
ILLINOIS

REGISTER



PUBLISHED BY ALEXI GIANNOULIAS • SECRETARY OF STATE

TABLE OF CONTENTS

January 23, 2026 Volume 50, Issue 4

PROPOSED RULES

FIRE MARSHAL, OFFICE OF THE STATE	
Small Equipment Grant Program	
41 Ill. Adm. Code 291.....	951
Fire Station Rehabilitation and Construction Grant Program	
41 Ill. Adm. Code 296.....	968

ADOPTED RULES

ATTORNEY GENERAL, OFFICE OF THE	
Hospital Financial Assistance under the Fair Patient Billing Act	
77 Ill. Adm. Code 4500.....	988
CHILDREN AND FAMILY SERVICES, DEPARTMENT OF	
Permanency Planning	
89 Ill. Adm. Code 315.....	999
Administrative Case Reviews and Court Hearings	
89 Ill. Adm. Code 316.....	1021
CORRECTIONS, DEPARTMENT OF	
Rights and Privileges	
20 Ill. Adm. Code 525.....	1047
HOUSING DEVELOPMENT AUTHORITY, ILLINOIS	
State Housing Appeals Board	
47 Ill. Adm. Code 395.....	1085
HUMAN SERVICES, DEPARTMENT OF	
Administration of Social Service Programs	
89 Ill. Adm. Code 130.....	1113
REVENUE, DEPARTMENT OF	
Retailers' Occupation Tax	
86 Ill. Adm. Code 130.....	1119

SECOND NOTICES RECEIVED

JOINT COMMITTEE ON ADMINISTRATIVE RULES	
Second Notices Received.....	1318

JCAR REVIEW OF PROPOSED RULES STATEMENT OF RECOMMENDATION

CHIEF PROCUREMENT OFFICER FOR GENERAL SERVICES	
Chief Procurement Officer for General Services - Standard Procurement	
44 Ill. Adm. Code 1.....	1320

JCAR REVIEW OF PROPOSED RULES STATEMENT OF OBJECTIONS

ELEVATOR SAFETY REVIEW BOARD	
Illinois Elevator Safety Rules	
41 Ill. Adm. Code 1000.....	1321

STATE POLICE MERIT BOARD

Procedures of the Department of State Police Merit Board 80 Ill. Adm. Code 150.....	1322
NOTICE OF FAILURE TO REMEDY JCAR OBJECTIONS	
ILLINOIS EMERGENCY MANAGEMENT AGENCY AND OFFICE OF HOMELAND SECURITY	
Political Subdivision Emergency Services and Disaster Agencies 29 Ill. Adm. Code 301.....	1323
OTHER INFORMATION REQUIRED BY LAW TO BE PUBLISHED IN THE ILLINOIS REGISTER	
PUBLIC HEALTH, DEPARTMENT OF	
Hospital Licensing Requirements (Agency Response to JCAR Recommendation).....	1324
REVENUE, DEPARTMENT OF	
2025 Fourth Quarter Income Tax Sunshine Index.....	1327
2025 Fourth Quarter Sales and Miscellaneous Tax Sunshine Index.....	1330
2025 Annual Income Tax Sunshine Index.....	1336
2025 Annual Sales and Miscellaneous Tax Sunshine Index.....	1340

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Fire Station Rehabilitation and Construction Grant Program
- 2) Code Citation: 41 Ill. Adm. Code 296
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
296.10	Amendment
296.30	Amendment
296.40	Amendment
296.50	Amendment
296.55	Amendment
296.60	Amendment
296.70	Amendment
296.75	Amendment
296.80	Amendment
296.90	New Section
296.100	New Section
- 4) Statutory Authority: Implementing and authorized by Section 2.8 of the State Fire Marshal Act [20 ILCS 2905/2.8].
- 5) A Complete Description of the Subjects and Issues Involved: These proposed rules clarify and update the administrative procedures for the review and award of grants under the Fire Station Rehabilitation and Construction Grant Program. The proposed rules also account for the upcoming changeover in fire incident reporting systems from the National Fire Incident Reporting System (NFIRS) to the National Emergency Response Information System (NERIS), require compliance with provisions of the Grant Accountability and Transparency Act (GATA) [30 ILCS 708] and the GATA administrative rules (44 Ill. Adm. Code 7000), and make other minor updates and clarifications.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this proposed rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this proposed rulemaking contain incorporations by reference? No

