<u>4,922,906</u> - <u>5,332,282</u>	<u>325.00</u> <u>260.00</u>
<u>5,333,283</u> - <u>5,742,659</u>	<u>391.00</u> <u>306.00</u>
<u>5,743,660</u> - <u>6,152,036</u>	<u>463.00</u> <u>356.00</u>
<u>6,153,037</u> - <u>6,562,414</u>	<u>540.00</u> <u>410.00</u>
<u>6,563,415</u> - <u>6,972,791</u>	<u>624.00</u> <u>467.00</u>
<u>6,973,792</u> - <u>7,382,980</u>	<u>713.00</u> <u>528.00</u>
<u>7,383</u> - <u>7,587</u>	<u>771.00</u>

(Source: Amended at 39 Ill. Reg. 15540, effective November 23, 2015)

SUBPART D: PROVIDER REQUIREMENTS

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

Section 50.420 Provider Registration and Certification Requirements

- a) All license exempt home providers listed in Section 50.410(e) through (h) must register with the State of Illinois by submitting to their respective Child Care Resource and Referral Agency a legible copy of their social security card and a copy of the front and back of a current, valid State issued photo ID, driver's license or military ID. If the provider's social security card has been lost or stolen, the provider must obtain a duplicate card from the Social Security Administration. The registration process must be completed before a provider will be authorized to receive child care assistance payments.
- b) A child care center not licensed by the State of Illinois has the burden of demonstrating that it meets the criteria for the exemption that it claims (see 89 Ill. Adm. Code 377) and must certify that its facility or program is exempt from licensure, including submission of ~~by submitting~~ a completed License Exempt Day Care Center Self-Certification form.

(Source: Amended at 39 Ill. Reg. 15540, effective November 23, 2015)

Section 50.440 Payment for Child Care Services

- a) The Department will discontinue payments to license exempt child care providers when one or more findings against the provider are indicated in the Central Register.
- b) The Department will reimburse providers for child care services provided through the effective date of cancellation for an indicated finding. The effective date of cancellation is 10 days from the date of the letter the Department or its agent sends to the provider notifying the provider that payments will no longer be made.
- c) Payments will not be made to ~~a provider who is~~ the child's mother or father, or to a stepparent who is currently married to the child's parent and is living in the same household as the child, or to ~~anyone~~ any provider who is included in the same public assistance grant as the child (for those families receiving such assistance), or to a person living in the home who is a parent of the child's sibling or has a child in common with the applicant. If such a ~~person~~ provider is available and qualified to care for the child in the home, child care will not be approved.

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

- d) Payments will not be made to a provider (even if operating within a setting exempt from licensing) who has been convicted of crimes enumerated in 89 Ill. Adm. Code 385.Appendix A nor will such a person be considered available to provide care.
- e) Payments will not be made to a provider who, after receiving written notification of an outstanding overpayment, fails to establish a repayment plan or is in default of a repayment plan.
- f) Payments will not be made to a provider who has been declared a sexually dangerous person under the Sexually Dangerous Persons Act [725 ILCS 205] or identified as a sex offender in the Illinois Sex Offender Registry operated by the Illinois State Police or identified as a sex offender in the National Sex Offender Registry.

(Source: Amended at 39 Ill. Reg. 15540, effective November 23, 2015)

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Temporary Assistance for Needy Families
- 2) Code Citation: 89 Ill. Adm. Code 112
- 3) Section Number: 112.302 Adopted Action:
Amendment
- 4) Statutory Authority: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13]
- 5) Effective Date of Rule: December 1, 2015
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No
- 8) A copy of the adopted rule, including any material incorporated, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 39 Ill. Reg. 5955; May 1, 2015
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: No substantive changes were made to the text of the proposed rulemaking.
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? No changes were necessary.
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Currently, all assistance units that contain a member with budgetable earnings have their benefits calculated for a six-month period and are required to submit a written redetermination form to the Department every six months. As a result of a state option in federal regulations at 7 CFR 273.12(a)(5), this rulemaking will require the Department to approve SNAP cases in Simplified Reporting for 12 months and to send and process an interim report in the 5th month of the approval

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENT

period. When the redetermination or interim report has been completed, the Department will determine if eligibility continues and process any adjustments to the payment.

This rulemaking will reduce the redetermination requirements for clients. Simplified Reporting cases will now have a 12-month approval period and will no longer have a redetermination of eligibility every 6 months. Clients will only have to submit a SNAP or TANF redetermination every 12 months with an interim report in the 5th month. In addition, staff will process a SNAP or TANF redetermination every 12 months and an interim report in the 5th month. This change will also reduce work for staff and allow them to focus on timely processing of applications.

- 16) Information and questions regarding this adopted rule shall be directed to:

Tracie Drew, Chief
Bureau of Administrative Rules and Procedures
Department of Human Services
100 South Grand Avenue East
Harris Building, 3rd Floor
Springfield IL 62762

217/785-9772

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMSPART 112
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

SUBPART A: GENERAL PROVISIONS

Section

112.1	Description of the Assistance Program and Time Limit
112.2	Time Limit on Receipt of Benefits for Clients Enrolled in Post-Secondary Education
112.3	Receipt of Cash Benefits Beyond the 60 Month Lifetime Limit
112.5	Incorporation by Reference
112.6	The Family Violence Option

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

112.8	Caretaker Relative
112.9	Client Cooperation
112.10	Citizenship
112.20	Residence
112.30	Age
112.40	Relationship
112.50	Living Arrangement
112.52	Social Security Numbers
112.54	Assignment of Medical Support Rights
112.55	Electronic Benefits Transfer (EBT) Restrictions
112.60	Basis of Eligibility
112.61	Death of a Parent (Repealed)
112.62	Incapacity of a Parent (Repealed)
112.63	Continued Absence of a Parent (Repealed)
112.64	Unemployment of the Parent (Repealed)
112.65	Responsibility and Services Plan
112.66	Alcohol and Substance Abuse Treatment
112.67	Restriction in Payment to Households Headed by a Minor Parent
112.68	School Attendance Initiative

DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENT

112.69 Felons and Violators of Parole or Probation

SUBPART C: TANF EMPLOYMENT AND WORK ACTIVITY REQUIREMENTS

Section

- 112.70 Employment and Work Activity Requirements
- 112.71 Individuals Exempt from TANF Employment and Work Activity Requirements
- 112.72 Participation/Cooperation Requirements
- 112.73 Adolescent Parent Program (Repealed)
- 112.74 Responsibility and Services Plan
- 112.75 Teen Parent Personal Responsibility Plan (Repealed)
- 112.76 TANF Orientation
- 112.77 Reconciliation and Fair Hearings
- 112.78 TANF Employment and Work Activities
- 112.79 Sanctions
- 112.80 Good Cause for Failure to Comply with TANF Participation Requirements
- 112.81 Responsible Relative Eligibility for JOBS (Repealed)
- 112.82 Supportive Services
- 112.83 Teen Parent Services
- 112.84 Employment Retention and Advancement Project
- 112.85 Four Year College/Vocational Training Demonstration Project (Repealed)

SUBPART E: PROJECT ADVANCE

Section

- 112.86 Project Advance (Repealed)
- 112.87 Project Advance Experimental and Control Groups (Repealed)
- 112.88 Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers (Repealed)
- 112.89 Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers (Repealed)
- 112.90 Project Advance Sanctions (Repealed)
- 112.91 Good Cause for Failure to Comply with Project Advance (Repealed)
- 112.93 Individuals Exempt From Project Advance (Repealed)
- 112.95 Project Advance Supportive Services (Repealed)

SUBPART F: EXCHANGE PROGRAM

Section

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112.98 Exchange Program (Repealed)

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section

112.100	Unearned Income
112.101	Unearned Income of Parent
112.105	Budgeting Unearned Income
112.106	Budgeting Unearned Income of Applicants
112.107	Initial Receipt of Unearned Income
112.108	Termination of Unearned Income
112.110	Exempt Unearned Income
112.115	Education Benefits
112.120	Incentive Allowances
112.125	Unearned Income In-Kind
112.126	Earmarked Income
112.127	Lump-Sum Payments
112.128	Protected Income (Repealed)
112.130	Earned Income
112.131	Earned Income Tax Credit
112.132	Budgeting Earned Income
112.133	Budgeting Earned Income of Employed Applicants
112.134	Initial Employment
112.135	Budgeting Earned Income For Contractual Employees
112.136	Budgeting Earned Income For Non-contractual School Employees
112.137	Termination of Employment
112.138	Transitional Payments (Repealed)
112.140	Exempt Earned Income
112.141	Earned Income Exemption
112.142	Exclusion from Earned Income Exemption
112.143	Recognized Employment Expenses
112.144	Income from Work-Study and Training Programs
112.145	Earned Income From Self-Employment
112.146	Earned Income From Roomer and Boarder
112.147	Income From Rental Property
112.148	Payments from the Illinois Department of Children and Family Services
112.149	Earned Income In-Kind
112.150	Assets
112.151	Exempt Assets (Repealed)

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- 112.152 Asset Disregards (Repealed)
- 112.153 Deferral of Consideration of Assets (Repealed)
- 112.154 Property Transfers (Repealed)
- 112.155 Income Limit
- 112.156 Assets for Independence Program

SUBPART H: PAYMENT AMOUNTS

Section

- 112.250 Grant Levels
- 112.251 Payment Levels
- 112.252 Payment Levels in Group I Counties
- 112.253 Payment Levels in Group II Counties
- 112.254 Payment Levels in Group III Counties
- 112.255 Limitation on Amount of TANF Assistance to Recipients from Other States (Repealed)

SUBPART I: OTHER PROVISIONS

Section

- 112.300 Persons Who May Be Included in the Assistance Unit
- 112.301 Presumptive Eligibility
- 112.302 Reporting Requirements for Clients with Earnings
- 112.303 Budgeting
- 112.304 Budgeting Schedule
- 112.305 Strikers
- 112.306 Foster Care Program
- 112.307 Responsibility of Sponsors of Non-Citizens Entering the Country Prior to 8/22/96
- 112.308 Responsibility of Sponsors of Non-Citizens Entering the Country On or After 8/22/96
- 112.309 Institutional Status
- 112.310 Child Care for Representative Payees
- 112.315 Young Parents Program (Renumbered)
- 112.320 Redetermination of Eligibility
- 112.330 Extension of Medical Assistance Due to Increased Income from Employment
- 112.331 Four Month Extension of Medical Assistance Due to Child Support Collections
- 112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard (Repealed)
- 112.340 New Start Payments to Individuals Released from Department of Corrections

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Facilities (Repealed)

SUBPART J: CHILD CARE

Section

112.350	Child Care (Repealed)
112.352	Child Care Eligibility (Repealed)
112.354	Qualified Provider (Repealed)
112.356	Notification of Available Services (Repealed)
112.358	Participant Rights and Responsibilities (Repealed)
112.362	Additional Service to Secure or Maintain Child Care Arrangements (Repealed)
112.364	Rates of Payment for Child Care (Repealed)
112.366	Method of Providing Child Care (Repealed)
112.370	Non-JOBS Education and Training Program (Repealed)

SUBPART K: TRANSITIONAL CHILD CARE

Section

112.400	Transitional Child Care Eligibility (Repealed)
112.404	Duration of Eligibility for Transitional Child Care (Repealed)
112.406	Loss of Eligibility for Transitional Child Care (Repealed)
112.408	Qualified Child Care Providers (Repealed)
112.410	Notification of Available Services (Repealed)
112.412	Participant Rights and Responsibilities (Repealed)
112.414	Child Care Overpayments and Recoveries (Repealed)
112.416	Fees for Service for Transitional Child Care (Repealed)
112.418	Rates of Payment for Transitional Child Care (Repealed)

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18,

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1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; preemptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; preemptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; preemptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; preemptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; preemptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; preemptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; preemptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; preemptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; preemptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; preemptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective

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December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency

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amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993; amended at 17 Ill. Reg. 15017, effective September 3, 1993; amended at 17 Ill. Reg. 19156, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994; amended at 18 Ill. Reg. 6994, effective April 27, 1994; amended at 18 Ill. Reg. 8703, effective June 1, 1994; amended at 18 Ill. Reg. 10774, effective June 27, 1994; amended at 18 Ill. Reg. 12805, effective August 5, 1994; amended at 18 Ill. Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. Reg. 998, effective October 17, 1994; amended at 19 Ill. Reg. 2845, effective February 24, 1995; amended at 19 Ill. Reg. 5609,

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effective March 31, 1995; amended at 19 Ill. Reg. 7883, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 10206, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12011, effective August 7, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 12664, effective September 1, 1995; emergency amendment at 19 Ill. Reg. 15244, effective November 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15661, effective November 3, 1995; emergency amendment at 19 Ill. Reg. 15839, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16295, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 845, effective January 1, 1996; amended at 20 Ill. Reg. 3538, effective February 15, 1996; amended at 20 Ill. Reg. 5648, effective March 30, 1996; amended at 20 Ill. Reg. 6018, effective April 12, 1996; amended at 20 Ill. Reg. 6498, effective April 29, 1996; amended at 20 Ill. Reg. 7892, effective June 1, 1996; emergency amendment at 20 Ill. Reg. 12499, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14820, effective November 1, 1996; amendment at 20 Ill. Reg. 15983, effective December 9, 1996; emergency amendment at 21 Ill. Reg. 662, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 940, effective January 7, 1997; amended at 21 Ill. Reg. 1366, effective January 15, 1997; amended at 21 Ill. Reg. 2655, effective February 7, 1997; amended at 21 Ill. Reg. 7391, effective May 31, 1997; emergency amendment at 21 Ill. Reg. 8426, effective July 1, 1997, for a maximum of 150 days; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 15597, effective November 26, 1997; emergency amendment at 22 Ill. Reg. 4466, effective February 24, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12197, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 14420, effective July 24, 1998; amended at 22 Ill. Reg. 14744, effective August 1, 1998; amended at 22 Ill. Reg. 16256, effective September 1, 1998; emergency amendment at 22 Ill. Reg. 16365, effective September 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 18082, effective October 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 19840, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 598, effective January 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 942, effective January 6, 1999; emergency amendment at 23 Ill. Reg. 1133, effective January 7, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 1682, effective January 20, 1999; emergency amendment at 23 Ill. Reg. 5881, effective May 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 6958, effective May 30, 1999; amended at 23 Ill. Reg. 7091, effective June 4, 1999; amended at 23 Ill. Reg. 7896, effective July 1, 1999; emergency amendment at 23 Ill. Reg. 8672, effective July 13, 1999, for a maximum of 150 days; emergency amendment at 23 Ill. Reg. 10530, effective August 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 12648, effective September 27, 1999; amended at 23 Ill. Reg. 13898, effective November 19, 1999; amended at 24 Ill. Reg. 289, effective December 28, 1999; amended at 24 Ill. Reg. 2348, effective February 1, 2000; amended at 25 Ill. Reg. 10336, effective August 3, 2001; emergency amendment at 25 Ill. Reg. 11584, effective September 1, 2001, for a maximum of 150 days;

