**Section 220.100 Definitions**

The terms and definitions found in 1 Ill. Adm. Code 210.100 are incorporated into this Part.

Final Regulatory Flexibility Analysis means the statement, prepared by the agency pursuant to Section 5-40(c) of the Illinois Administrative Procedure Act (Act) (Ill. Rev. Stat. 1991, ch. 127, par. 1005-40(c)) [5 ILCS 100/5-40(c)] as part of the second notice, which includes *a summary of issues raised by small businesses during the first notice period and a description of actions taken on any alternatives to the proposed rulemaking suggested by small businesses during the first notice period, including reasons for rejecting any alternatives not utilized.*

First Notice means the notice of proposed rulemaking published in the Illinois Register pursuant to Section 5-40(b) of the Act.

First Notice Period means the period of time allowed for public notice and comment pursuant to Section 5-40(b) of the Act. The period *commences on the date the first notice is published in the Illinois Register and must be at least 45 days in length.*

Initial Regulatory Flexibility Analysis means the statement prepared by the agency pursuant to Section 5-40(b) of the Act as part of the first notice which includes a brief *description of the types of small businesses, not for profit corporations or small municipalities* *subject to the proposed rulemaking, a description of the proposed reporting, bookkeeping, and other procedures required for compliance with the proposed rulemaking; a description of the types of professional skills necessary for compliance; and the time, place, and manner in which interested persons may present their views and comments concerning the proposed rulemaking.*

*Not For Profit Corporation means a corporation organized under the General Not For Profit Corporation Act of 1986* (Ill. Rev. Stat. 1991, ch. 32, par. 101.01 et seq.) [805 ILCS 105] *that is not dominant in its field and employs fewer than 50 full-time employees or has gross annual sales of less than $4,000,000. For purposes of a specific rule, an agency may define a not for profit corporation to include employment of 50 or more persons if it finds that such a definition is necessary to adapt the rule to the needs and problems of not for profit corporations.* (Ill. Rev. Stat. 1991, ch. 127, par. 1001-85) [5 ILCS 100/1-85]

Second Notice means written notification to the Joint Committee that the agency wishes the Committee to begin its review process pursuant to Section 5-40(c) of the Act. Receipt by the Joint Committee of a complete second notice (see Section 220.600) will commence the Committee's review. Incomplete second notices will be returned to the agency. Each week, the Joint Committee will submit a list of second notices that have been received and accepted to the Administrative Code Division for publication in the Illinois Register.

Second Notice Period means the period of time provided for Joint Committee review of the proposed rulemaking pursuant to Section 5-40(c) of the Act. *The second notice period shall expire 45 days from the date of receipt of a complete second notice* (see Section 220.600) *by the Joint Committee unless prior to that time the agency is in receipt of a certification and statement of objection or a certification of no objection from the Committee or unless the agency and the Joint Committee have agreed to extend the second notice period.*

*Small Business* *means a concern, including its affiliates,* *that* *is independently owned and operated,* *is* *not dominant in its field, and* *employs fewer than 50 full-time employees or which has gross annual sales of less than* *$4,000,000.* *An agency may define small business to include* *employment of 50 or* *more persons if it finds that such a definition is necessary to adapt a rule to the needs and problems of small businesses and organizations.* (Ill. Rev. Stat. 1991, ch. 127, par. 1001-75) [5 ILCS 100/1-75]

*Small municipality* *means any municipality of 5,000 or fewer inhabitants and any municipality of more of 5,000 inhabitants that employs fewer than 50 persons full-time. For purposes of a specific rule, an agency may define small municipality to include employment of more than 50 persons if it finds that such a definition is necessary to adapt the rule to the needs and problems of small municipalities.* (Ill. Rev. Stat. 1991, ch. 127, par. 1001-80) [5 ILCS 100/1-80]

(Source: Amended at 18 Ill. Reg. 4758, effective March 14, 1994)