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This proposed rulemaking does not create or enlarge a State mandate, as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons wishing to comment on this proposed rulemaking may submit comments no later than 45 days after the publication of this Notice to:

Blake Fawns, Administrative Rules Coordinator
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield, IL 62703

Phone: 217-720-2964
SFM.296rulemaking@fdmail.sfm.illinois.gov

- 13) Initial Regulatory Flexibility Analysis:
 - A) Description of the type of small business, not for profit corporations or small municipalities subject to the proposed amendments: This rulemaking could affect fire departments of small municipalities by providing financial assistance in the form of grants for the rehabilitation and construction of fire stations.
 - B) Description of the proposed reporting, bookkeeping and other procedures required for compliance with the proposed amendments: No new additional requirements.
 - C) Description of the types of professional skills necessary for compliance: None
- 14) Small Business Economic Impact Analysis: No adverse impact on small businesses is anticipated.
- 15) Regulatory Agenda on which this rulemaking was summarized: July 2025
- 16) Any other information or justification for the proposed rule or amendment that the agency believes would be helpful to the public regarding the proposed rule or amendment. For example, a discussion or analysis of the benefits of the proposed rule or

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

amendment is projected to have on the Illinois public, consumers, investors or other similar groups.

These amendments will further assist eligible fire departments by clarifying and updating the administrative procedures relating to the Fire Station Rehabilitation and Construction Grant Program. Further, incorporating requirements of the Grant Accountability and Transparency Act (GATA) [30 ILCS 708] and the GATA administrative rules (44 Ill. Adm. Code 7000) will help ensure the continued integrity of the Fire Station Rehabilitation and Construction Grant Program.

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

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

TITLE 41: FIRE PROTECTION
CHAPTER I: OFFICE OF THE STATE FIRE MARSHALPART 296
FIRE STATION REHABILITATION AND CONSTRUCTION GRANT PROGRAM

Section

296.10	Definitions
296.20	Purpose
296.30	Eligibility
296.35	Use of Grant Monies
296.40	Grant Application Procedure and Content
296.50	Grant Applications Review Committee
296.55	Prescreening of Grant Applications by the Office
296.60	Criteria for Review of Grant Applications
296.70	Terms and Conditions of Grant Agreement
296.75	Disbursement of Grant Funds
296.80	<u>Appeals Process</u> Request for Reconsideration
<u>296.90</u>	<u>Grant Close Out</u>
<u>296.100</u>	<u>Compliance Requirements</u>

AUTHORITY: Implementing and authorized by Section 2.8 of the State Fire Marshal Act [20 ILCS 2905/2.8].

SOURCE: Adopted at 48 Ill. Reg. 12890, effective August 7, 2024; amended at 50 Ill. Reg. _____, effective _____.

Section 296.10 Definitions

The following definitions apply to terms used in this Part:

"Combination fire department" means a fire department that has volunteer firefighting personnel and paid firefighting personnel, including, but not limited to, paid-on-call personnel.

"Committee" means the Grant Applications Review Committee established in Section 296.50.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

"Fire Department" means a fire department, fire protection district or township fire department that is a unit of local government in Illinois that provides fire suppression within a geographical area. For purposes of this Part, fire department is defined to include volunteer fire departments and volunteer fire protection districts.

"Fire Department Identification Number" or "FDID" means the unique identification number issued by the Office to fire departments that register for participation in the U.S. Fire Administration incident reporting systemNational Fire Incident Reporting System (NFIRS).