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amended at 25 Ill. Reg. 14865, effective November 1, 2001; amended at 26 Ill. Reg. 138, effective January 1, 2002; amended at 26 Ill. Reg. 924, effective January 15, 2002; emergency amendment at 26 Ill. Reg. 3329, effective February 19, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 9803, effective June 24, 2002; amended at 26 Ill. Reg. 10492, effective July 1, 2002; emergency amendment at 26 Ill. Reg. 10994, effective July 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 17182, effective November 15, 2002; amended at 27 Ill. Reg. 4545, effective February 28, 2003; amended at 27 Ill. Reg. 7240, effective April 7, 2003; amended at 27 Ill. Reg. 18417, effective November 20, 2003; amended at 28 Ill. Reg. 1090, effective December 31, 2003; amended at 28 Ill. Reg. 5655, effective March 22, 2004; amended at 29 Ill. Reg. 5473, effective April 1, 2005; amended at 29 Ill. Reg. 8161, effective May 18, 2005; emergency amendment at 29 Ill. Reg. 16008, effective October 4, 2005, for a maximum of 150 days; emergency expired March 2, 2006; amended at 30 Ill. Reg. 9331, effective May 8, 2006; amended at 30 Ill. Reg. 11202, effective June 12, 2006; amended at 31 Ill. Reg. 6968, effective April 30, 2007; amended at 31 Ill. Reg. 10462, effective July 6, 2007; amended at 31 Ill. Reg. 15080, effective October 24, 2007; amended at 32 Ill. Reg. 2767, effective February 7, 2008; emergency amendment at 32 Ill. Reg. 10607, effective July 1, 2008, for a maximum of 150 days; emergency expired November 27, 2008; amended at 32 Ill. Reg. 17167, effective October 20, 2008; preemptory amendment at 32 Ill. Reg. 18051, effective November 15, 2008; emergency amendment at 33 Ill. Reg. 4977, effective March 19, 2009, for a maximum of 150 days; emergency expired August 15, 2009; emergency amendment at 33 Ill. Reg. 7320, effective May 21, 2009, for a maximum of 150 days; emergency expired October 17, 2009; amended at 33 Ill. Reg. 12763, effective September 8, 2009; amended at 33 Ill. Reg. 13831, effective September 17, 2009; amended at 33 Ill. Reg. 16828, effective November 30, 2009; emergency amendment at 34 Ill. Reg. 6930, effective May 1, 2010, for a maximum of 150 days; emergency expired September 27, 2010; amended at 34 Ill. Reg. 10085, effective July 1, 2010; amended at 35 Ill. Reg. 998, effective December 28, 2010; emergency amendment at 35 Ill. Reg. 6933, effective April 6, 2011, for a maximum of 150 days; emergency expired September 2, 2011; amended at 35 Ill. Reg. 17082, effective October 5, 2011; amended at 35 Ill. Reg. 18739, effective October 28, 2011; amended at 36 Ill. Reg. 15120, effective September 28, 2012; emergency amendment at 37 Ill. Reg. 15388, effective September 9, 2013, for a maximum of 150 days; amended at 38 Ill. Reg. 4441, effective January 29, 2014; amended at 38 Ill. Reg. 17603, effective August 8, 2014; amended at 38 Ill. Reg. 18646, effective August 29, 2014; amended at 39 Ill. Reg. 15563, effective December 1, 2015.

SUBPART I: OTHER PROVISIONS

Section 112.302 Reporting Requirements for Clients with Earnings

- a) All assistance units that contain a member with budgetable earnings must submit

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a written redetermination form to the Department every ~~12six~~ months. In the 5th month between redeterminations, the client will be sent an interim report form. The client is required to complete, sign and return the interim report by the due date on the form. Clients with budgetable earnings must report all changes at redetermination and at the time of the interim report.

- b) All units that contain a member with budgetable earnings shall have benefits calculated for ~~12six~~ months by considering income and attendant circumstances on a prospective basis.
- c) Earnings shall be budgeted prospectively ~~for a six-month period~~ based on the redetermination form or interim report. Income averaging will be used to determine the amount of income to budget ~~for a six-month period~~.
- d) Clients who experience an increase in income above the amount anticipated will not be referred for an overpayment based on the increased income.
- e) At intake, the actual amount of income received in the Initial Prorated Entitlement (IPE) period will be used to determine the IPE amount. The first regular roll payment amount will be computed using income averaging.
- f) When the redetermination or interim report has been completed, the Department will determine if eligibility continues and process any adjustments to the payment. The Department will notify the caretaker relative of any changes in the payment and the reason or reasons for the change.
- g) If the Department does not receive the redetermination or interim report form or receives only an incomplete redetermination or interim report form, cash assistance may be terminated. If the form is incomplete, the Department will send the client a notice advising of the incomplete form and that the client has 10 days to complete the form. If the family is found ineligible or eligible for a grant less than that of the prior month, the Department will promptly notify the client of the right to a fair hearing and the right to have assistance reinstated. If a hearing is requested on or before the date of change or within ten calendar days after the date of notice, whichever is later, assistance will be reinstated to the level of the prior month.
- h) All reported changes will be acted upon. Changes reported on the interim report will be effective the month following the month the report is due. For changes

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reported other than at redetermination [or on the interim report](#), if the change results in an increase in benefits, the increase will be effective for the month following the month the change is reported. If the change results in a decrease in benefits, the decrease will be effective the first month that can be affected following the end of the 10-day timely notice period.

(Source: Amended at 39 Ill. Reg. 15563, effective December 1, 2015)

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- 1) Heading of the Part: Supplemental Nutrition Assistance Program (SNAP)
- 2) Code Citation: 89 Ill. Adm. Code 121
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
121.10	Amendment
121.120	Amendment
121.125	Amendment
- 4) Statutory Authority: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13]
- 5) Effective Date of Rules: December 1, 2015
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rule contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 39 Ill. Reg. 5980; May 1, 2015
- 10) Has JCAR issued a Statement of Objection to this rulemaking? No
- 11) Differences between Proposal and Final Version: No substantive changes were made to the text of the proposed rulemaking.
- 12) Have all changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citation:</u>
121.61	Amendment	39 Ill. Reg. 13195; October 2, 2015
121.76	Amendment	39 Ill. Reg. 13195; October 2, 2015

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- 15) Summary and Purpose of Rulemaking: Currently, all assistance units that contain a member with budgetable earnings have their benefits calculated for a six-month period and are required to submit a written redetermination form to the Department every six months. As a result of a state option in federal regulations at 7 CFR 273.12(a)(5), this rulemaking will require the Department to approve SNAP cases in Simplified Reporting for 12 months and to send and process an interim report in the 5th month of the approval period. When the redetermination or interim report has been completed, the Department will determine if eligibility continues and process any adjustments to the payment.

This rulemaking will reduce the redetermination requirements for clients. Simplified Reporting cases will now have a 12-month approval period and will no longer have a redetermination of eligibility every 6 months. Clients will only have to submit a SNAP or TANF redetermination every 12 months with an interim report in the 5th month. In addition, staff will process a SNAP or TANF redetermination every 12 months and an interim report in the 5th month. This change will also reduce work for staff and allow them to focus on timely processing of SNAP applications.

- 16) Information and questions regarding these adopted rules shall be directed to:

Tracie Drew, Chief
Bureau of Administrative Rules and Procedures
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DEPARTMENT OF HUMAN SERVICES

NOTICE OF ADOPTED AMENDMENTS

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CHAPTER IV: DEPARTMENT OF HUMAN SERVICES
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121
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- 121.226 Meeting the Work Requirement with the JTPA Employability Services Component (Repealed)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-4.4 through 12-4.6 and 12-13].

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875, effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; preemptory amendment at 4 Ill. Reg. 3, p. 49, effective January 9, 1980; preemptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; preemptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; preemptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; preemptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983; preemptory amendment at 7 Ill. Reg. 16067, effective November 18, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; preemptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at

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8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding Section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387, effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; peremptory amendment at 13 Ill. Reg. 15859, effective October 1, 1989; amended at 14 Ill. Reg. 729, effective January 1, 1990; amended at 14 Ill. Reg. 6349, effective April 13, 1990; amended at 14 Ill. Reg. 13202, effective August 6, 1990; peremptory amendment at 14 Ill. Reg. 15158, effective October 1, 1990; amended at 14 Ill. Reg. 16983, effective September 30, 1990; amended at 15 Ill. Reg. 11150, effective July 22, 1991; amended at 15 Ill. Reg. 11957, effective

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August 12, 1991; peremptory amendment at 15 Ill. Reg. 14134, effective October 1, 1991; emergency amendment at 16 Ill. Reg. 757, effective January 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 10011, effective June 15, 1992; amended at 16 Ill. Reg. 13900, effective August 31, 1992; emergency amendment at 16 Ill. Reg. 16221, effective October 1, 1992, for a maximum of 150 days; peremptory amendment at 16 Ill. Reg. 16345, effective October 1, 1992; amended at 16 Ill. Reg. 16624, effective October 23, 1992; amended at 17 Ill. Reg. 644, effective December 31, 1992; amended at 17 Ill. Reg. 4333, effective March 19, 1993; amended at 17 Ill. Reg. 14625, effective August 26, 1993; emergency amendment at 17 Ill. Reg. 15149, effective September 7, 1993, for a maximum of 150 days; peremptory amendment at 17 Ill. Reg. 17477, effective October 1, 1993; expedited correction at 17 Ill. Reg. 21216, effective October 1, 1993; amended at 18 Ill. Reg. 2033, effective January 21, 1994; emergency amendment at 18 Ill. Reg. 2509, effective January 27, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 3427, effective February 28, 1994; amended at 18 Ill. Reg. 8921, effective June 3, 1994; amended at 18 Ill. Reg. 12829, effective August 5, 1994; amended at 18 Ill. Reg. 14103, effective August 26, 1994; amended at 19 Ill. Reg. 5626, effective March 31, 1995; amended at 19 Ill. Reg. 6648, effective May 5, 1995; emergency amendment at 19 Ill. Reg. 12705, effective September 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13595, effective October 1, 1995; amended at 20 Ill. Reg. 1593, effective January 11, 1996; peremptory amendment at 20 Ill. Reg. 2229, effective January 17, 1996; amended at 20 Ill. Reg. 7902, effective June 1, 1996; amended at 20 Ill. Reg. 11935, effective August 14, 1996; emergency amendment at 20 Ill. Reg. 13381, effective October 1, 1996, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 13668, effective October 8, 1996, for a maximum of 150 days; amended at 21 Ill. Reg. 3156, effective February 28, 1997; amended at 21 Ill. Reg. 7733, effective June 4, 1997; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; emergency amendment at 22 Ill. Reg. 1954, effective January 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 5502, effective March 4, 1998; amended at 22 Ill. Reg. 7969, effective May 15, 1998; emergency amendment at 22 Ill. Reg. 10660, effective June 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12167, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16230, effective September 1, 1998; amended at 22 Ill. Reg. 19787, effective October 28, 1998; emergency amendment at 22 Ill. Reg. 19934, effective November 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 20099, effective November 1, 1998; emergency amendment at 23 Ill. Reg. 2601, effective February 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 3374, effective March 1, 1999; amended at 23 Ill. Reg. 7285, effective June 18, 1999; emergency amendment at 23 Ill. Reg. 13253, effective October 13, 1999, for a maximum of 150 days; emergency amendment at 24 Ill. Reg. 3871, effective February 24, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 4180, effective March 2, 2000; amended at 24 Ill. Reg. 10198, effective June 27, 2000; amended at 24 Ill. Reg. 15428, effective October 10, 2000; emergency amendment at 24 Ill. Reg. 15468, effective October 1, 2000, for a maximum of 150 days;

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amended at 25 Ill. Reg. 845, effective January 5, 2001; amended at 25 Ill. Reg. 2423, effective January 25, 2001; emergency amendment at 25 Ill. Reg. 2439, effective January 29, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 3707, effective March 1, 2001, for a maximum of 150 days; emergency expired July 28, 2001; amended at 25 Ill. Reg. 7720, effective June 7, 2001; amended at 25 Ill. Reg. 10823, effective August 12, 2001; amended at 25 Ill. Reg. 11856, effective August 31, 2001; emergency amendment at 25 Ill. Reg. 13309, effective October 1, 2001, for a maximum of 150 days; amended at 26 Ill. Reg. 151, effective January 1, 2002; amended at 26 Ill. Reg. 2025, effective February 1, 2002; amended at 26 Ill. Reg. 13530, effective September 3, 2002; preemptory amendment at 26 Ill. Reg. 15099, effective October 1, 2002; amended at 26 Ill. Reg. 16484, effective October 25, 2002; amended at 27 Ill. Reg. 2889, effective February 7, 2003; expedited correction at 27 Ill. Reg. 14262, effective February 7, 2003; amended at 27 Ill. Reg. 4583, effective February 28, 2003; amended at 27 Ill. Reg. 7273, effective April 7, 2003; amended at 27 Ill. Reg. 12569, effective July 21, 2003; preemptory amendment at 27 Ill. Reg. 15604, effective October 1, 2003; amended at 27 Ill. Reg. 16108, effective October 6, 2003; amended at 27 Ill. Reg. 18445, effective November 20, 2003; amended at 28 Ill. Reg. 1104, effective December 31, 2003; amended at 28 Ill. Reg. 3857, effective February 13, 2004; amended at 28 Ill. Reg. 10393, effective July 6, 2004; preemptory amendment at 28 Ill. Reg. 13834, effective October 1, 2004; emergency amendment at 28 Ill. Reg. 15323, effective November 10, 2004, for a maximum of 150 days; emergency expired April 8, 2005; amended at 29 Ill. Reg. 2701, effective February 4, 2005; amended at 29 Ill. Reg. 5499, effective April 1, 2005; preemptory amendment at 29 Ill. Reg. 12132, effective July 14, 2005; emergency amendment at 29 Ill. Reg. 16042, effective October 4, 2005, for a maximum of 150 days; emergency expired March 2, 2006; preemptory amendment at 29 Ill. Reg. 16538, effective October 4, 2005; emergency amendment at 30 Ill. Reg. 7804, effective April 6, 2006, for a maximum of 150 days; emergency expired September 2, 2006; amended at 30 Ill. Reg. 11236, effective June 12, 2006; amended at 30 Ill. Reg. 13863, effective August 1, 2006; amended at 30 Ill. Reg. 15681, effective September 12, 2006; preemptory amendment at 30 Ill. Reg. 16470, effective October 1, 2006; amended at 31 Ill. Reg. 6991, effective April 30, 2007; amended at 31 Ill. Reg. 10482, effective July 9, 2007; amended at 31 Ill. Reg. 11318, effective July 23, 2007; preemptory amendment at 31 Ill. Reg. 14372, effective October 1, 2007; amended at 32 Ill. Reg. 2813, effective February 7, 2008; amended at 32 Ill. Reg. 4380, effective March 12, 2008; amended at 32 Ill. Reg. 4813, effective March 18, 2008; amended at 32 Ill. Reg. 9621, effective June 23, 2008; preemptory amendment at 32 Ill. Reg. 16905, effective October 1, 2008; preemptory amendment to Sections 121.94(c), 121.96(d)(2) and 121.150(b) suspended at 32 Ill. Reg. 18908, effective November 19, 2008; suspension withdrawn by the Joint Committee on Administrative Rules at 33 Ill. Reg. 200, effective February 5, 2009; preemptory amendment repealed by emergency rulemaking at 33 Ill. Reg. 3514, effective February 5, 2009, for a maximum of 150 days; preemptory amendment at 32 Ill. Reg. 18092, effective November 15, 2008; emergency amendment at 33 Ill. Reg. 4187, effective February 24, 2009, for a maximum

