**Section 575.100 Rulemaking Procedure**

In accordance with Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100] (IAPA), the Attorney General promulgates the following rule setting forth the Office's rule making procedure.

a) Proposed rules or amendments to rules shall be prepared by division chiefs and submitted to the Deputy Attorney General and Administrative Counsel with a memorandum containing:

1) the text of the proposed rule or the old and new material of a proposed amendment to an existing rule or the text of a rule proposed to be repealed;

2) the specific statutory citation upon which the proposed action is based; and

3) a description of the subjects and the issues involved, including the reasons for the proposed action.

b) The Deputy Attorney General and Administrative Counsel shall forward the proposed rule and memorandum to the Attorney General and the Chief of Staff with their recommendations.

c) If the Attorney General approves the proposed action, the Rules Coordinator shall submit the proposed change to the Secretary of State for publication in the Illinois Register. The notice to the Secretary of State shall include the time, place and manner in which the interested persons may present their views and comments concerning the intended action, including the date, place and time for any proposed hearings on the rule.

d) The notice procedures do not apply to the following rules, which are required by Section 5-15(a) of the IAPA:

1) The current description of the Attorney General's organization or the necessary charts depicting that organization.

2) The current procedure on how the public can obtain information or make submissions or requests on subjects, programs and activities of the Attorney General's office.

3) The current description of the Attorney General's rulemaking procedures or the necessary flow charts depicting those procedures.

e) Any interested person may petition the Attorney General or any division chief for the promulgation, amendment or repeal of a rule. Petitions must be written and may be in the form of a letter or a document entitled "Petition for Adoption of a Rule". The petition shall include the text of the proposed rule or amendment or a citation to the rule that is to be repealed, together with the reasons for the proposed rule or amendment. The division chief shall take the necessary action to prepare proposed changes, either as set forth in the petition or as modified, so that the office may initiate a rulemaking proceeding in accordance with subsections (a), (b) and (c), within 30 days after receipt of the petition. If a division chief believes that the proposed action should be denied, he or she shall inform the petitioner and the Attorney General within 30 days.

(Source: Amended at 41 Ill. Reg. 15807, effective December 12, 2017)