"Fire Station" means a building or a structure set aside for storage of firefighting apparatus (i.e., fire trucks, pumper, ladder trucks, elevating platforms, rescue trucks, tankers, brush trucks, squad trucks, and related emergency response and other vehicles), personal protective equipment, fire hose and other fire extinguishing equipment. It may also have dormitory living facilities and work areas such as offices, meeting rooms, a workshop, or laundry. The term also includes additions for existing buildings as well as fully new construction.

"Office" means the Office of the State Fire Marshal.

"Program" means the Fire Station Rehabilitation and Construction Grant Program.

"Rehabilitation" means to restore, improve or modify a fire station or portion thereof.

"Units of local government" means counties, municipalities, townships, special districts, and units, designated as units of local government by law, which exercise limited governmental powers or powers in respect to limited governmental subjects, but does not include school districts. Ill. Const. 1970, Art. VII, Sect. 1

"Volunteer fire department" means a fire department that has only volunteer firefighting personnel.

(Source: Amended at 50 Ill. Reg. _____, effective _____)

Section 296.30 Eligibility

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

a) Applicants must have participated in the incident reporting system for fire incidents established by the U.S. Fire Administration or a successor agency (National Fire Incident Reporting System (NFIRS), National Emergency Response Information System (NERIS), or a successor system) for a minimum of two years prior to the application for the fire station rehabilitation and construction grant, except that fire departments that were issued a Fire Department Identification Number by the Office less than two years prior to the application are eligible to apply for a fire station rehabilitation and construction grant if they participated in such incident reporting system~~NFIRS~~ since the date their FDID was issued by the Office. ~~The applicant must have an active registration under the Grant Accountability and Transparency Act (GATA) [30 ILCS 708] and a status of "qualified" on the GATA Grantee Portal (<https://grants.illinois.gov/portal>) at the time the application is submitted. The applicant must also have its own FEIN issued by the Internal Revenue Service for federal income tax purposes.~~

b) ~~The applicant must have an active registration under the Grant Accountability and Transparency Act (GATA) [30 ILCS 708] and a status of "qualified" on the GATA Grantee Portal (<https://grants.illinois.gov/portal>) at the time the application is submitted. The applicant must also have its own FEIN issued by the Internal Revenue Service for federal income tax purposes.~~

c**b**) Fire protection entities that are not a unit of local government are not eligible to apply for a grant under this program.

d**e**) Units of local government that do not operate a fire department are not eligible for grants under this program.

e**d**) Applicants must demonstrate that the fire station for which the grant is sought will continue to be operated by the applicant as a fire station for at least 10 years, or a longer period as may be identified in the Notice of Funding Opportunity (NOFO) issued by the Office. If, within 10 years after the completion of the project for which a grant was made under this Part, or within a longer period as may be identified in the NOFO issued by the Office, the grant recipient ceases to use the fire station as a fire station, the grant recipient shall refund to the Office a prorated amount of the grant based on the number of months the grant recipient was not in compliance (for example, out of a total of 120 months if the compliance period is 10 years). Any partial month of noncompliance shall be included in the repayment amount.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

fe) A minimum of 60% of grant funds per funding opportunity shall be set aside for volunteer or combination fire departments. If this percentage cannot be met due to the lack of approved applications from these types of fire departments, the remaining funds may be allocated to non-volunteer or non-combination fire departments.

(Source: Amended at 50 Ill. Reg. _____, effective _____)

Section 296.40 Grant Application Procedure and Content

a) Application Procedure.

