**Section 220.1200 Agency Response to Objection**

a) *The* *agency* *shall respond to an objection which is issued by the Joint Committee within 90 days after receipt of the statement of objection.* The response shall be made in writing, in the manner shown in Exhibit I of this Part, and shall be signed by the agency head.

b) The agency shall respond to each objection of the Joint Committee by the methods enumerated in this subsection, as required by Section 5-110 of the Act.

1) *Modify the proposed rulemaking to meet the Joint Committee's* *objection;*

2) *Withdraw the proposed rulemaking* *in its entirety; or*

3) *Refuse to modify* *or withdraw* *the proposed rulemaking.*

c) Responses must be submitted directly to the Joint Committee, which shall in turn notify the Administrative Code Division, in writing, within two working days, that such response has been received. The Administrative Code Division is prohibited from accepting for filing and adoption any rulemaking to which the Joint Committee has objected without first receiving a notification of agency response from the Committee.

d) Responses which do not meet the requirements of this Section will be rejected. Rejected responses will be returned to the agency within two working days after receipt by the Joint Committee with a written explanation for the rejection, and the Administrative Code Division will be notified not to accept the rule for filing and adoption. The agency can resubmit the response to the Joint Committee within the 90 day response period. The 90 day response period will continue to run when a response is rejected.

e) The agency shall submit a notice of the response to the Administrative Code Division for publication in the next available issue of the Illinois Register.

f) A modification to meet the Joint Committee's objection must be limited to the issues raised in the Certification and Statement of Objection. A suggestion or comment made by a member of the Joint Committee does not authorize a substantive change unless the suggestion or comment is ratified by the Joint Committee through the issuance of a Certification and Statement of Objection to the proposed rulemaking.

g) The failure of an agency to respond to an objection of the Joint Committee within 90 days after the receipt of the objection shall be deemed to be a withdrawal of the proposed rule in its entirety (or the portions thereof for which a second notice was submitted if the procedures outlined in Section 220.500(e) of this Part were met), pursuant to Section 5-110(f) of the Act. A response is required when the second notice period has been extended beyond the 45 day period by mutual agreement of the agency and the Joint Committee. If the Joint Committee issues an objection beyond the 45 day second notice period, and no mutual agreement to extend the period was made, response by the agency is optional.

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