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of 150 days; emergency expired July 23, 2009; preemptory amendment at 33 Ill. Reg. 5537, effective April 1, 2009; emergency amendment at 33 Ill. Reg. 11322, effective July 20, 2009, for a maximum of 150 days; emergency expired December 16, 2009; amended at 33 Ill. Reg. 12802, effective September 3, 2009; amended at 33 Ill. Reg. 14121, effective September 22, 2009; emergency amendment at 33 Ill. Reg. 14627, effective October 13, 2009, for a maximum of 150 days; emergency expired March 11, 2010; amended at 33 Ill. Reg. 16875, effective November 30, 2009; amended at 33 Ill. Reg. 17350, effective December 14, 2009; amended at 34 Ill. Reg. 4777, effective March 17, 2010; amended at 34 Ill. Reg. 5295, effective April 12, 2010; amended at 34 Ill. Reg. 5823, effective April 19, 2010; emergency amendment at 34 Ill. Reg. 6967, effective May 1, 2010, for a maximum of 150 days; emergency expired September 27, 2010; amended at 34 Ill. Reg. 7265, effective May 10, 2010; amended at 34 Ill. Reg. 7685, effective May 18, 2010; amended at 34 Ill. Reg. 12547, effective August 11, 2010; preemptory amendment at 34 Ill. Reg. 15543, effective October 1, 2010; amended at 35 Ill. Reg. 1042, effective December 28, 2010; amended at 35 Ill. Reg. 7688, effective April 29, 2011; amended at 35 Ill. Reg. 10119, effective June 7, 2011; preemptory amendment at 35 Ill. Reg. 16118, effective October 1, 2011; preemptory amendment at 35 Ill. Reg. 16904, effective October 1, 2011; amended at 35 Ill. Reg. 17120, effective October 5, 2011; amended at 35 Ill. Reg. 18780, effective October 28, 2011; amended at 35 Ill. Reg. 19278, effective November 8, 2011; amended at 35 Ill. Reg. 19778, effective December 5, 2011; preemptory amendment at 36 Ill. Reg. 15148, effective October 1, 2012; emergency amendment at 37 Ill. Reg. 15423, effective September 9, 2013, for a maximum of 150 days; preemptory amendment at 37 Ill. Reg. 16016, effective October 1, 2013; emergency amendment at 37 Ill. Reg. 16845, effective October 1, 2013, for a maximum of 150 days; preemptory amendment at 37 Ill. Reg. 17983, effective November 1, 2013; amended at 38 Ill. Reg. 4475, effective January 29, 2014; amended at 38 Ill. Reg. 5382, effective February 7, 2014; emergency amendment at 38 Ill. Reg. 8414, effective April 1, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 17616, effective August 8, 2014; preemptory amendment at 38 Ill. Reg. 19831, effective October 1, 2014; amended at 39 Ill. Reg. 6470, effective April 22, 2015; preemptory amendment at 39 Ill. Reg. 13513, effective October 1, 2015; amended at 39 Ill. Reg. 15577, effective December 1, 2015.

SUBPART A: APPLICATION PROCEDURES

Section 121.10 Interviews

- a) All applicant households, including those submitting applications by mail, shall have face-to-face interviews in a local office with a qualified eligibility worker prior to initial certification and all redeterminations. ~~For earned income, non-assistance SNAP only households, and FamilyCare SNAP households, an interview is required at every other redetermination (see Section 121.125). For~~

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~~persons completing a redetermination using the phone interview system, the automated phone interview substitutes for the face to face interview.~~

b) Interview Process

- 1) The individual interviewed may be the head of the household, spouse, any other adult member of the household who is sufficiently familiar with the household's circumstances to be able to assist in the determination of eligibility, or an authorized representative (see Section 121.1(e)(1) and (2)). The applicant may bring any person he/she chooses to the interview. Prior to beginning the interview, the applicant shall indicate which persons are not applying for SNAP benefits because they are unable or unwilling to provide alien status verification.
- 2) The interviewer shall not simply review the information that appears on the application, but shall explore and resolve with the household unclear and incomplete information.
- 3) Households shall be advised of their rights and responsibilities during the interview, including the appropriate applications processing standard (see Sections 121.2 and 121.7) and the household's responsibility to report changes.
- 4) The interview shall be conducted as an official and confidential discussion of household circumstances. The applicant's right to privacy shall be protected during the interview. Facilities shall be adequate to preserve the privacy and confidentiality of the interview.

c) Waiver of Office Interviews

- 1) The office interview shall be waived if requested by any household that is unable to appoint an authorized representative and that has no household members able to come to the local office because they are qualifying members as defined in Section 121.61.
- 2) The office interview shall also be waived for any household:
 - A) containing a household member who is employed; or

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- B) on a case-by-case basis for any household that is unable to appoint an authorized representative and that has no household members able to come to the local office because of transportation difficulties or similar hardships that the Department determines warrants a waiver of the office interview. These hardship conditions include, but are not limited to:
- i) illness;
 - ii) care of household member;
 - iii) hardships due to residency in a rural area;
 - iv) prolonged severe weather;
 - v) training hours that prevent the household from participating in an in-office interview.
- 3) The Department will conduct a face-to-face interview if the household requests one.
- 4) The Department has the option of conducting a telephone interview or a home visit for those households for whom the office interview is waived. Home visits shall be used only if the time of the visit is scheduled in advance with the household. However, a home visit interview for redetermination of eligibility for financial assistance/recertification does not have to be scheduled with the household in advance.
- 5) Waiver of the face-to-face interview does not exempt the household from the verification requirements, although special procedures may be used to permit the household to provide verification and thus obtain its benefits in a timely manner, such as substituting a collateral contact in cases where documentary verification would normally be provided.
- 6) Waiver of the face-to-face interview shall not affect the length of the household's certification period.
- d) The Department shall schedule all interviews as promptly as possible to ensure the eligible households receive an opportunity to participate within 30 days after

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the application is filed. If a household fails to appear for the scheduled interview, the Department will issue a Notice of Missed Interview that will inform the household that the household missed its scheduled interview and that the household is responsible for requesting another interview.

(Source: Amended at 39 Ill. Reg. 15577, effective December 1, 2015)

SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section 121.120 Redetermination of Eligibility

- a) Redetermination involves the completion of an application, an interview, a review of eligibility and cooperation in the verification of eligibility. For simplified reporting ~~that covers most SNAP, earned income, non-assistance SNAP only households, and FamilyCare SNAP~~ households, see Section 121.125. The local office shall provide the household with an opportunity to participate in its normal issuance cycle.
- b) In order to receive uninterrupted benefits, the household must:
 - 1) file a timely application;
 - A) households certified for more than two months must file an application by the 15th calendar day of the last month of the certification period.
 - B) households certified for one or two months must file an application within 17 calendar days from the date of Notice of Eligibility/Expiration of Certification.
 - 2) appear for the interview that is scheduled after the application is timely filed; and
 - 3) provide all requested verifications within ~~10~~^{ten} calendar days after the date the verification was requested.
- c) The household is responsible for requesting another interview if it fails to appear for the interview that was scheduled after the application was filed.

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- d) The redetermination application of a SNAP unit who fails to appear for a scheduled interview or provide requested verifications within ~~10~~^{ten} calendar days is denied.
- 1) If a SNAP unit cooperates before the end of the current approval period, the application is reopened and a full month's benefit is given for the first month of the new period.
 - 2) If the SNAP unit cooperates after the end of the current approval period but within 30 days after the end of the period, the application is reopened and benefits are prorated from the date of cooperation.
- e) Amount of SNAP ~~Benefits~~^{benefits}
- 1) Except as provided in subsection (d)(2)~~-of this Section~~, households that file the application after the last day of the previous certification period, shall have benefits prorated from the date that the application was filed. Households that are certified for one or two months will not have benefits prorated if the application is filed within ~~the~~ 17 calendar days ~~beginning on~~^{beginning} the date ~~on the~~^{of} Notice of Eligibility/Expiration of Certification.
 - 2) Migrant and seasonal farmworker households shall receive a full allotment for the month of application if the household participated in SNAP within 30 days prior to the date of application.
- f) If a redetermination application is pending and uninterrupted benefits cannot be provided due to the ten day verification standard, then the local office must provide benefits within five working days after the date the household provides the verification.

(Source: Amended at 39 Ill. Reg. 15577, effective December 1, 2015)

Section 121.125 Simplified Reporting~~Redeterminations~~

- a) ~~SNAP households in simplified reporting~~^{Non-assistance SNAP only households, SNAP households with a member who has earned income, and all FamilyCare SNAP households (see Section 121.40(b)), except for those households defined in subsection (b) of this Section,} are redetermined every ~~12~~^{six} months. ~~The six-month redeterminations alternate between a face to face interview and a mail in~~

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~~redetermination form. If an incomplete mail-in redetermination form is received, the Department will send the client a notice advising of the incomplete form and that the client has 10 days to complete the form. If a household chooses to complete its redetermination using the automated phone interview system, a unique confirmation number will verify that the phone interview application was completed and received by the Department.~~

- b) The following households are not included in simplified reporting:
- 1) households containing all adults as qualifying members with no earned income with persons who receive Aid to the Aged, Blind or Disabled (see 89 Ill. Adm. Code 113), ~~unless another household member has earned income;~~
 - 2) TANF/SNAP households with no earned income;
 - 3) households approved for one or two months due to a likelihood of frequent or major changes in unearned income or circumstances; and
 - 3) ~~households entitled to expedited service with postponed verifications (see Section 121.7); and~~
 - 4) households with a member subject to the SNAP work requirement (this only applies in areas where the person has to meet work requirement; see Section 121.18).
- c) Benefits are calculated prospectively using income for six months. Income averaging is used to determine the amount of income to budget ~~for the next six months, based on the information provided on the redetermination form.~~
- d) ~~The~~ During the six months between redeterminations, the household must ~~is only required to~~ report when gross income exceeds the household's gross income limit (130% of the Federal Poverty Level).
- e) In the 5th month of the approval period, the client will be sent an interim report form. Clients are required to complete, sign and return the interim report by the due date on the form.
- f) All reported changes will be acted upon. Changes reported on the interim report

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will be effective the month following the month the report is due. For changes reported other than at redetermination or interim report, if the change ~~any reported change that~~ results in an increase in benefits, benefits are increased for the fiscal month following the fiscal month of report. If benefits decrease as a result of the reported change, benefits are decreased for the first month that can be affected following the end of the 10-day timely notice period.

g~~f~~) For other redetermination rules, see Section 121.120.

(Source: Amended at 39 Ill. Reg. 15577, effective December 1, 2015)

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- 1) Heading of the Part: Income Tax
- 2) Code Citation: 86 Ill. Adm. Code 100
- 3) Section Number: 100.3450 Adopted Action:
New Section
- 4) Statutory Authority: [35 ILCS 5/304(d)]
- 5) Effective Date of Rule: November 18, 2015
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: 38 Ill. Reg. 21758, November 21, 2014
- 10) Has JCAR issued a Statement of Objection to this Rulemaking? No
- 11) Differences between Proposal and Final Version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.
- 13) Will this rulemaking replace an emergency rule currently in effect? Yes
- 14) Are there any rulemakings pending on this Part? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
100.3380	Amendment	39 Ill. Reg. 9882, July 17, 2015
- 15) Summary and Purpose of Rulemaking: This rulemaking provides guidance to taxpayers on how to compute the apportionment fraction for business income of transportation

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companies under IITA Section 304(d) before and after amendment by PAs 95-233 and 95-707.

- 16) Information and questions regarding this adopted rule shall be directed to:

Paul Caselton
Deputy General Counsel Income Tax
Legal Services Office
Illinois Department of Revenue
101 West Jefferson
Springfield IL 62794

217/524-3951

The full text of the Adopted Amendment begins on the next page:

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TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUEPART 100
INCOME TAX

SUBPART A: TAX IMPOSED

Section	
100.2000	Introduction
100.2050	Net Income (IITA Section 202)
100.2060	Compassionate Use of Medical Cannabis Pilot Program Act Surcharge (IITA Section 201(o))

SUBPART B: CREDITS

Section	
100.2100	Replacement Tax Investment Credit Prior to January 1, 1994 (IITA Section 201(e))
100.2101	Replacement Tax Investment Credit (IITA 201(e))
100.2110	Investment Credit; Enterprise Zone and River Edge Redevelopment Zone (IITA Section 201(f))
100.2120	Jobs Tax Credit; Enterprise Zone and Foreign Trade Zone or Sub-Zone and River Edge Redevelopment Zone (IITA Section 201(g))
100.2130	Investment Credit; High Impact Business (IITA 201(h))
100.2140	Credit Against Income Tax for Replacement Tax (IITA 201(i))
100.2150	Training Expense Credit (IITA 201(j))
100.2160	Research and Development Credit (IITA Section 201(k))
100.2163	Environmental Remediation Credit (IITA 201(l))
100.2165	Education Expense Credit (IITA 201(m))
100.2170	Tax Credits for Coal Research and Coal Utilization Equipment (IITA 206)
100.2171	Angel Investment Credit (IITA 220)
100.2180	Credit for Residential Real Property Taxes (IITA 208)
100.2185	Film Production Services Credit (IITA Section 213)
100.2190	Tax Credit for Affordable Housing Donations (IITA Section 214)
100.2193	Student-Assistance Contributions Credit (IITA 218)
100.2195	Dependent Care Assistance Program Tax Credit (IITA 210)
100.2196	Employee Child Care Assistance Program Tax Credit (IITA Section 210.5)
100.2197	Foreign Tax Credit (IITA Section 601(b)(3))

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- 100.2198 Economic Development for a Growing Economy Credit (IITA 211)
100.2199 Illinois Earned Income Tax Credit (IITA Section 212)