- 1) Subject to the availability of appropriated funds, the Office will make application forms for fire station rehabilitation and construction grants under this program available on its website.
- 2) A completed original application form shall be signed by the duly authorized officers of the applicant.
- 3) Applications shall be returned, by the date specified on the form, to the Office of the State Fire Marshal, Attention: Fire Station Rehabilitation and Construction Grant Program, 1035 Stevenson Drive, Springfield, Illinois 62703-4259.
- 4) Applications received by the Office shall be logged in as received and assigned an application number.

b) Application Content. Each grant application shall include the following information:

- 1) Identifying information for the applicant, including the applicant's fire department and unit of local government.
- 2) A detailed description of the applicant's need for the proposed rehabilitation or construction work.
- 3) Name and contact information for the fire department or local government personnel to serve as contacts for the application.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

- 4) Information regarding~~on~~ the applicant's two most recent budgets.
- 5) Any other information or documentation the Office may require to demonstrate or support the information submitted by the applicant or to otherwise determine the applicant's eligibility under this Part.

c) Review of Applications. Applications shall be assessed by blind review, meaning the Committee shall not see the name, address or any specific information that identifies the applicant. The Committee shall review and score~~rank~~ the applications based on assessment of need and information provided in the grant application.

d) Grant Award.
After the Committee reviews and scores the applications, the Office will, subject to appropriation, award a grant to the highest scoring applicants. If, for any reason, a successful applicant is unable to fulfill the terms of the grant or withdraws the request after it has been approved, then the next highest scoring applicant without a grant will be offered a grant.~~After the Committee reviews and ranks the applications, the Office will, subject to appropriation, award a grant to the highest ranking applicants.~~

(Source: Amended at 50 Ill. Reg. _____, effective _____)

Section 296.50 Grant Applications Review Committee

- a) The State Fire Marshal shall appoint a Grant Applications Review Committee to determine which applicants will receive grants and the amount of the grant. ~~If, for any reason, a successful applicant is unable to fulfill the terms of the grant or withdraws the request after it has been approved, then the next highest ranking applicant without a grant will be offered a grant.~~
- b) The Committee shall consist of the following seven members:
 - 1) The State Fire Marshal, or the State Fire Marshal's designee, as Chair;
 - 2) Three current or former Fire Chiefs (one each from a volunteer fire department, a combination fire department and a career/municipal fire department);

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

- 3) One representative from the Associated Fire Fighters of Illinois;
- 4) One member who is a current or former volunteer firefighter; and
- 5) One member representing the Illinois Association of Fire Protection Districts.

- c) Members shall serve without salary, but may be reimbursed for reasonable expenses by the Office from appropriations for that purpose.
- d) Members shall serve a term of four years.
- e) Upon the expiration of a member's term, the State Fire Marshal may reappoint that member or appoint a successor who is a representative of the same interests with which the member's predecessor was identified.
- f) Replacement of a Member
 - 1) The State Fire Marshal may, at any time, remove any of the respective appointees for inefficiency or neglect of duty in office. The reasons for removal must be stated in writing.
 - 2) A member shall continue to serve only as long as the member holds the position that made that individual eligible to serve under the criteria prescribed by subsection (b).
 - 3) In the instances described in subsections (f)(1) and (2), or upon the death or incapacity of a member, the State Fire Marshal shall fill the vacancy for the remainder of the unexpired term by appointing a member who is a representative of the same interests with which the member's predecessor was identified.
- g) Meetings of the Committee shall occur as often as deemed necessary by the Chair, at a date, time and place to be fixed by the Committee (or by the Chair, should the Chair call for the meeting) and at such additional times as the Committee deems necessary to consider any business as may properly come before it.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

- h) A quorum shall be a majority of the appointed positions that have been filled by appointment. Unfilled positions shall not be counted.
- i) Committee members must comply with the applicable conflict of interest provisions contained in [the GATA administrative rules](#) (44 Ill. Adm. Code 7000).
- j) Members of the Committee are required to participate in all mandatory annual trainings, including, but not limited to, ethics and harassment and discrimination prevention training. Upon completion of the required training programs, members of the Committee must certify that they have completed the training programs.
- k) Committee members must comply with the applicable confidentiality provisions contained in [the GATA administrative rules](#) (44 Ill. Adm. Code 7000). Members of the Committee are also required to execute a confidentiality statement agreeing not to disclose any information gained during the course of their service on the Committee.

