



OFFICE OF THE ILLINOIS STATE TREASURER  
**MICHAEL W. FRERICHS**

**Rule and Regulation Review Report  
December 2016**

**Background:**

Public Act 99-370, effective January 1, 2016, requires all State agencies to “scrutinize its rules, administrative regulations, and permitting processes as they pertain to small businesses in order to identify those rules, regulations, and processes that are unreasonable, unduly burdensome, duplicative, or onerous to small businesses”.

The initial review is to be conducted by January 1, 2017 and shall include the results from the State agency’s review and any recommendations including:

- (1) Changes that will lessen the reporting and paper work requirements on small businesses while still achieving the intent of the underlying statute;
- (2) Eliminating unnecessary or antiquated permit requirements;
- (3) Consolidating duplicative or overlapping permit requirements;
- (4) Simplifying overly complex or lengthy application procedures; and
- (5) Expediting time-consuming agency review and approval procedures.

**Review of Administrative Rules:**

The Treasurer’s Office has reviewed all of its administrative rules and has already begun updating them in order to eliminate or reduce procedures that are unduly burdensome. Below are some examples of rulemakings that have been adopted or are currently underway that achieve these goals.

Procurement [44 IAC 1400] - The Treasurer’s Office amended its procurement rules to update procedures and requirements to align with changes in the Illinois Procurement Code, changes in technology, and similar rules used by other Constitutional Officers. The small purchase limit is adjusted and linked to the Chief Procurement Officer for General Services limit. Additionally, the rule provides that the Treasurer’s office may enter into joint purchasing agreements pursuant to the Governmental Joint Purchasing Act. This rule was adopted on September 23, 2016.

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Uniform Disposition of Unclaimed Property Act [74 IAC 760] – In 2016, the Treasurer’s Office revised this rule to allow for an online claims filing process and removed notary requirements for certain small claims. This rule, which simplifies the application process and expedites the claims process, was adopted on December 19, 2016.

College Savings Pool [23 IAC 2500] - This rule revision makes technical changes to the Treasurer’s College Savings Program, including updating processes to reflect technological advances that have occurred in recent years and adjusting the maximum contribution limit allowed under Section 529 of the Internal Revenue Code. This rule will be reflected in the Office’s January 2017 regulatory agenda.

Achieving a Better Life Experience (ABLE) Account Program [74 IAC 722] NEW - The Achieving a Better Life Experience (ABLE) Account Program (15 ILCS 505/16.6), which was signed into law on July 27, 2015, established a savings program to be administered by the Treasurer’s Office for the purpose of providing persons with blindness or disabilities the option to invest in tax-advantaged savings vehicles for disability-related expenses. The rule adopted in this Part will provide clarification for the implementation and administration of the program by the Treasurer’s Office and it will be reflected in the Office’s January 2017 regulatory agenda.

E-Pay Program [74 IAC 735] NEW – Public Act 99-856 authorizes the State Treasurer to establish and administer the E-Pay program, which allows governmental agencies to accept payments 24 hours a day, seven days per week, utilizing credit card and electronic payment options. This rule will provide clarification for the implementation and administration of the program by the Treasurer’s Office and will be reflected in the Office’s January 2017 regulatory agenda.

The Office anticipates updating additional rules, such as those related to human resources, internal office organization, and the Americans with Disabilities Act, in order to further eliminate or reduce unnecessary and antiquated procedures.

**Findings/Conclusion:**

The State Treasurer’s Office has worked diligently over the past two years to streamline administrative functions and procedures. By lessening the paperwork requirements on small businesses, simplifying program filing requirements, and expediting the application and claims processes, we are improving the experience for individuals and businesses that interact with our office. Most notably, in 2017, the office has prioritized updating antiquated administrative rules, as well as, creating administrative rules for new programs, such as the Achieving a Better Life Experience (ABLE) Program. Four rulemakings were filed during 2016 and four more have been placed on the Office’s January 2017 Regulatory Agenda. These new and revised administrative rules will simplify procedures, improve efficiencies and enhance transparency for individuals and businesses that interact with the State Treasurer’s Office.