SUBPART C: NET OPERATING LOSSES OF UNITARY BUSINESS GROUPS
OCCURRING PRIOR TO DECEMBER 31, 1986

Section

- 100.2200 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Scope
- 100.2210 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group (IITA Section 202) – Definitions
- 100.2220 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Current Net Operating Losses: Offsets Between Members
- 100.2230 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group. (IITA Section 202) – Carrybacks and Carryforwards
- 100.2240 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Effect of Combined Net Operating Loss in Computing Illinois Base Income
- 100.2250 Net Operating Losses Occurring Prior to December 31, 1986, of Unitary Business Groups: Treatment by Members of the Unitary Business Group: (IITA Section 202) – Deadline for Filing Claims Based on Net Operating Losses Carried Back From a Combined Apportionment Year

SUBPART D: ILLINOIS NET LOSS DEDUCTIONS FOR LOSSES
OCCURRING ON OR AFTER DECEMBER 31, 1986

Section

- 100.2300 Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2310 Computation of the Illinois Net Loss Deduction for Losses Occurring On or After December 31, 1986 (IITA 207)
- 100.2320 Determination of the Amount of Illinois Net Loss for Losses Occurring On or After December 31, 1986
- 100.2330 Illinois Net Loss Carrybacks and Net Loss Carryovers for Losses Occurring On or

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- After December 31, 1986
- 100.2340 Illinois Net Losses and Illinois Net Loss Deductions for Losses Occurring On or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Separate Unitary Versus Combined Unitary Returns
- 100.2350 Illinois Net Losses and Illinois Net Loss Deductions, for Losses Occurring On or After December 31, 1986, of Corporations that are Members of a Unitary Business Group: Changes in Membership

SUBPART E: ADDITIONS TO AND SUBTRACTIONS FROM TAXABLE INCOME OF INDIVIDUALS, CORPORATIONS, TRUSTS AND ESTATES AND PARTNERSHIPS

- Section
- 100.2405 Gross Income, Adjusted Gross Income, Taxable Income and Base Income Defined; Double Deductions Prohibited; Legislative Intention (IITA Section 203(e), (g) and (h))
- 100.2410 Net Operating Loss Carryovers for Individuals, and Capital Loss and Other Carryovers for All Taxpayers (IITA Section 203)
- 100.2430 Addition and Subtraction Modifications for Transactions with 80-20 and Noncombination Rule Companies
- 100.2435 Addition Modification for Student-Assistance Contribution Credit (IITA Sections 203(a)(2)(D-23), (b)(2)(E-16), (c)(2)(G-15), (d)(2)(D-10))
- 100.2450 IIT Refunds (IITA Section 203(a)(2)(H), (b)(2)(F), (c)(2)(J) and (d)(2)(F))
- 100.2455 Subtraction Modification: Federally Disallowed Deductions (IITA Sections 203(a)(2)(M), 203(b)(2)(I), 203(c)(2)(L) and 203(d)(2)(J))
- 100.2470 Subtraction of Amounts Exempt from Taxation by Virtue of Illinois Law, the Illinois or U.S. Constitutions, or by Reason of U.S. Treaties or Statutes (IITA Sections 203(a)(2)(N), 203(b)(2)(J), 203(c)(2)(K) and 203(d)(2)(G))
- 100.2480 Enterprise Zone and River Edge Redevelopment Zone Dividend Subtraction (IITA Sections 203(a)(2)(J), 203(b)(2)(K), 203(c)(2)(M) and 203(d)(2)(K))
- 100.2490 Foreign Trade Zone/High Impact Business Dividend Subtraction (IITA Sections 203(a)(2)(K), 203(b)(2)(L), 203(c)(2)(O), 203(d)(2)(M))

SUBPART F: BASE INCOME OF INDIVIDUALS

- Section
- 100.2510 Subtraction for Contributions to Illinois Qualified Tuition Programs (Section 529 Plans) (IITA Section 203(a)(2)(Y))
- 100.2580 Medical Care Savings Accounts (IITA Sections 203(a)(2)(D-5), 203(a)(2)(S) and 203(a)(2)(T))

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100.2590 Taxation of Certain Employees of Railroads, Motor Carriers, Air Carriers and Water Carriers

SUBPART H: BASE INCOME OF TRUSTS AND ESTATES

Section

100.2655 Subtraction Modification for Enterprise Zone and River Edge Redevelopment Zone Interest (IITA Section 203(b)(2)(M))

100.2657 Subtraction Modification for High Impact Business Interest (IITA Section 203(b)(2)(M-1))

100.2680 Capital Gain Income of Estates and Trusts Paid to or Permanently Set Aside for Charity (Repealed)

SUBPART J: GENERAL RULES OF ALLOCATION AND APPORTIONMENT OF BASE INCOME

Section

100.3000 Terms Used in Article 3 (IITA Section 301)

100.3010 Business and Nonbusiness Income (IITA Section 301)

100.3015 Business Income Election (IITA Section 1501)

100.3020 Resident (IITA Section 301)

SUBPART K: COMPENSATION

Section

100.3100 Compensation (IITA Section 302)

100.3110 State (IITA Section 302)

100.3120 Allocation of Compensation Paid to Nonresidents (IITA Section 302)

SUBPART L: NON-BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section

100.3200 Taxability in Other State (IITA Section 303)

100.3210 Commercial Domicile (IITA Section 303)

100.3220 Allocation of Certain Items of Nonbusiness Income by Persons Other Than Residents (IITA Section 303)

SUBPART M: BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

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Section	
100.3300	Allocation and Apportionment of Base Income (IITA Section 304)
100.3310	Business Income of Persons Other Than Residents (IITA Section 304) – In General
100.3320	Business Income of Persons Other Than Residents (IITA Section 304) – Apportionment (Repealed)
100.3330	Business Income of Persons Other Than Residents (IITA Section 304) – Allocation
100.3340	Business Income of Persons Other Than Residents (IITA Section 304)
100.3350	Property Factor (IITA Section 304)
100.3360	Payroll Factor (IITA Section 304)
100.3370	Sales Factor (IITA Section 304)
100.3371	Sales Factor for Telecommunications Services
100.3373	Sales Factor for Publishing
100.3380	Special Rules (IITA Section 304)
100.3390	Petitions for Alternative Allocation or Apportionment (IITA Section 304(f))
100.3400	Apportionment of Business Income of Financial Organizations for Taxable Years Ending Prior to December 31, 2008 (IITA Section 304(c))
100.3405	Apportionment of Business Income of Financial Organizations for Taxable Years Ending on or after December 31, 2008 (IITA Section 304(c))
100.3420	Apportionment of Business Income of Insurance Companies (IITA Section 304(b))
100.3450	Apportionment of Business Income of Transportation Companies (IITA Section 304(d))
100.3500	Allocation and Apportionment of Base Income by Nonresident Partners

SUBPART N: ACCOUNTING

Section	
100.4500	Carryovers of Tax Attributes (IITA Section 405)

SUBPART O: TIME AND PLACE FOR FILING RETURNS

Section	
100.5000	Time for Filing Returns (IITA Section 505)
100.5010	Place for Filing Returns: All Taxpayers (IITA Section 505)
100.5020	Extensions of Time for Filing Returns: All Taxpayers (IITA Section 505)
100.5030	Taxpayer's Notification to the Department of Certain Federal Changes Arising in Federal Consolidated Return Years, and Arising in Certain Loss Carryback Years

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(IITA Section 506)

100.5040	Innocent Spouses
100.5050	Frivolous Returns
100.5060	Reportable Transactions
100.5070	List of Investors in Potentially Abusive Tax Shelters and Reportable Transactions
100.5080	Registration of Tax Shelters (IITA Section 1405.5)

SUBPART P: COMPOSITE RETURNS

Section

100.5100	Composite Returns: Eligibility
100.5110	Composite Returns: Responsibilities of Authorized Agent
100.5120	Composite Returns: Individual Liability
100.5130	Composite Returns: Required forms and computation of Income
100.5140	Composite Returns: Estimated Payments
100.5150	Composite Returns: Tax, Penalties and Interest
100.5160	Composite Returns: Credits on Separate Returns
100.5170	Composite Returns: Definition of a "Lloyd's Plan of Operation"
100.5180	Composite Returns: Overpayments and Underpayments

SUBPART Q: COMBINED RETURNS

Section

100.5200	Filing of Combined Returns
100.5201	Definitions and Miscellaneous Provisions Relating to Combined Returns
100.5205	Election to File a Combined Return
100.5210	Procedures for Elective and Mandatory Filing of Combined Returns
100.5215	Filing of Separate Unitary Returns
100.5220	Designated Agent for the Members
100.5230	Combined Estimated Tax Payments
100.5240	Claims for Credit of Overpayments
100.5250	Liability for Combined Tax, Penalty and Interest
100.5260	Combined Amended Returns
100.5265	Common Taxable Year
100.5270	Computation of Combined Net Income and Tax
100.5280	Combined Return Issues Related to Audits

SUBPART R: PAYMENTS

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Section
100.6000 Payment on Due Date of Return (IITA Section 601)

SUBPART S: REQUIREMENT AND AMOUNT OF WITHHOLDING

Section
100.7000 Requirement of Withholding (IITA Section 701)
100.7010 Compensation Paid in this State (IITA Section 701)
100.7020 Transacting Business Within this State (IITA Section 701)
100.7030 Payments to Residents (IITA Section 701)
100.7035 Nonresident Partners, Subchapter S Corporation Shareholders, and Trust
Beneficiaries (IITA Section 709.5)
100.7040 Employer Registration (IITA Section 701)
100.7050 Computation of Amount Withheld (IITA Section 702)
100.7060 Additional Withholding (IITA Section 701)
100.7070 Voluntary Withholding (IITA Section 701)
100.7080 Correction of Underwithholding or Overwithholding (IITA Section 701)
100.7090 Reciprocal Agreement (IITA Section 701)
100.7095 Cross References

SUBPART T: AMOUNT EXEMPT FROM WITHHOLDING

Section
100.7100 Withholding Exemption (IITA Section 702)
100.7110 Withholding Exemption Certificate (IITA Section 702)
100.7120 Exempt Withholding Under Reciprocal Agreements (IITA Section 702)

SUBPART U: INFORMATION STATEMENT

Section
100.7200 Reports for Employee (IITA Section 703)

SUBPART V: EMPLOYER'S RETURN AND PAYMENT OF TAX WITHHELD

Section
100.7300 Returns and Payments of Income Tax Withheld from Wages (IITA Sections 704
and 704A)
100.7310 Returns Filed and Payments Made on Annual Basis (IITA Sections 704 and
704A)

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- 100.7320 Time for Filing Returns and Making Payments for Taxes Required to Be Withheld Prior to January 1, 2008 (IITA Section 704)
- 100.7325 Time for Filing Returns and Making Payments for Taxes Required to Be Withheld On or After January 1, 2008 (IITA Section 704A)
- 100.7330 Payment of Tax Required to be Shown Due on a Return (IITA Sections 704 and 704A)
- 100.7340 Correction of Underwithholding or Overwithholding (IITA Section 704)
- 100.7350 Domestic Service Employment (IITA Sections 704 and 704A)
- 100.7360 Definitions and Special Provisions Relating to Reporting and Payment of Income Tax Withheld (IITA Sections 704 and 704A)
- 100.7370 Penalty and Interest Provisions Relating to Reporting and Payment of Income Tax Withheld (IITA Sections 704 and 704A)
- 100.7380 Economic Development for a Growing Economy (EDGE) and Small Business Job Creation Credit (IITA Section 704A(g) and (h))

SUBPART W: ESTIMATED TAX PAYMENTS

Section

- 100.8000 Payment of Estimated Tax (IITA Section 803)
- 100.8010 Failure to Pay Estimated Tax (IITA Sections 804 and 806)

SUBPART X: COLLECTION AUTHORITY

Section

- 100.9000 General Income Tax Procedures (IITA Section 901)
- 100.9010 Collection Authority (IITA Section 901)
- 100.9020 Child Support Collection (IITA Section 901)

SUBPART Y: NOTICE AND DEMAND

Section

- 100.9100 Notice and Demand (IITA Section 902)

SUBPART Z: ASSESSMENT

Section

- 100.9200 Assessment (IITA Section 903)
- 100.9210 Waiver of Restrictions on Assessment (IITA Section 907)

SUBPART AA: DEFICIENCIES AND OVERPAYMENTS

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Section

- 100.9300 Deficiencies and Overpayments (IITA Section 904)
- 100.9310 Application of Tax Payments Within Unitary Business Groups (IITA Section 603)
- 100.9320 Limitations on Notices of Deficiency (IITA Section 905)
- 100.9330 Further Notices of Deficiency Restricted (IITA Section 906)

SUBPART BB: CREDITS AND REFUNDS

Section

- 100.9400 Credits and Refunds (IITA Section 909)
- 100.9410 Limitations on Claims for Refund (IITA Section 911)
- 100.9420 Recovery of Erroneous Refund (IITA Section 912)

SUBPART CC: INVESTIGATIONS AND HEARINGS

Section

- 100.9500 Access to Books and Records (IITA Section 913)
- 100.9505 Access to Books and Records – 60-Day Letters (IITA Section 913) (Repealed)
- 100.9510 Taxpayer Representation and Practice Requirements
- 100.9520 Conduct of Investigations and Hearings (IITA Section 914)
- 100.9530 Books and Records

SUBPART DD: JUDICIAL REVIEW

Section

- 100.9600 Administrative Review Law (IITA Section 1201)

SUBPART EE: DEFINITIONS

Section

- 100.9700 Unitary Business Group Defined (IITA Section 1501)
- 100.9710 Financial Organizations (IITA Section 1501)
- 100.9720 Nexus
- 100.9730 Investment Partnerships (IITA Section 1501(a)(11.5))
- 100.9750 Corporation, Subchapter S Corporation, Partnership and Trust Defined (IITA Section 1501)

SUBPART FF: LETTER RULING PROCEDURES

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Section
100.9800 Letter Ruling Procedures

SUBPART GG: MISCELLANEOUS

Section
100.9900 Tax Shelter Voluntary Compliance Program

100.APPENDIX A Business Income Of Persons Other Than Residents
100.TABLE A Example of Unitary Business Apportionment
100.TABLE B Example of Unitary Business Apportionment for Groups Which
Include Members Using Three-Factor and Single-Factor Formulas

AUTHORITY: Implementing the Illinois Income Tax Act [35 ILCS 5] and authorized by Section 1401 of the Illinois Income Tax Act [35 ILCS 5/1401].