(Source: Amended at 50 Ill. Reg. _____, effective _____)

Section 296.55 Prescreening of Grant Applications by the Office

The Office will conduct a prescreening of all grant applications received by the deadline to identify applicants with the greatest need as determined under this Section. The steps of this prescreening are provided in this Section.

- a) The Office will evaluate whether each application was received by the deadline, whether the applicant has met the eligibility requirements of Section 296.30 as of the application deadline date, and whether the applicant has fully completed all sections of the application. Only those applicants that meet [the conditions of this subsection](#)~~these eligibility requirements~~ will receive further consideration.
- b) To assist the Committee in making final determinations of grant awards, the Office will then rank complete applications of eligible applicants using the following criteria:
 - 1) The Office will use information provided by the applicant on its operating budget, square miles served and population served in developing a ranking of financial need.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

- 2) The Office will divide each applicant's budget by the square miles served to determine the applicant's budget per square mile and will rank the applicants lowest to highest.
- 3) The Office will divide each applicant's budget by the population served to determine the applicant's budget per person and will rank the applicants lowest to highest.
- 4) The Office will then average the two rankings of each applicant to reach an overall ranking.

c) Applicants that have previously received a grant from the Office under this program will be ranked against each other according to the criteria in subsection (b), but this group of applicants will be ranked below all applicants that have not previously received a grant under this program, except that applicants that have previously received a grant from the Office under this program that was only partially funded due to limits of the Office's appropriated funds will be ranked against applicants that have not previously received a grant under this program. Applicants that have previously received a grant from the Office under this program that was only partially funded due to limits of the Office's appropriated funds shall not receive a grant award greater than the difference between the maximum grant award amount specified under Section 296.20 and the amount of any previously funded partial awards to the applicant under this program.

d) Using the ranking criteria identified in subsections (b) and (c), the Office will rank the applications. Based upon the grant amount requested by each applicant, the Office will provide the Committee with complete application information for the top ranked applications totaling at least 1½ times the amount of available appropriations for the Committee's determination for that grant cycle.

(Source: Amended at 50 Ill. Reg. _____, effective _____)

Section 296.60 Criteria for Review of Grant Applications

a²) The Committee will consider the following criteria and assign point totals when determining grant recipients. The Committee will only consider applications provided by the Office in accordance with Section 296.55.

a⁴) Space Need – 0-50 points

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

1A) Current fire station status. Whether the applicant currently owns an existing fire station and, if so, the condition of the existing fire station. ~~The applicant does not currently own a fire station and desires to have one constructed.~~

2B) Operational impact. Whether space limitations of the existing fire station or other space used by the fire department affect response time, public safety or operations of the fire department. ~~The applicant currently owns a fire station but is requesting funds for its rehabilitation.~~

3C) Capacity and sustainability. Whether the current fire station or other space used by the fire department is sufficient for housing apparatus, equipment, decontamination areas and other fire department functions. ~~The applicant is unable to construct or rehabilitate the fire station without a grant, cannot rent the required space on a consistent or as needed basis (due to geographical distance, availability, etc.), or there are other unique needs involved in the request.~~

4) Alternatives and constraints. Whether space can be rented or shared on a consistent and financially sustainable basis.

5) Readiness and growth. Whether the proposed project responds to or accounts for community growth or service expansion.

b2) Financial Need – 0-50 points

1A) Budget. Evaluation of the fire department's available annual operating budget and whether the project is prohibitively expensive relative to the fire department's budget. ~~The total budget of the applicant as an available resource.~~

B) ~~Population of the area served by the applicant.~~

2C) Other financial support. Whether other funding sources are available for the proposed project. ~~Square miles served by the applicant.~~

3D) Project Costs. Whether there is a clear and responsible financial justification, including detailed cost breakdowns, included for the

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

proposed project. ~~The cost of the rehabilitation or construction being requested is prohibitively expensive given the above three factors.~~

b) ~~Those applicants receiving a grant under this program in a previous grant application cycle will not be considered until all applicants who have never received a grant but are requesting a grant have been considered as provided in Section 296.55(e).~~

