

# JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:  
SEN. BILL CUNNINGHAM

CO-CHAIR:  
REP. RYAN SPAIN



700 STRATTON BUILDING  
SPRINGFIELD, ILLINOIS 62706  
(217) 785-2254

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REP. JACKIE HAAS  
REP. STEVEN REICK  
REP. CURTIS J. TARVER, II  
REP. DAVE VELLA

## MEETING MINUTES

September 16, 2025

### MEETING CALLED TO ORDER

The Joint Committee on Administrative Rules met on Tuesday, September 16, 2025, at 11:00 a.m. in Room C-600 of the Bilandic Building, Chicago. Co-Chair Cunningham called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee meetings. Other persons are encouraged to submit their comments to the JCAR office in writing.

### ATTENDANCE ROLL CALL

Senator Cristina Castro	X	Representative Eva-Dina Delgado
X Senator Bill Cunningham		Representative Jackie Haas
X Senator Donald DeWitte	X	Representative Steven Reick
X Senator Dale Fowler	X	Representative Ryan Spain
X Senator Napoleon Harris, III	X	Representative Curtis J. Tarver, II
X Senator Sally Turner	X	Representative Dave Vella

### APPROVAL OF THE MINUTES OF THE AUGUST 13, 2025 MEETING

Rep. Tarver moved, seconded by Rep. Reick, that the minutes of the August 13, 2025 meeting be approved. The motion passed unanimously (10-0-0).

### EXPEDITED CORRECTION

*State Fire Marshal - Sprayed Fire-Resistant Material Applicator Registration Rules (41 Ill. Adm. Code 255; 49 Ill. Reg. 11188)*

Rep. Delgado moved, seconded by Sen. Harris, that the correction be certified effective April 25, 2025. The motion passed unanimously (10-0-0).

### AGENCY RESPONSES

*Board of Elections - Automatic Voter Registration (26 Ill. Adm. Code 300; 49 Ill. Reg. 3834)*

Due to the appropriateness of the agency's response, no further action.

## **REVIEW OF AGENCY RULEMAKINGS**

### ***Board of Elections – Registration of Voters (26 Ill. Adm. Code 216; 49 Ill. Reg. 8298)***

Sen. Fowler moved, seconded by Rep. Tarver, with the concurrence of the State Board of Elections, to extend this rulemaking for an additional 45 days. The motion passed unanimously (10-0-0).

### ***Capital Development Board – Illinois Energy Codes (71 Ill. Adm. Code 600; 49 Ill. Reg. 7704)***

Sen. DeWitte moved, seconded by Sen. Fowler, with the concurrence of the Capital Development Board, to extend this rulemaking for an additional 45 days. The motion passed unanimously (10-0-0).

### ***Human Service – Recipient's Property (59 Ill. Adm. Code 110; 49 Ill. Reg. 5613)***

Dan Kuznetsky and Sara Bechtold-Medema represented DHS.

Discussion.

### ***Department of Corrections - Rights and Privileges (20 Ill. Adm. Code 525; 49 Ill. Reg. 10945)***

Robert Fanning, Robert Steele, Justin Hammers, and Glen Austin represented DOC.

Discussion.

Rep. Tarver moved and Rep. Reick seconded, that JCAR object to this emergency rulemaking because this emergency rule fails to meet the criteria of 1 Ill. Adm. Code 230.400(a)(1)(A), (D), and (E), 1 Ill. Adm. Code 230.400(a)(2)(B), and 1 Ill. Adm. Code 230.400(a)(3)(E). The Department has not demonstrated that an emergency situation exists that requires adoption of the rule upon fewer days' notice than is required by the proposed rulemaking process. This emergency rule was effective on August 14, 2025, but the Department indicated that it did not intend to implement the major provisions until September 15, 2025, with full implementation not occurring for at least six months thereafter. Section 5-45(b) of the Illinois Administrative Procedure Act [5 ILCS 100] requires that emergency rules become effective immediately or not less than 10 days after filing. Additionally, the emergency rule does not include standards for the exercise of discretionary authority. The emergency rule states that the Department "may" implement electronic mail processing, "may" implement a multi-factor authentication system for privileged mail, and that the Director "may" exclude any mail from electronic processing. The emergency rule contains no details as to the factors the Department will consider when determining whether or not to exercise the authority it created for itself. The emergency rule is also not limited to those matters that are required to meet the emergency situation as it contains a prohibition on used or altered publications that has apparently been enforced through Department policy for at least 10 years. The Department has not taken steps to make the emergency rule known to those persons who may be affected by it. To date, no public communication regarding when the Department will implement mail scanning, multi-factor authentication, or the changes to publication rules has been issued, and therefore there is no way for the public to know when each provision will actually take

effect. Finally, the language of the emergency rule is not simple or clear so that the rule can reasonably understood by the groups they affect. The rule is ambiguously worded to allow the Department to electronically process privileged mail, subject outgoing privileged mail to the multi-factor authentication process, and prohibit publications that are "altered from their original state". The motion passed unanimously (10-0-0).

### **CERTIFICATION OF NO OBJECTION**

Co-Chair Cunningham announced that no action will be taken on the proposed rule from the Illinois Gaming Board's titled Sports Wagering (11 Ill. Adm. Code 1900; 49 Ill. Reg. 8840). Additionally, Co-Chair Cunningham announce that the Department of Corrections emergency rulemaking titled Rights and Privileges (20 Ill. Adm. Code 525; 49 Ill. Reg. 10945) will be placed on the October agenda.

Sen. Turner moved, seconded by Sen. Harris, that the Committee inform the agencies to whose rulemakings the Committee has not voted an Objection or Extension, or did not remove from the No Objection List, that the Committee considered their respective rulemakings at the monthly meeting and, based upon the Agreements for modification of the rulemaking made by the agency, no Objections will be issued. The motion passed unanimously (10-0-0).

### **ANNOUNCEMENT OF NEXT MEETING**

Co-Chair Cunningham announced that the next JCAR meeting will be October 14, 2025, at 10:30 a.m. in Hearing Room C-1 of the Stratton Office Building, Springfield.

### **ADJOURNMENT**

Co-Chair Spain moved, seconded by Rep. Reick, that the meeting stand adjourned. The motion passed unanimously (10-0-0).

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*KK 10/7/25*