SOURCE: Filed July 14, 1971, effective July 24, 1971; amended at 2 Ill. Reg. 49, p. 84, effective November 29, 1978; amended at 5 Ill. Reg. 813, effective January 7, 1981; amended at 5 Ill. Reg. 4617, effective April 14, 1981; amended at 5 Ill. Reg. 4624, effective April 14, 1981; amended at 5 Ill. Reg. 5537, effective May 7, 1981; amended at 5 Ill. Reg. 5705, effective May 20, 1981; amended at 5 Ill. Reg. 5883, effective May 20, 1981; amended at 5 Ill. Reg. 6843, effective June 16, 1981; amended at 5 Ill. Reg. 13244, effective November 13, 1981; amended at 5 Ill. Reg. 13724, effective November 30, 1981; amended at 6 Ill. Reg. 579, effective December 29, 1981; amended at 6 Ill. Reg. 9701, effective July 26, 1982; amended at 7 Ill. Reg. 399, effective December 28, 1982; amended at 8 Ill. Reg. 6184, effective April 24, 1984; codified at 8 Ill. Reg. 19574; amended at 9 Ill. Reg. 16986, effective October 21, 1985; amended at 9 Ill. Reg. 685, effective December 31, 1985; amended at 10 Ill. Reg. 7913, effective April 28, 1986; amended at 10 Ill. Reg. 19512, effective November 3, 1986; amended at 10 Ill. Reg. 21941, effective December 15, 1986; amended at 11 Ill. Reg. 831, effective December 24, 1986; amended at 11 Ill. Reg. 2450, effective January 20, 1987; amended at 11 Ill. Reg. 12410, effective July 8, 1987; amended at 11 Ill. Reg. 17782, effective October 16, 1987; amended at 12 Ill. Reg. 4865, effective February 25, 1988; amended at 12 Ill. Reg. 6748, effective March 25, 1988; amended at 12 Ill. Reg. 11766, effective July 1, 1988; amended at 12 Ill. Reg. 14307, effective August 29, 1988; amended at 13 Ill. Reg. 8917, effective May 30, 1989; amended at 13 Ill. Reg. 10952, effective June 26, 1989; amended at 14 Ill. Reg. 4558, effective March 8, 1990; amended at 14 Ill. Reg. 6810, effective April 19, 1990; amended at 14 Ill. Reg. 10082, effective June 7, 1990; amended at 14 Ill. Reg. 16012, effective September 17, 1990; emergency amendment at 17 Ill. Reg. 473, effective December 22, 1992, for a maximum of 150 days;

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amended at 17 Ill. Reg. 8869, effective June 2, 1993; amended at 17 Ill. Reg. 13776, effective August 9, 1993; recodified at 17 Ill. Reg. 14189; amended at 17 Ill. Reg. 19632, effective November 1, 1993; amended at 17 Ill. Reg. 19966, effective November 9, 1993; amended at 18 Ill. Reg. 1510, effective January 13, 1994; amended at 18 Ill. Reg. 2494, effective January 28, 1994; amended at 18 Ill. Reg. 7768, effective May 4, 1994; amended at 19 Ill. Reg. 1839, effective February 6, 1995; amended at 19 Ill. Reg. 5824, effective March 31, 1995; emergency amendment at 20 Ill. Reg. 1616, effective January 9, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 6981, effective May 7, 1996; amended at 20 Ill. Reg. 10706, effective July 29, 1996; amended at 20 Ill. Reg. 13365, effective September 27, 1996; amended at 20 Ill. Reg. 14617, effective October 29, 1996; amended at 21 Ill. Reg. 958, effective January 6, 1997; emergency amendment at 21 Ill. Reg. 2969, effective February 24, 1997, for a maximum of 150 days; emergency expired July 24, 1997; amended at 22 Ill. Reg. 2234, effective January 9, 1998; amended at 22 Ill. Reg. 19033, effective October 1, 1998; amended at 22 Ill. Reg. 21623, effective December 15, 1998; amended at 23 Ill. Reg. 3808, effective March 11, 1999; amended at 24 Ill. Reg. 10593, effective July 7, 2000; amended at 24 Ill. Reg. 12068, effective July 26, 2000; emergency amendment at 24 Ill. Reg. 17585, effective November 17, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18731, effective December 11, 2000; amended at 25 Ill. Reg. 4640, effective March 15, 2001; amended at 25 Ill. Reg. 4929, effective March 23, 2001; amended at 25 Ill. Reg. 5374, effective April 2, 2001; amended at 25 Ill. Reg. 6687, effective May 9, 2001; amended at 25 Ill. Reg. 7250, effective May 25, 2001; amended at 25 Ill. Reg. 8333, effective June 22, 2001; amended at 26 Ill. Reg. 192, effective December 20, 2001; amended at 26 Ill. Reg. 1274, effective January 15, 2002; amended at 26 Ill. Reg. 9854, effective June 20, 2002; amended at 26 Ill. Reg. 13237, effective August 23, 2002; amended at 26 Ill. Reg. 15304, effective October 9, 2002; amended at 26 Ill. Reg. 17250, effective November 18, 2002; amended at 27 Ill. Reg. 13536, effective July 28, 2003; amended at 27 Ill. Reg. 18225, effective November 17, 2003; emergency amendment at 27 Ill. Reg. 18464, effective November 20, 2003, for a maximum of 150 days; emergency expired April 17, 2004; amended at 28 Ill. Reg. 1378, effective January 12, 2004; amended at 28 Ill. Reg. 5694, effective March 17, 2004; amended at 28 Ill. Reg. 7125, effective April 29, 2004; amended at 28 Ill. Reg. 8881, effective June 11, 2004; emergency amendment at 28 Ill. Reg. 14271, effective October 18, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 14868, effective October 26, 2004; emergency amendment at 28 Ill. Reg. 15858, effective November 29, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 2420, effective January 28, 2005; amended at 29 Ill. Reg. 6986, effective April 26, 2005; amended at 29 Ill. Reg. 13211, effective August 15, 2005; amended at 29 Ill. Reg. 20516, effective December 2, 2005; amended at 30 Ill. Reg. 6389, effective March 30, 2006; amended at 30 Ill. Reg. 10473, effective May 23, 2006; amended by 30 Ill. Reg. 13890, effective August 1, 2006; amended at 30 Ill. Reg. 18739, effective November 20, 2006; amended at 31 Ill. Reg. 16240, effective November 26, 2007; amended at 32 Ill. Reg. 872, effective January 7, 2008; amended at 32 Ill. Reg. 1407, effective January 17, 2008; amended at 32 Ill. Reg. 3400, effective

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February 25, 2008; amended at 32 Ill. Reg. 6055, effective March 25, 2008; amended at 32 Ill. Reg. 10170, effective June 30, 2008; amended at 32 Ill. Reg. 13223, effective July 24, 2008; amended at 32 Ill. Reg. 17492, effective October 24, 2008; amended at 33 Ill. Reg. 1195, effective December 31, 2008; amended at 33 Ill. Reg. 2306, effective January 23, 2009; amended at 33 Ill. Reg. 14168, effective September 28, 2009; amended at 33 Ill. Reg. 15044, effective October 26, 2009; amended at 34 Ill. Reg. 550, effective December 22, 2009; amended at 34 Ill. Reg. 3886, effective March 12, 2010; amended at 34 Ill. Reg. 12891, effective August 19, 2010; amended at 35 Ill. Reg. 4223, effective February 25, 2011; amended at 35 Ill. Reg. 15092, effective August 24, 2011; amended at 36 Ill. Reg. 2363, effective January 25, 2012; amended at 36 Ill. Reg. 9247, effective June 5, 2012; amended at 37 Ill. Reg. 5823, effective April 19, 2013; amended at 37 Ill. Reg. 20751, effective December 13, 2013; recodified at 38 Ill. Reg. 4527; amended at 38 Ill. Reg. 9550, effective April 21, 2014; amended at 38 Ill. Reg. 13941, effective June 19, 2014; amended at 38 Ill. Reg. 15994, effective July 9, 2014; amended at 38 Ill. Reg. 17043, effective July 23, 2014; amended at 38 Ill. Reg. 18568, effective August 20, 2014; amended at 38 Ill. Reg. 23158, effective November 21, 2014; emergency amendment at 39 Ill. Reg. 483, effective December 23, 2014, for a maximum of 150 days; amended at 39 Ill. Reg. 1768, effective January 7, 2015; amended at 39 Ill. Reg. 5057, effective March 17, 2015; amended at 39 Ill. Reg. 6884, effective April 29, 2015; amended at 39 Ill. Reg. 15594, effective November 18, 2015.

SUBPART M: BUSINESS INCOME OF PERSONS OTHER THAN RESIDENTS

Section 100.3450 Apportionment of Business Income of Transportation Companies (IITA Section 304(d))a) In General

- 1) For taxable years ending prior to December 31, 2008, business income of a transportation company shall be apportioned to this State by multiplying that income by a fraction, the numerator of which is the revenue miles of the person in this State, and the denominator of which is the revenue miles of the person everywhere. (IITA Section 304(d)(1))
- 2) For taxable years ending on or after December 31, 2008:
 - A) Business income derived from providing transportation services other than airline services shall be apportioned to this State by using a fraction:

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i) the numerator of which shall be:

- all receipts from any movement or shipment of people, goods, mail, oil, gas, or any other substance (other than by airline) that both originates and terminates in this State, plus
- that portion of the person's gross receipts from movements or shipments of people, goods, mail, oil, gas, or any other substance (other than by airline) that originates in one state or jurisdiction and terminates in another state or jurisdiction, that is determined by the ratio that the miles traveled in this State bears to total miles everywhere; and

ii) the denominator of which shall be all revenue derived from the movement or shipment of people, goods, mail, oil, gas, or any other substance (other than by airline) (IITA Section 304(d)(3)); andB) Business income derived from furnishing airline transportation services shall be apportioned to this State by multiplying that income by a fraction, the numerator of which is the revenue miles of the person in this State, and the denominator of which is the revenue miles of the person everywhere. (IITA Section 304(d)(4))b) Definitions1) Miles Transported or Traveled. For purposes of determining the distance transported or traveled relative to the movement or shipment of people, goods, oil, gas or any other substance:A) In the case of transportation by land, unless the taxpayer maintains specific records of miles or routes actually traveled by a vehicle in a particular trip, the miles transported or traveled is the standard distance in miles between the points of pickup and delivery. Distances may be rounded to the nearest mile.

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- B) In the case of transportation by water, unless the taxpayer maintains specific records of miles or routes actually traveled by a vessel in a particular trip, the miles transported or traveled is the standard distance in miles between the points of pickup and delivery. Distances may be rounded to the nearest mile.
- C) In the case of transportation by pipeline, distances may be rounded to the nearest mile.
- D) In the case of transportation by air, the miles transported in a flight is the air distance in miles on the most common route between the airports. Distances may be rounded to the nearest mile or tens of miles.
- 2) Revenue Mile. A "revenue mile" is:
- A) *the transportation of one net ton of freight the distance of one mile for consideration;*
- B) *the transportation of one passenger the distance of one mile for consideration;*
- C) *the transportation by pipeline of one barrel of oil the distance of one mile for consideration;*
- D) *the transportation by pipeline of 1,000 cubic feet of gas the distance of one mile for consideration; or*
- E) *the transportation by pipeline of any specified quantity of a substance other than oil or gas the distance of one mile for consideration. (IITA Section 304(d)(1) and (4))*
- 3) In this State. A revenue mile or a mile traveled is "in this State" whenever the transportation occurs within the geographic boundaries of the State of Illinois.
- A) In the case of interstate transportation by land, the revenue miles or miles traveled in this State are the miles determined under subsection (b)(1)(A) between the point or points where the route

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used in determining those miles intersect the Illinois border and the point, if any, in Illinois where the route begins or ends.

- B) In the absence of evidence to the contrary, the number of miles of transportation within this State by a vessel operating on water that is not wholly within or without this State shall be 50% of the total number of transportation miles on that water.
- C) In the case of interstate transportation by airline, the revenue miles in this State are the miles determined under subsection (b)(1)(D) between the point where the route used in determining those miles intersects the Illinois border and the airport in Illinois where the flight begins or terminates. Revenue miles in a flight that neither begins nor terminates in Illinois ("flyover miles") may not be included in the numerator. (Northwest Airlines, Inc. v. Department of Revenue, 295 Ill. App. 3d 889, 692 N.E.2d 1264 (1998), appeal denied, 179 Ill. 2d 589, 705 N.E. 2d 440.)
- 4) Gross Receipts from Furnishing Transportation Services by Airline and by Other Means. For taxable years ending on or after December 31, 2008, in a transaction in which the taxpayer transports a passenger or freight both by airline and by any other mode of transportation, the gross receipts from furnishing airline transportation services in the transaction shall equal the total gross receipts from the transaction times a fraction equal to the miles traveled by airline in the transaction divided by the total miles traveled in the transaction and the gross receipts from furnishing transportation services (other than by airline) shall equal the remaining gross receipts from the transaction; provided that:
- A) the taxpayer may use any other reasonable method supported by its books and records for allocating gross receipts from the transaction between airline transportation and the other modes of transportation; and
- B) if the miles traveled by airline equal more than 95% of the total miles traveled, the entire transaction is deemed to be transportation by airline.

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- 5) Freight. "Freight" means any item, other than an individual passenger, that is transported for consideration.
- c) Computation of Apportionment Factor of a Transportation Company, other than for Furnishing Transportation Services by Airline, for Taxable Years Ending on or after December 31, 2008. For each taxable year ending on or after December 31, 2008, the business income of a transportation company shall be apportioned to Illinois by multiplying the company's business income by an apportionment factor equal to:
- 1) the sum of:
- A) the gross receipts from the provision of transportation services (other than transportation by airline) when the transportation service both originates and terminates in Illinois; and
- B) the gross receipts from the provision of transportation services (other than transportation by airline) when the transportation service originates in one state or jurisdiction and terminates in a different state or jurisdiction, multiplied by the quotient of:
- i) the miles traveled in this State in providing transportation services that originated in one state or jurisdiction and terminated in a different state or jurisdiction, divided by
- ii) the total miles traveled in providing transportation services that originated in one state or jurisdiction and terminated in a different state or jurisdiction;
- 2) divided by the taxpayer's total gross receipts from the provision of transportation services (other than transportation by airline). (IITA Section 304(d)(3))

EXAMPLE A: During its taxable year ending December 31, 2008, Transportation Company made the following trips transporting goods on behalf of its customers:

Miles Traveled

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<u>Trip:</u>	<u>Outside Illinois</u>	<u>Within Illinois</u>	<u>Total</u>	<u>Gross Receipts</u>
<u>Iowa to Minnesota</u>	<u>600</u>	<u>0</u>	<u>600</u>	<u>\$700</u>
<u>Iowa to Wisconsin</u>	<u>400</u>	<u>0</u>	<u>400</u>	<u>300</u>
<u>Iowa to Illinois</u>	<u>50</u>	<u>140</u>	<u>190</u>	<u>400</u>
<u>Iowa to Indiana</u>	<u>50</u>	<u>300</u>	<u>350</u>	<u>600</u>
<u>Iowa Intrastate</u>	<u>220</u>	<u>0</u>	<u>220</u>	<u>320</u>
<u>Illinois Intrastate</u>	<u>0</u>	<u>200</u>	<u>200</u>	<u>400</u>
<u>TOTALS</u>	<u>1,320</u>	<u>640</u>	<u>1,960</u>	<u>\$2,720</u>
<u>Less IA Intrastate</u>	<u>(220)</u>	<u>0</u>	<u>(220)</u>	<u>(\$320)</u>
<u>Less IL Intrastate</u>	<u>0</u>	<u>(200)</u>	<u>(200)</u>	<u>(\$400)</u>
<u>Interstate Totals</u>	<u>1,100</u>	<u>440</u>	<u>1,540</u>	<u>\$2,000</u>