(Source: Amended at 50 Ill. Reg. _____, effective _____)

Section 296.70 Terms and Conditions of Grant Agreement

An applicant that has been approved to receive a grant under this program must enter into a grant agreement with the Office. The grant agreement shall contain, at a minimum, the following terms:

- a) Grant recipients may receive advance payment for part or all of the cost of rehabilitation or construction of a fire station as approved as part of the grant application.
- b) Grant funds shall be used exclusively for the purposes listed in Section 296.20 and shall be expended in accordance with the applicable provisions of this Part, the Grant Accountability and Transparency Act [30 ILCS 708], the GATA administrative rules (44 Ill. Adm. Code 7000), and the grant agreement. The grant recipient must immediately disclose in writing any potential or actual conflicts of interest to the Office.
- c) In the event that all or a portion of the grant funds are not expended in the manner approved, the grant recipient, upon written notification from the Office, shall refund the amount of the grant award or applicable portions as listed in the written notification. Recovery of grant funds shall be accomplished in accordance with the Illinois Grant Funds Recovery Act [30 ILCS 705].
- d) Use of grant funds shall be accounted for in accordance with standard accounting practices and the applicable provisions of the Grant Accountability and Transparency Act [30 ILCS 708] and the GATA administrative rules (44 Ill. Adm. Code 7000). The grant recipient shall provide documentation concerning the rehabilitation or construction of a fire station as specified in the grant application, the cost of the rehabilitation or construction of a fire station, and the

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

completion of the rehabilitation or construction project by the grant recipient's contractor or contractors.

- e) The grant recipient shall keep adequate records relating to its administration of the grant project, particularly relating to all incurred costs. These records shall be available for audit by appropriate personnel within or on behalf of the Office and the State Auditor General. All records shall be retained in accordance with the applicable provisions of the Grant Accountability and Transparency Act [30 ILCS 708], the GATA administrative rules (44 Ill. Adm. Code 7000), and the State Records Act [5 ILCS 160]. Grant~~At the conclusion of the grant period, grant~~ recipients shall submit to the Office a report detailing how the grant proceeds were used. This final expenditure report shall be submitted in accordance with Section 296.90(a), to be submitted on a form supplied by the Office, shall be due not later than 90 days following completion of the grant project.
- f) The grant recipient is responsible for monitoring possession, use, condition and final disposition of the fire station constructed or rehabilitated with grant funds.
- g) Grant funds shall be included in the grant recipient's budget.
- h) The availability of grant funds is subject to availability of appropriated State funds.
- i) The grant recipient shall comply with any provisions that the grant recipient is required to include in any publicly bid contract for project work (e.g., scale of wages, liability insurance requirements, adherence to the Employment of Illinois Workers on Public Works Act [30 ILCS 570], etc.).
- j) In connection with and prior to the rehabilitation or construction and the subsequent operation and maintenance of fire station rehabilitation and construction grant program assisted fire stations, it shall be understood that the grant recipient is responsible for obtaining any and all necessary construction permits, licenses or forms of consent, as required by law. Failure to obtain any required permits may jeopardize approved grant funding.
- k) The grant recipient and its selected contractors must observe and comply with the provisions of the Prevailing Wage Act [820 ILCS 130/4], which apply to the wages of laborers, mechanics and other workers employed in any public works,

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

and with the prevailing wage requirements of the Illinois Procurement Code [30 ILCS 500/25-60].

l) Pursuant to Section 2-105(A)(4) of the Human Rights Act [775 ILCS 5], the grant recipient and any contractors engaged for the project shall maintain a *written sexual harassment* policy that includes, *at a minimum, the following information:*

