**Section 220.200 Preliminary Review**

a) Prior to or during the first 5 days after the publication of the first notice in the Illinois Register, the agency may submit to the Joint Committee a written request for a preliminary review of the proposed rulemaking.

b) The written request for a preliminary review shall substantiate the reasons why the agency believes such a review is necessary, including the reasons why the review pursuant to Section 5-40(c) of the Act and Section 220.700 of this Part is not sufficient.

c) In determining whether to grant a preliminary review, the Executive Director of the Joint Committee will consider whether the Joint Committee's workload permits such a review and whether the review is necessary.

1) Circumstances under which the Director may consider a preliminary review to be necessary include the following: agency internal rulemaking procedures that necessitate the review, including the use of an advisory committee that must review and approve the proposed rulemaking; the agency or its representative is unfamiliar with the rulemaking process; or the rules are completely new or the rulemaking represents an extensive revision to existing rules.

2) The Director will notify the agency in writing of the grant or denial of a preliminary review.

d) The preliminary review will consider both the notice and text of the proposed rulemaking. The criteria found in Sections 220.900 and 220.950 of this Part will be applied to the preliminary review.

e) The preliminary review is in addition to the review pursuant to Section 5-40(c) of the Act and Section 220.700 of this Part. Issues raised or not raised during the course of the preliminary review do not preclude objections on those issues or upon other bases during the review pursuant to Section 5-40(c) of the Act and Section 220.700 of this Part.

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