Based on the foregoing, Transportation Company's apportionment factor is 35.6985%, computed as follows:

ILLINOIS NUMERATOR

	<u>Miles Traveled</u>			<u>Gross Receipts</u>
<u>Trip:</u>	<u>Outside Illinois</u>	<u>Within Illinois</u>	<u>Total</u>	
<u>Totals</u>	<u>1,320</u>	<u>640</u>	<u>1,960</u>	<u>\$2,720</u>
<u>Less Iowa Intrastate</u>	<u>(220)</u>	<u>0</u>	<u>(220)</u>	<u>(320)</u>
<u>Less Illinois Intrastate</u>	<u>0</u>	<u>(200)</u>	<u>(200)</u>	<u>(400)</u>
<u>Interstate</u>	<u>1,100</u>	<u>440</u>	<u>1,540</u>	<u>\$2,000</u>
<u>Illinois Intrastate Receipts</u>				<u>\$400</u>
<u>Illinois Interstate Miles</u>		<u>440</u>		
<u>Everywhere Interstate Miles</u>		<u>1,540</u>		
<u>Fraction IL/Everywhere Miles</u>		<u>28.5714%</u>		
<u>Interstate Receipts</u>		<u>\$2,000</u>		
<u>Illinois Share of Interstate Receipts</u>				<u>\$571</u>
<u>Numerator</u>				<u>\$971</u>

DENOMINATOR

<u>Total Receipts</u>	<u>\$2,720</u>
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DEPARTMENT OF REVENUE

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FACTORNumerator/Denominator35.6985%The numerator is:

\$400 in gross receipts from the trip that both originated and terminated in Illinois, plus

\$571 Illinois portion of gross receipts from interstate trips. The \$571 Illinois portion of gross receipts from interstate trips is computed by multiplying the \$2,000 in total gross receipts from those trips by a fraction equal to the 440 miles traveled in Illinois in those trips divided by the 1,540 in total miles traveled during those trips. The 35.6985% factor is the \$971 numerator divided by the \$2,720 in gross receipts for all trips.

d) Transportation Companies Providing Transportation Services that use Different Measures for Apportioning Income. For all taxable years, in cases in which a transportation company transports both passengers and freight or transports by pipeline and by other means, and in taxable years ending on or after December 31, 2008, in cases in which a transportation company provides transportation services by airline and by any other means, the company's apportionment fraction shall be determined by computing a separate apportionment fraction under subsection (a)(1), (a)(2)(A) or (a)(2)(B), whichever is applicable, for its air and surface transportation services, and for its passenger and freight transportation services within each type, and combining those separate fractions, weighted by:

- 1) in the case of transportation by railroad, the transportation company's operating income from transportation of passengers and from transportation of freight, as reported to the Interstate Commerce Commission or the Surface Transportation Board; and
- 2) in all other cases, by the gross receipts derived from the transportation services related to each separate fraction. (IITA Section 304(d)(1)(A) and (B) and (2)(A) and (B))

EXAMPLE A: Taxpayer transports freight and passengers by railroad with total income of \$100. Taxpayer derived \$60 in operating income from transporting freight, \$30 in operating income from transporting passengers and \$10 in income from nontransportation activities. Taxpayer's apportionment fraction for its

DEPARTMENT OF REVENUE

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freight transportation business is 15% and its apportionment fraction for passenger transportation is 45%. Taxpayer's apportionment factor is 25%, computed as follows: 15% times (\$60/\$90) plus 45% times (\$30/\$90).

	<u>Col A</u>	<u>Col B</u>	<u>Col C</u>	<u>Col D</u>	<u>Col E</u>
<u>Example:</u>	<u>Income</u>	<u>Operating Income</u>	<u>Apportionment Fraction</u>	<u>Weighting</u>	<u>IL Factor C times D</u>
<u>Transporting freight</u>	<u>\$60</u>	<u>\$60</u>	<u>15.00%</u>	<u>(60/90)</u>	<u>10.00%</u>
<u>Transporting passenger</u>	<u>\$30</u>	<u>\$30</u>	<u>45.00%</u>	<u>(30/90)</u>	<u>15.00%</u>
<u>Nontransportation receipts</u>	<u>\$10</u>	<u>\$0</u>	<u>0.00%</u>	<u>0</u>	<u>0.00%</u>
<u>Subtotals</u>	<u>\$100</u>	<u>\$90</u>	<u>~~</u>	<u>~~</u>	<u>25.00%</u>

EXAMPLE B: Taxpayer transports freight by air and ground service for its taxable year ending June 30, 2009. Taxpayer uses trucks to provide its ground transportation services. Taxpayer has total gross receipts of \$1,600. Taxpayer derived \$600 from transporting freight by truck and \$1,000 from transporting freight by air. Using the gross receipts methodology set forth in subsections (a)(2)(A) and (c), Taxpayer's apportionment factor for its ground transportation services is 12%. Using the revenue miles methodology in subsection (a)(2)(B), Taxpayer's apportionment factor for its air transportation service is 22%. Taxpayer's apportionment factor is 18.25%, computed as follows: 12% times (\$600/\$1600) plus 22% times (\$1000/\$1600).

	<u>Col A</u>	<u>Col B</u>	<u>Col C</u>	<u>Col D</u>	<u>Col E</u>
<u>Example:</u>	<u>Gross Receipts</u>	<u>Transportation Receipts</u>	<u>Apportionment Fraction</u>	<u>Weighting</u>	<u>IL Factor C times D</u>
<u>Transporting ground</u>	<u>\$600</u>	<u>\$600</u>	<u>12.00%</u>	<u>(600/1600)</u>	<u>4.50%</u>
<u>Transporting air</u>	<u>\$1000</u>	<u>\$1000</u>	<u>22.00%</u>	<u>(1000/1600)</u>	<u>13.75%</u>
<u>Nontransportation receipts</u>	<u>\$100</u>	<u>\$0</u>	<u>0.00%</u>	<u>0</u>	<u>0.00%</u>
<u>Subtotals</u>	<u>\$1700</u>	<u>\$1600</u>	<u>~~</u>	<u>~~</u>	<u>18.25%</u>

(Source: Added at 39 Ill. Reg. 15594, effective November 18, 2015)

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Access to Information of the State Board of Education under the Freedom of Information Act
- 2) Code Citation: 2 Ill. Adm. Code 5001
- 3)

<u>Section Numbers:</u>	<u>Adopted Actions:</u>
5001.510	Amendment
5001.APPENDIX A	New Section
- 4) Statutory Authority: 5 ILCS 140/3(h) and 5 ILCS 100/5-15
- 5) Effective Date of Rules: November 23, 2015
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Notice of Proposal published in the *Illinois Register*: Prior publication of an internal rule in the *Illinois Register* is not subject to Section 5-35 of the IAPA.
- 10) Has JCAR issued a Statement of Objection to this rulemaking? Since this rulemaking is not subject to Section 5-35 of the IAPA, it is not subject to prior review by the Joint Committee on Administrative Rules (JCAR).
- 11) Differences between Proposal and Final Version: Since this rulemaking is not subject to Section 5-35, it is not subject to first notice review nor second notice review by JCAR.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreements issued by JCAR? Since this rulemaking is not subject to Section 5-35, it is not subject to second notice review by JCAR.
- 13) Will this rulemaking replace any emergency rules currently in effect? No
- 14) Are there any other proposed rulemakings pending on this Part? No

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 15) Summary and Purpose of the Rulemaking: The proposed rulemaking responds to a request from the Joint Committee on Administrative Rules (JCAR) made of agency staff earlier this year. While reviewing FOIA rules for the Illinois Purchased Care Review Board (IPCRB), for which the agency provides administrative support, JCAR staff indicated that the IPCRB's rules should not contain a link to a fee schedule for duplicating documents on the agency's website. Rather, JCAR indicated that the fee schedule should be included in the IPCRB's rules. Therefore, the fee schedule for duplication also will be placed in Part 5001 as Appendix A, and readers' attention will be directed to the schedule by a cross-reference in Section 5001.510 (Copies of Public Records; Fees).
- 16) Information and questions regarding these adopted rules should be directed to:

Karen Corken, First Deputy Superintendent
Illinois State Board of Education
100 W. Randolph, Suite 14-300
Chicago IL 60602

312/814-2220

The full text of the Adopted Amendments begins on the next page:

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE F: EDUCATIONAL AGENCIES
CHAPTER I: STATE BOARD OF EDUCATION

PART 5001

ACCESS TO INFORMATION OF THE STATE BOARD OF EDUCATION
UNDER THE FREEDOM OF INFORMATION ACT

SUBPART A: INTRODUCTION

- Section
5001.100 Summary and Purpose
5001.110 Definitions

SUBPART B: PROCEDURES FOR REQUESTING PUBLIC RECORDS

- Section
5001.200 Office to Which Requests are Submitted
5001.210 Form and Content of Requests

SUBPART C: PROCEDURES FOR AGENCY RESPONSE
TO REQUESTS FOR PUBLIC RECORDS

- Section
5001.300 Agency Response
5001.310 Types of Responses (Repealed)

SUBPART D: PROCEDURES FOR APPEAL OF A DENIAL

- Section
5001.400 Appeal of a Denial (Repealed)
5001.410 Superintendent's Response to Appeal (Repealed)

SUBPART E: PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTERS

- Section
5001.500 Inspection of Records
5001.510 Copies of Public Records; Fees
5001.520 General Materials Available from the Freedom of Information Office (Repealed)

STATE BOARD OF EDUCATION

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SUBPART F: ACCESS TO MATERIALS INCORPORATED
BY REFERENCE IN ADMINISTRATIVE RULES

Section
5001.600 Inspection of Materials

[5001.APPENDIX A Fee Schedule for Duplication of Public Records](#)

AUTHORITY: Implementing and authorized by Section 3(h) of the Freedom of Information Act [5 ILCS 140/3(h)] and Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15].

SOURCE: Adopted and codified at 8 Ill. Reg. 15443, effective August 8, 1984; amended at 17 Ill. Reg. 14913, effective September 2, 1993; amended at 29 Ill. Reg. 3900, effective February 22, 2005; amended at 29 Ill. Reg. 8503, effective June 2, 2005; amended at 35 Ill. Reg. 5407, effective March 17, 2011; amended at 39 Ill. Reg. 2213, effective January 21, 2015; amended at 39 Ill. Reg. 15615, effective November 23, 2015.

SUBPART E: PROCEDURES FOR PROVIDING PUBLIC RECORDS TO REQUESTERS

Section 5001.510 Copies of Public Records; Fees

- a) Copies of public records shall be provided to the requester only upon payment of any charges that are due.
- b) Charges for copies of public records shall be assessed in accordance with the "Fee Schedule for Duplication of Public Records," [in Appendix A](#)~~which shall be posted at <http://www.isbe.net/htmls/foia.htm>~~. Fees for "voluminous" records that are provided in an electronic format shall be as set forth in Section 6(a-5) of the FOIA.
- c) Charges shall be waived if the request is from a State agency, a constitutional officer, or a member of the General Assembly. Charges shall not be waived when the records are to be used for political campaign purposes. Charges may be waived where the Agency determines that the waiver serves the public interest.

(Source: Amended at 39 Ill. Reg. 15615, effective November 23, 2015)

STATE BOARD OF EDUCATION

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Section 5001.APPENDIX A Fee Schedule for Duplication of Public Records

<u>Type of Duplication</u>	<u>Fee</u>
<u>Paper copy from paper or electronic source, 50 pages or fewer</u>	<u>No charge.</u>
<u>Paper copy from paper or electronic source, 51 pages or more</u>	<u>\$.15 per page, except that no charge will be assessed if the total cost is less than \$7.50.</u>
<u>Diskette or CD-ROM</u>	<u>No charge.</u>
<u>Copy of audio or video material</u>	<u>The cost of tape, disk, etc.</u>

(Source: Added at 39 Ill. Reg. 15615, effective November 23, 2015)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish information concerning proposed changes in methods and standards for establishing medical assistance payment rates for medical services in the *Illinois Register*: 5 ILCS 100/5-70(c)
2. Summary of Information: The Illinois Department of Healthcare and Family Services (HFS) gives notice that the revised Statewide Transition Plan, required by the Centers for Medicaid and Medicare Services (CMS) Home and Community-Based Services (HCBS) Rule 42 CFR 441.301(c)(iii), will be available for public review and comment for a period of 30 days beginning on December 4, 2015 and ending on January 3, 2016. HFS is required to submit the final proposed Statewide Transition Plan to CMS. The Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) published regulations in the Federal Register (42 CFR 441.301(c) (4)-(5)) on January 16, 2014, effective March 17, 2014, which further clarifies the definition of home and community-based services (HCBS) residential and non-residential settings for section 1915(c) Medicaid Waivers and approved state plans providing HCBS under section 1915(i). The new rules require states to develop a Statewide Transition Plan identifying the strategies for compliance with the new regulations and allowing up to five (5) years for full compliance.

The revised Statewide Transition Plan modifies the Statewide Transition Plan posted on March 17, 2015. The revised Statewide Transition Plan covers all nine (9) 1915(c) HCBS waivers and is expected to detail the level of current compliance and the actions the state will take to achieve compliance with the HCBS Setting requirements. Once posted, the revised Statewide Transition Plan can be viewed at the website of the Illinois Department of Healthcare and Family Services (HFS), Medical Programs, Home and Community Based Waiver Programs; <http://www2.illinois.gov/hfs/MedicalPrograms/HCBS/Pages/default.aspx>. Comments may be submitted on this site or by mail. Written comments should be mailed to:

The Illinois Department of Healthcare and Family Services
Attn: Waiver Management
201 South Grand Ave East, 2nd FL
Springfield IL 62763

Persons who are unable to access the Internet may request a hard copy of the DRAFT Plan by calling HFS at 217/524-4148.

3. Name and address of person that written comments should be mailed to:

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PUBLIC INFORMATION

The Illinois Department of Healthcare and Family Services
Attn: Waiver Management
201 South Grand Ave East, 2nd FL
Springfield IL 62763

Local access to the Internet is available through any local public library. In addition, this material may be viewed at the DHS local offices (except in Cook County). In Cook County, the changes may be reviewed at the Office of the Director, Illinois Department of Healthcare and Family Services, 401 South Clinton Street, Chicago IL. The changes may be reviewed at all offices Monday through Friday from 8:30 a.m. until 5:00 p.m. This notice is being provided in accordance with federal requirements found at 42 CFR 447.205.