- 1) *the illegality of sexual harassment;*
- 2) *the definition of sexual harassment under State law;*
- 3) *a description of sexual harassment utilizing examples;*
- 4) *the contractor's internal complaint process including penalties;*
- 5) *the legal recourse, investigative, and complaint process available through the Illinois Department of Human Rights and the Human Rights Commission and directions on how to contact both; and*
- 6) *protection against retaliation as provided by Sections 6-101 and 6-101.5 of the Illinois Human Rights Act [775 ILCS 5]. A copy of the policy shall be provided to the Department of Human Rights upon request.*

m) It shall be understood by the grant recipient that a representative or agent of the Office may make periodic inspections of the project as rehabilitation or construction progresses and that a final inspection may be required and if required will be made by a representative or agent of the Office prior to final payment of grant reimbursement to the grant recipient.

n) Projects assisted with fire station rehabilitation and construction grant program funds shall be implemented in accordance with all applicable federal, State and local laws, ordinances and regulations relating to public agency expenditure of funds for public works projects and all other applicable laws.

o) All financial records on approved projects must be maintained and retained, in accordance with the Grant Funds Recovery Act [30 ILCS 705] and the State Records Act [5 ILCS 160], by the grant recipient for possible State audit after final reimbursement payment is made by the Office.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

- p) The grant recipient shall indemnify, protect, defend and hold harmless the Office from any and all liability, costs, damages, expenses, or claims thereof arising under, through or by virtue of the rehabilitation or construction of grant-assisted fire stations.
- q) The grant recipient shall certify that it will comply with the Illinois Works Jobs Program Act Apprenticeship Initiative [30 ILCS 559/20-20] and the Illinois Accessibility Code (71 Ill. Adm. Code 400) as part of the application.
- r) Any other terms or requirements specified in the Notice of Funding Opportunity issued by the Office.

(Source: Amended at 50 Ill. Reg. _____, effective _____)

Section 296.75 Disbursement of Grant Funds

- a) A minimum of 50% of a grant awarded by the Office will be paid in advance to the grant recipient after the grant agreement is fully executed in accordance with the policies and procedures of the Office of the State Fire Marshal and the Illinois Comptroller's Office.
- b) The remainder of the grant award will be made subject to the grant recipient's submission and certification of eligible costs incurred, along with any documentation required by the Office. Expenditure of grant funds advanced pursuant to this Part to the grant recipient cannot be claimed for reimbursement payments. However, the grant project may be funded by other grants so long as the same expenses sought for payment are not being reimbursed or covered a second time.
- c) Grant funds paid in advance must be kept in a separate interest-bearing account with a federally or Illinois regulated financial institution that is insured with the Federal Deposit Insurance Corporation (FDIC), and maintained therein until used in the execution of the approved project. All interest earned on grant funds held by a grant recipient shall become part of the grant principal when earned, and be used for and in the same manner as the principal to fulfill the purposes and objectives of the grant.
- d) Pursuant to Section 45 of the State Finance Act [30 ILCS 105/45], for grants of \$250,000 or more awarded to a grant recipient for capital construction costs or

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

professional services, *the grant recipient must provide written certification that the grant recipient is in compliance with the business enterprise program (BEP) practices for minority-owned businesses, woman-owned businesses, and businesses owned by persons with disabilities of the Business Enterprise for Minorities, Women, and Persons with Disabilities Act [30 ILCS 575] and the equal employment practices of Section 2-105 of the Illinois Human Rights Act [775 ILCS 5/2-105]*).

(Source: Amended at 50 Ill. Reg. _____, effective _____)

Section 296.80 Appeals Process~~Request for Reconsideration~~

- a) Those applicants whose grant applications are denied ~~by the Committee~~ shall be notified by electronic mail.
- b) ~~Notice of denial of a grant shall be deemed received on the date of the postmark.~~ The applicant has 14~~30~~ calendar days from the date of publication of the grant award to submit an appeal on an electronic form prescribed by the Office~~that date to forward to the Committee a request for reconsideration.~~ The appeal must include, at a minimum:
 - 1) The name and address of the appealing party;
 - 2) The name of the grant; and
 - 3) A statement of reasons for the appeal.
- c) ~~Appeals of discretionary grants are limited to the evaluation process. Evaluation scores may not be protested. The request for reconsideration of a denial of a requested grant shall be submitted to the Office of the State Fire Marshal, Attention: Fire Station Rehabilitation and Construction Grant Program, 1035 Stevenson Drive, Springfield, Illinois 62703-4259 and shall be deemed submitted on the date of the postmark.~~
- d) Appeals Review Officer (ARO). The State Fire Marshal or a designee may appoint one or more AROs to consider the grant-related appeals and make a recommendation to the State Fire Marshal or designee.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