POLLUTION CONTROL BOARD

JANUARY 2016 REGULATORY AGENDA

- a) Parts (Heading and Code Citation): Permits and General Provisions (35 Ill. Adm. Code 201)
- 1) Rulemaking: No docket presently reserved.
- A) Description: The Illinois Environmental Protection Agency ("Agency") is in the process of developing a rulemaking proposal to file with the Board setting forth regulations that will address recently adopted legislation allowing for the Agency to issue/authorize Permits-by-Rule for certain boilers less than 100 mmBtu/hr that operate at major sources instead of applying for a construction permit. The adopted proposal will be submitted as a revision to the State Implementation Plan (SIP).
- B) Statutory Authority: Implementing and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27, 28]
- C) Scheduled Meeting/Hearing Dates: Hearings have not been scheduled.
- D) Date Agency anticipates First Notice: A Notice of Proposed Amendments may be published in the *Illinois Register* within the next six months.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rule may affect anyone who elects to obtain a permit by rule. The proposal is not expected to mandate that an owner or operator obtain a permit by rule that applies to a particular type of source.
- F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking, and questions concerning this regulatory agenda to:

Rachel Doctors
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield IL 62794

217/782-5544
Rachel.doctors@illinois.gov

POLLUTION CONTROL BOARD

JANUARY 2016 REGULATORY AGENDA

- G) Related Rulemakings and other pertinent information: None
- b) Part (Heading and Code Citation): Definitions and General Provisions (35 Ill. Adm. Code 211)
- 1) Rulemaking: Docket Number R16-11
- A) Description: Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] mandates that the Board update the Illinois definition of volatile organic material (VOM) to reflect the additions made by the United States Environmental Protection Agency (USEPA) to the list of compounds exempt from regulation as ozone precursors. Those compounds are determined by USEPA to be exempt from regulation under the state implementation plan (SIP) for ozone in the federal "Recommended Policy on the Control of Volatile Organic Compounds" (Recommended Policy) due to their negligible photochemical reactivity. On February 3, 1992 (57 Fed. Reg. 3945), USEPA codified its definition of VOM at 40 CFR 51.100(s), which now embodies the former Recommended Policy. This codified definition now includes all the compounds and classes of compounds previously exempted in the former Recommended Policy. The Illinois definition of VOM is presently codified at 35 Ill. Adm. Code 211.7150.
- The Board has reserved this docket number to accommodate any federal amendments to the 40 CFR 51.100(s) definition of VOM that USEPA may make in the period July 1, 2015 through December 31, 2015. At this time, the Board is unaware of any federal action during this update period that affected the federal definition of VOM.
- The Board will verify the existence of any other federal actions that may affect the federal definition of VOM, and propose corresponding amendments to the Illinois definition of VOM as necessary and appropriate. Section 9.1(e) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based.
- B) Statutory Authority: Implementing and authorized by Sections 7.2, 9.1(e), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 9.1(e) & 27]

POLLUTION CONTROL BOARD

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- C) Scheduled Meeting/Hearing Dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. The Board will then schedule and conduct at least one public hearing, as required by Section 110(a) of the federal Clean Air Act (42 USC 7410(a)) for amendment of the Illinois ozone SIP.
- D) Date Agency anticipates First Notice: The Board cannot project an exact date for publication at this time.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the emission of a chemical compound that is the subject of a proposed exemption or proposed deletion from the USEPA list of exempted compounds.
- F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting this docket number, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924
michael.mccambridge@illinois.gov

- G) Related Rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 211 is planned at this time. Receipt of a rulemaking proposal pursuant to 415 ILCS 5/27 and 28, however, could cause the Board to initiate a rulemaking at any time.

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Section 9.1(e) of the Environmental Protection Act [415 ILCS 5/9.1(e)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35, 40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- c) Parts (Heading and Code Citation): Control of Emissions from Large Combustion Sources (35 Ill. Adm. Code 225)
- 1) Rulemaking: No docket is presently reserved.
- A) Description: The Illinois Environmental Protection Agency is planning to sunset the relevant provisions of the Clean Air Interstate Rule ("CAIR"). CAIR affected the large electrical generating units. The USEPA has replaced CAIR with the Cross State Air Pollution Rule ("CSAPR"). The CSAPR affects the same type of sources and is currently being implemented pursuant to a federal rule. The adopted proposal will be submitted as a revision to the State Implementation Plan.
- B) Statutory Authority: Implementing and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27,28]
- C) Scheduled Meeting/Hearing Dates: No hearings are scheduled at this time.
- D) Date Agency anticipates First Notice: A Notice of Proposed Rulemaking may be published in the *Illinois Register* within the next six months.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rule may affect entities that own or operate units subject to CSAPR.
- F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking, as well as questions concerning this regulatory agenda to:

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Rachel Doctors
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield IL 62794

217/782-5544
Rachel.doctors@illinois.gov

G) Related Rulemaking and other pertinent information: None

d) Part (Heading and Code Citation): Air Quality Standards (35 Ill. Adm. Code 243)

1) Rulemaking: Docket Number R16-10

A) Description: PA 97-945 added Section 10(H) to the Environmental Protection Act [415 ILCS 5/10(H)] effective August 10, 2012. This provision mandates that the Board adopt ambient air quality standards that are identical-in-substance to the National Ambient Air Quality Standards (NAAQS) adopted by USEPA pursuant to section 109 of the federal Clean Air Act (42 USC § 7409). USEPA has codified the primary and secondary NAAQS at 40 CFR 50, including provisions relative to methods for monitoring ambient air quality for the several contaminants (particulate matter, nitrogen oxides, sulfur oxides, ozone, carbon monoxide, and lead). Various other federal regulations relate to aspects of the NAAQS, such as 40 CFR 53 prescribing the procedure for approval of equivalent and reference methods and 40 CFR 81 designating air quality monitoring regions and setting forth their attainment/non-attainment status.

The Board has reserved this docket to accommodate any federal amendments to the NAAQS that USEPA may make during the period of July 1, 2015 through December 31, 2015. At this time, the Board is aware of two actions to the federal NAAQS that occurred during this update period:

August 26, 2015 (80 Fed. Reg. 51802): USEPA approved one new FEM for fine particulate matter and one for ozone in ambient air.

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October 26, 2015 (80 Fed. Reg. 65292): USEPA adopted new 2015 primary and secondary NAAQS for ozone in ambient air, lowering from the prior 2008 NAAQS of 75 ppb to 70 ppb. USEPA further revised the FRM for ozone in ambient air, revised the data handling requirements for the new NAAQS, and made several ancillary revisions to the federal NAAQS requirements.

The Board will verify the existence of any other federal actions that may affect the federal NAAQS, and will amend the Illinois ambient air quality standards as necessary and appropriate. Section 10(H) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based.

- B) Statutory Authority: Implementing and authorized by Sections 7.2, 10(H), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 10(H) & 27]
- C) Scheduled Meeting/Hearing Dates: None scheduled at this time.
- D) Date Agency anticipates First Notice: The Board cannot project an exact date for publication at this time.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the emission of an air contaminant or precursor to an air contaminant that is the subject of an NAAQS.
- F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking, noting this docket number, as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting this docket number, as follows:

POLLUTION CONTROL BOARD

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Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601
312/814-6924
michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 243 is planned at this time. Section 10(H) of the Environmental Protection Act [415 ILCS 5/10(H)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35, 40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.
- e) Parts (Heading and Code Citation): Water Quality Standards (35 Ill. Adm. Code 302)
- 1) Rulemaking: Docket Number R14-24
- A) Description: The Sanitary District of Decatur seeks a site specific rulemaking for its main sewerage treatment plant. The District seeks an alternative chronic water quality standard for nickel from the point of its discharge into the Sangamon River, and an alternative rule under certain flow conditions to allow mixing to be considered when determining a water quality based NPDES permit limit for nickel.
- B) Statutory Authority: Implementing and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/5, et. al.]
- C) Scheduled Meeting/Hearing Dates: A hearing has not yet been scheduled at the request of the District.
- D) Date Agency anticipates First Notice: A Notice of Proposed Rulemaking may be published in the *Illinois Register* within the next six months.

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- E) Effect on small businesses, small municipalities or not-for-profit corporations: This rule will affect the Sanitary District of Decatur.
- F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking to:

John Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda to:

Daniel Robertson
Pollution Control Board
100 W. Randolph St.
Chicago IL 60601

312/814-6931
Daniel.Robertson@illinois.gov

- G) Related Rulemaking and other pertinent information: None
- f) Parts (Heading and Code Citation): Water Quality Standards (35 Ill. Adm. Code 302)
Effluent Standards (35 Ill. Adm. Code 304)
- 1) Rulemaking: No docket presently reserved.
- A) Description: The Agency is working toward establishing a new narrative standard for "cultural eutrophication" to protect aquatic life from the adverse impacts of excess algae and aquatic plant growth. Measurable parameters such as dissolved oxygen will be used to identify cultural eutrophication. The proposed standard would prohibit cultural eutrophication and the presence of such would trigger a technology-based phosphorus limit on dischargers that would significantly contribute to cultural eutrophication. The technology based phosphorus limits applicable to such dischargers would be proposed by updating 35 Ill. Adm. Code 304.123. Other technology-based phosphorus effluent

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standards covering certain dischargers of phosphorus independent of a finding of cultural eutrophication will also be proposed for 35 Ill. Adm. Code 304.123.

- B) Statutory Authority: Implementing and authorized by Sections 11 and 27 of the Environmental Protection Act [415 ILCS 5/11, 27]
- C) Scheduled Meeting/Hearing Dates: No hearings have been scheduled.
- D) Date Agency anticipates First Notice: A Notice of Proposed Amendments is expected to be published in the *Illinois Register* within the next six months.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: Small businesses will be affected if they are covered by an NPDES permit and determined to be a significant source.
- F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking, and questions about this regulatory agenda to:

Stefanie Diers
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield IL 62794-9276

217/782-5544
Stefanie.Diers@illinois.gov

- G) Related Rulemaking and other pertinent information: None
- g) Parts (Headings and Code Citations): Sewer Discharge Criteria (35 Ill. Adm. Code 307) Pretreatment Programs (35 Ill. Adm. Code 310)
- 1) Rulemaking: Docket Number R16-9
 - A) Description: Section 13.3 of the Environmental Protection Act [415 ILCS 5/13.3] mandates that the Board update the Illinois wastewater

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pretreatment regulations to reflect revisions made to the federal wastewater pretreatment rules made by the United States Environmental Protection Agency (USEPA).

The Board has reserved this docket to accommodate any amendments to the federal wastewater pretreatment rules, 40 CFR 400 through 499, that the USEPA made in the period July 1, 2015 through December 31, 2015. At this time, the Board is aware of two amendments to the federal wastewater pretreatment regulations that occurred during this update period:

October 22, 2015 (80 Fed. Reg. 64064): USEPA adopted a rule that mandates electronic reporting for the purposes of the National Pollution Discharge Elimination System (NPDES) program. Mandatory electronic reporting of information for the purposes of wastewater pretreatment is an element of the new rule.

November 3, 2015 (80 Fed. Reg. 67838): USEPA adopted revised effluent guidelines and standards, and wastewater pretreatment standards for sources in the Steam Electric Power Generating Point Source Category.

Section 13.3 of the Act mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based.

- B) Statutory Authority: Implementing and authorized by Sections 7.2, 13, 13.3, and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13, 13.3 & 27]
- C) Scheduled Meeting/Hearing Dates: No hearings are scheduled at this time.
- D) Date Agency anticipates First Notice: The Board cannot project a date for publication at this time.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the discharge of

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pollutants into the collection system of a publicly-owned treatment works that is the subject of any federal amendments.

- F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924
Michael.Mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other presently known proceeding would affect provisions of 35 Ill. Adm. Code 307 and 310. Section 13.3 of the Environmental Protection Act provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35, 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the Illinois Register, and it will accept public comments on the proposal for 45 days after the date of publication.

- h) Part (Heading and Code Citation): Primary Drinking Water Standards (35 Ill. Adm. Code 611)

- 1) Rulemaking: Docket Number R16-12

- A) Description: Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] mandates that the Board update the Illinois drinking water

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regulations to reflect the USEPA amendments to the federal Safe Drinking Water Act (SDWA) primary drinking water regulations.

The Board has reserved this docket to accommodate any amendments to the SDWA national primary drinking water standards, 40 CFR 141 through 143, that the USEPA may make in the period of July 1, 2015 through December 31, 2015. At this time, the Board is not aware of any federal amendments that occurred during this update period.

Within the next month, the Board will verify the existence of any other federal actions that may affect the text of the federal primary drinking water standards and determine the Board action required in response.

Section 17.5 mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based.

- B) Statutory Authority: Implementing and authorized by Sections 17, 17.5, and 27 of the Environmental Protection Act [415 ILCS 5/17, 17.5 & 27]
- C) Scheduled Meeting/Hearing Dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: The Board cannot project an exact date for publication at this time.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation in Illinois that owns or operates a "public water supply", as defined by Section 3.28 of the Act, i.e., it has at least fifteen service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year, or it is assisting a public water supply to demonstrate compliance.
- F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking as follows:

POLLUTION CONTROL BOARD

JANUARY 2016 REGULATORY AGENDA

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, as follows:

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Chicago IL 60601

312/814-6924

Michael.McCambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other rulemaking that would affect 35 Ill. Adm. Code 611 is planned at this time. Receipt of a rulemaking proposal pursuant to 415 ILCS 5/27 and 28, however, could cause the Board to initiate a rulemaking at any time.

Section 17.5 of the Environmental Protection Act [415 ILCS 5/17.5] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- i) Parts (Headings and Code Citations):
RCRA and UIC Permit Programs (35 Ill. Adm. Code 702)
UIC Permit Program (35 Ill. Adm. Code 704)
Procedures For Permit Issuance (35 Ill. Adm. Code 705)
Hazardous Waste Management System: General (35 Ill. Adm. Code 720)
Underground Injection Control Operating Requirements (35 Ill. Adm. Code 730)
Hazardous Waste Injection Restrictions (35 Ill. Adm. Code 738)
- 1) Rulemaking: Docket Number R16-13

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- A) Description: Section 13(c) of the Environmental Protection Act [415 ILCS 5/13(c)] mandates that the Board update the Illinois underground injection control (UIC) regulations to reflect amendments to the United States Environmental Protection Agency (USEPA) UIC regulations.

The Board has reserved this docket to accommodate any amendments to the federal UIC regulations, 40 CFR 144 through 148, during the period July 1, 2015 through December 31, 2015. At this time, the Board is not aware of any federal amendments to the federal UIC rules that occurred during this update period.

Section 13(c) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Within the next month, the Board will verify the existence of any federal actions that may affect the text of these rules. The Board will then either propose corresponding amendments to the Illinois rules using the identical-in-substance procedure, or dismiss this docket if no action is needed.

- B) Statutory Authority: Implementing and authorized by Sections 7.2, 13(c) and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 13(c) & 27]
- C) Scheduled Meeting/Hearing Dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) Date Agency anticipates First Notice: The Board expects to verify any federal actions within the next month. If amendments are required, the Board will publish notice in the *Illinois Register* approximately 90 days before adoption to allow time for a 45-day public comment period. If no amendment is needed, the Board will dismiss this reserved docket.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation in Illinois to the extent the affected entity engages in the underground injection of waste.

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- F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking, noting this docket number, as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting this docket number, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924
Michael.Mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: The reserved RCRA Subtitle C update docket for this reporting period and other, as yet unknown, unrelated Board proceedings may affect the text of 35 Ill. Adm. Code 702, 705, and 720. No other presently known proceeding would affect 35 Ill. Adm. Code 704, 730, 738.

Section 13(c) of the Environmental Protection Act [415 ILCS 5/13(c)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- j) Parts (Headings and Code Citations):
RCRA AND UIC Permit Programs (35 Ill. Adm. Code 702)
RCRA Permit Program (35 Ill. Adm. Code 703)

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Procedures For Permit Issuance (35 Ill. Adm. Code 705)
Hazardous Waste Management System: General (35 Ill. Adm. Code 720)
Identification and Listing of Hazardous Waste (35 Ill. Adm. Code 721)
Standards Applicable to Generators of Hazardous Waste (35 Ill. Adm. Code 722)
Standards Applicable to Transporters of Hazardous Waste (35 Ill. Adm. Code 723)
Standards For Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 Ill. Adm. Code 724)
Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 Ill. Adm. Code 725)
Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities (35 Ill. Adm. Code 726)
Land Disposal Restrictions (35 Ill. Adm. Code 728)
Standards for Universal Waste Management (35 Ill. Adm. Code 733)
Hazardous Waste Injection Restrictions (35 Ill. Adm. Code 738)
Standards for the Management of Used Oil (35 Ill. Adm. Code 739)

1) Rulemaking: Docket Number R16-15

- A) Description: Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] mandates that the Board update the Illinois rules implementing Subtitle C of the federal Resource Conservation and Recovery Act (RCRA) to reflect the United States Environmental Protection Agency (USEPA) amendments to the federal RCRA Subtitle C regulations.

The Board has reserved this docket number to accommodate any amendments to the federal RCRA Subtitle C program, 40 CFR 260 through 270, 273, and 279, that USEPA made in the period of July 1, 2015 through December 31, 2015. At this time, the Board is aware of two federal actions during this update period.

July 2, 2015 (80 Fed .Reg. 37988): USEPA adopted technical corrections to the Coal Combustion Residuals (CCR) Rule: USEPA corrected the effective date. While this action directly affected only provisions in 40 C.F.R. 257, the original CCR Rule adopted by USEPA on April 17, 2015 included amendments to hazardous waste provisions. The revised effective date may affect those hazardous waste provisions. The Board must make mention of the revised effective date when adopting the CCR Rule in RCRA Subtitle C update docket R16-7.

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July 2, 2015 (80 Fed. Reg. 37992): USEPA revised the list of OECD countries for the rules applicable to trans-boundary shipments of hazardous waste. USEPA added Estonia, Israel, and Slovenia to reflect that these countries are now implementing the OECD Decision C(2001)107.

The Board will verify the existence of any other federal actions that affect the RCRA Subtitle C regulations, and will then propose corresponding amendments as necessary and appropriate. Section 22.4(a) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based.

- B) **Statutory Authority:** Implementing and authorized by Sections 7.2, 22.4(a), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4(a) & 27]
- C) **Scheduled Meeting/Hearing Dates:** None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.
- D) **Date Agency anticipates First Notice:** The Board cannot project an exact date for publication at this time.
- E) **Effect on small business, small municipalities, or not-for-profit corporations:** This rulemaking may affect any small business, small municipality, or not-for-profit corporation that engages in the generation, transportation, treatment, storage, or disposal of hazardous waste.
- F) **Agency Contact Person for Information:** Address written comments concerning the substance of the rulemaking, noting this docket number, as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

POLLUTION CONTROL BOARD

JANUARY 2016 REGULATORY AGENDA

Address questions concerning this regulatory agenda, noting this docket number, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924
michael.mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: The reserved UIC update docket for the period January 1, 2015 through June 30, 2015. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.
- k) Part (Heading and Code Citation): Underground Storage Tanks (35 Ill. Adm. Code 731)
- 1) Rulemaking: Docket Number R16-16
- A) Description: Section 22.4(d) of the Environmental Protection Act [415 ILCS 5/22.4(d)] mandates that the Board update the Illinois underground storage tank (UST) regulations to reflect amendments to the United States Environmental Protection Agency (USEPA) UST regulations. The mandate specifically excludes federal amendments relating to the design, construction, installation, general operation, release detection, release reporting, release investigation, release confirmation, out-of-service systems, and closure or financial responsibilities for USTs.

The Board has reserved this docket to accommodate any amendments to 40 CFR 281 through 283 that USEPA made in the period of July 1, 2015

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through December 31, 2015. At this time, the Board is aware of one update to the federal UST regulations that occurred during this period:

July 15, 2015 (80 Fed. Reg. 41566): USEPA extensively re-wrote and amended the 1988 UST regulations and the State program authorization provisions. Significant changes include the addition of secondary containment requirements for new and replaced tanks and piping, operator training requirements, and periodic operation and maintenance requirements. USEPA further addressed UST systems deferred in the 1988 rules, adding release prevention and detection technologies, updating codes of practice, making technical corrections, and updating state program requirements. Much of the Board's IIS mandate was removed by revisions to the Environmental Protection Act [415 ILCS 5] in 1990 and 1992. An IIS mandate embracing a narrow scope of corrective action-related provisions remains. The Board must incorporate the federal revisions to provisions still within the scope of the UST IIS mandate (USEPA amendments to 40 C.F.R. 280.10-280.13, 280.22, and 280.60-280.67 and appendices I and III to 40 C.F.R. 280).

Section 22.4(d) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Within the next month, the Board will verify the existence of any other federal amendments that may require Board action. The Board will then propose corresponding amendments to the Illinois UST regulations using the identical-in-substance procedure or dismiss this docket if no action is needed.

- B) Statutory Authority: Implementing and authorized by Sections 7.2, 22.4(d), and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.4(d) & 27]
- C) Scheduled Meeting/Hearing Dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.

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- D) Date Agency anticipates First Notice: A date for publication cannot be determined at this time.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit corporation that owns or operations USTs.
- F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking, noting this docket number, as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting this docket number, as follows:

Michael J. McCambridge, Attorney
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Michael.Mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: No other presently known proceeding would impact the text of Part 731.

Section 22.4(d) of the Environmental Protection Act [415 ILCS 5/22.4(d)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) [5 ILCS 100/5-35, 40] shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

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- 1) Parts (Headings and Code Citations):
Solid Waste (35 Ill. Adm. Code 807)
Solid Waste Disposal: General Provisions (35 Ill. Adm. Code 810)
Standards for New Solid Waste Landfills (35 Ill. Adm. Code 811)
Information to Be Submitted in a Permit Application (35 Ill. Adm. Code 812)
Procedural Requirements for Permitted Landfills (35 Ill. Adm. Code 813)
Standards for Existing Landfills and Units (35 Ill. Adm. Code 814)
Procedural Requirements for All Landfills Exempt from Permits (35 Ill. Adm. Code 815)
- 1) Rulemaking: Docket Number R16-14
- A) Description: Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] mandates that the Board update the Illinois Resource Conservation and Recovery Act (RCRA) Subtitle D municipal solid waste landfill (MSWLF) regulations to reflect the United States Environmental Protection Agency (USEPA) amendments to the federal RCRA Subtitle D MSWLF rules.
- The Board has reserved this docket to accommodate any amendments to the RCRA Subtitle D regulations, 40 CFR 258, that USEPA may make in the period July 1, 2015 through December 31, 2015. At this time, the Board is not aware of any federal amendments to the federal MSWLF rules that occurred during this update period.
- Section 22.40(a) mandates that the Board complete amendments within one year of the date on which USEPA adopted the earliest action upon which the amendments are based. Within the next month, the Board will verify the existence of any additional federal actions that may affect the text of the federal primary drinking water standards. The Board will then propose corresponding amendments to the Illinois RCRA Subtitle D MSWLF regulations using the identical-in-substance procedure, or dismiss this docket if no action is needed.
- B) Statutory Authority: Implementing and authorized by Sections 7.2, 22.40(a) and 27 of the Environmental Protection Act [415 ILCS 5/7.2, 22.40(a) & 27]
- C) Scheduled Meeting/Hearing Dates: None scheduled at this time. The Board will vote to propose any amendments at an open meeting in

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accordance with requirements established by Sections 27 and 28 of the Act [415 ILCS 5/27 & 28]. No hearing is required in identical-in-substance proceedings.

- D) Date Agency anticipates First Notice: The Board expects to verify any federal actions within the next month. If amendments are required, the Board will publish notice in the *Illinois Register* approximately 90 days before adoption to allow time for a 45-day public comment period. If no amendment is needed, the Board will dismiss this docket.
- E) Effect on small business, small municipalities, or not-for-profit corporations: This rulemaking may affect any small business, small municipality, or not-for-profit that engages in the land disposal of municipal solid waste.
- F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking, noting this docket number, as follows:

John T. Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda, noting this docket number, as follows:

Michael J. McCambridge, Attorney
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

312/814-6924
Michael.Mccambridge@illinois.gov

- G) Related rulemakings and other pertinent information: Section 22.40(a) of the Environmental Protection Act [415 ILCS 5/22.40(a)] provides that Title VII of the Act and Section 5 of the Administrative Procedure Act (APA) shall not apply. Because this rulemaking is not subject to Section 5

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of the APA, it is not subject to First Notice or to Second Notice review by the Joint Committee on Administrative Rules. Rather, the Board will cause a Notice of Proposed Amendments to appear in the *Illinois Register*, and it will accept public comments on the proposal for 45 days after the date of publication.

- m) Parts (Heading and Code Citation): Site –Specific Closures of Coal Combustion Waste Surface Impoundments (35 Ill. Adm. Code 840)
- 1) Rulemaking: Docket Number R13-19
 - A) Description: On April 9, 2013, Ameren Energy Resources filed a rulemaking proposal to add a Subpart B to Part 840 of the Board's waste disposal regulations, which addresses the closure of coal combustion waste surface impoundments. Ameren states that it intends its proposal to allow it to close surface impoundments for management of coal combustion waste at eight coal-fired powered plants.
 - B) Statutory Authority: Implementing and authorized by Section 8 of the Groundwater Protection Act and Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/27, 28; 415 ICLS 55/8]
 - C) Scheduled Meeting/Hearing Dates: Hearings had not been scheduled at the time this regulatory agenda was filed. On August 7, 2014, the Board granted proponent's request to extend the stay of this proceeding for one year while a proposed generally-applicable rulemaking proposal is pending. On November 19, 2015, the Board directed the proponent to file within 60 days a status report detailing progress in this proceeding and describing the need for any request for further extension of the stay.
 - D) Date Agency anticipates First Notice: A Notice of Proposed Amendments may be published in the *Illinois Register* within the next 12 months
 - E) Effect on small businesses, small municipalities or not-for-profit corporations: As proposed, this rule would apply to surface impoundments located at eight electric generating stations.
 - F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking to:

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John Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda to:

Tim Fox
Pollution Control Board
100 W. Randolph St.
Chicago IL 60601

312/ 814-6085
Tim.Fox@illinois.gov

- G) Related Rulemaking and other pertinent information: Interested persons may contact the Board about its prospective rulemaking proposal as follows:

Tim Fox
Pollution Control Board
100 W. Randolph St.
Chicago IL 60601

312/814-6085
Tim.Fox@illinois.gov

- n) Parts (Heading and Code Citation): Coal Combustion Waste Surface Impoundments at Power Generating Facilities (35 Ill. Adm. Code 841)

- 1) Rulemaking: Docket Number R14-10

- A) Description: On October 28, 2013, the Illinois Environmental Protection Agency filed a rulemaking proposal to add a Part 841 to the Board's waste disposal regulations. The Agency stated that it proposed a generally applicable rule for coal combustion waste (CCW) surface impoundments at power generating facilities. On November 5, 2015, the Board stayed this rulemaking for 120 days until March 4, 2016.

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- B) Statutory Authority: Implementing and authorized by Sections 12, 13, 22, 27, and 28 of the Environmental Protection Act [415 ILCS 5/12, 13, 22, 27, and 28]
- C) Scheduled Meeting/Hearing Dates: Multiple hearings were held in Springfield and Chicago.
- D) Date Agency anticipates First Notice: A Notice of Proposed Rules may be published in 2016.
- E) Effect on small businesses, small municipalities or not-for-profit corporations: As proposed, this rule would apply to surface impoundments located at electric generating stations.
- F) Agency Contact Person for Information: Address written comments concerning the substance of the rulemaking to:

John Therriault, Clerk
Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago IL 60601

Address questions concerning this regulatory agenda to:

Tim Fox
Pollution Control Board
100 W. Randolph St.
Chicago IL 60601

312/ 814-6085
Tim.Fox@illinois.gov

- G) Related Rulemaking and other pertinent information: Interested persons may contact the Board about its prospective rulemaking proposal.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received during the period of November 17, 2015 through November 23, 2015. The rulemakings are scheduled for review at the Committee's December 15, 2015 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
12/30/15	<u>Department of Insurance</u> , Surplus Line Business Requirements (50 Ill. Adm. Code 2801)	8/28/15 39 Ill. Reg. 11852	12/15/15
12/31/15	<u>Illinois Gaming Board</u> , Video Gaming (General) (11 Ill. Adm. Code 1800)	6/19/15 39 Ill. Reg. 8363	12/15/15
1/3/15	<u>Department of Human Services</u> , Office of Inspector General Investigations of Alleged Abuse or Neglect in State-Operated Facilities and Community Agencies (59 Ill. Adm. Code 50)	10/2/15 39 Ill. Reg. 13192	12/15/15
1/3/15	<u>Department of Human Services</u> , Supplemental Nutrition Assistance Program (SNAP) (89 Ill. Adm. Code 121)	10/2/15 39 Ill. Reg. 13195	12/15/15
1/3/15	<u>Department of Public Health</u> , Hospital Report Card Code (77 Ill. Adm. Code 255)	9/11/15 39 Ill. Reg. 12460	12/15/15
1/6/15	<u>State Board of Education</u> , Public Schools Evaluation, Recognition and Supervision (23 Ill. Adm. Code 1)	9/4/15 39 Ill. Reg. 12262	12/15/15

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

1/6/15	<u>State Board of Education</u> , Early Childhood Teacher Preparation Assistance Grant (23 Ill. Adm. Code 70)	9/4/15 39 Ill. Reg. 12265	12/15/15
1/6/15	<u>State Board of Education</u> , Requirements for Accounting, Budgeting, Financial Reporting and Auditing (23 Ill. Adm. Code 100)	9/4/15 39 Ill. Reg. 12283	12/15/15
1/6/15	<u>State Board of Education</u> , Student Records (23 Ill. Adm. Code 375)	9/4/15 39 Ill. Reg. 12285	12/15/15

ILLINOIS ADMINISTRATIVE CODE
Issue Index - With Effective Dates

Rules acted upon in Volume 39, Issue 49 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

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