e^d) The appeal~~request for reconsideration~~ of a denial of a requested grant may be accompanied by supporting documents and information not previously considered by the Committee. The Office shall acknowledge receipt of the appeal within 14 calendar days of receiving the appeal. ~~The Committee shall review the request for reconsideration. A denial of the request for reconsideration shall be final. While a request for reconsideration is pending, the grant application that is the subject of the request for reconsideration shall be deemed denied.~~

f) The Office shall respond to the appeal within 60 calendar days of receipt of the appeal. If additional time is required for review of the appeal, the applicant shall be notified in writing, which shall include an explanation of why additional time is required.

g) Stay of Grant Agreement/Contract Execution
When an appeal is received, the execution of the grant in contention shall be stayed until either:

- 1) The appeal is resolved; or
- 2) The State Fire Marshal or designee determines that the needs of the State require that the grant program move forward despite the appeal. This determination, and its rationale, must be documented in writing.

h) The ARO shall make a recommendation to the State Fire Marshal or designee as quickly as possible after receiving all relevant and requested information.

i) In determining this recommendation, the ARO shall consider the integrity of the discretionary grant process and the impact of the recommendation on the Office.

j) The Office shall resolve the appeal through a written determination. This determination shall include, but not be limited to, the following:

- 1) Review of the appeal;
- 2) Appeal determination; and
- 3) Rationale for the determination.

k) Effect of Judicial Proceedings

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

If an action concerning the appeal has commenced in a court or administrative body, the State Fire Marshal or designee may defer resolution of the appeal pending the judicial or administrative determination.

- 1) The Office shall maintain a file of the grantmaking process that includes the written determination of grant issuance, grant application and requirements. The grantmaking file shall be available for audit-related purposes.

(Source: Amended at 50 Ill. Reg. _____, effective _____)

Section 296.90 Grant Close Out

- a) Grant recipients shall submit to the Office a report detailing how the grant proceeds were used. This final expenditure report, to be submitted on a form supplied by the Office, shall be due not later than 90 calendar days after the conclusion of the grant period. Documentation in the final expenditure report must include, at a minimum, copies of paid invoices or cancelled checks, or any other documentation that may be requested by the Office.
- b) The Office will notify the grant recipient that a final expenditure report is due 60 calendar days prior to the report due date.
- c) The Office may extend the report due date due to extenuating circumstances. If the Office extends the report due date, the Office shall justify the extension in writing. A report due date may only be extended one time.
- d) If a report is submitted more than 15 business days past the original or extended due date, the Office shall withhold payments of any remaining grant funds from the grant award to the grant recipient. The Office shall also notify the grant recipient that required reporting is past due and that failure to promptly complete required reporting will result in the grant recipient being placed on the Illinois Stop Payment List. The notification shall include contact information for the Office's contact person for Stop Payment Status inquiries.
- e) If the report is not submitted within 30 business days after the original or extended due date, the Office shall place the grant recipient in temporary Stop Payment Status on the Illinois Stop Payment List.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF PROPOSED AMENDMENTS

f) Grant recipients shall return any unused grant funds per the requirements outlined in the Illinois Grant Funds Recovery Act [30 ILCS 705].

(Source: Added at 50 Ill. Reg. _____, effective _____)

Section 296.100 Compliance Requirements

Grant recipients shall comply with all Grant Accountability and Transparency Act [30 ILCS 705] and GATA administrative rules (44 Ill. Adm. Code 7000) requirements as outlined in the grant agreement.

(Source: Added at 50 Ill. Reg. _____, effective _____)