**Section 100.410 Notice of Proposed Rules**

a) Each proposed rule (amendment, repealer) submitted for publication in the Illinois Register (see Section 100.220) must be part of a Notice of Proposed Rules (Amendments, Repealers) at the beginning of which the information listed in subsections (a)(1) through (12) below shall appear (see also Appendix A, Illustration A). The next page shall be the full text of the rules, amendments, or repealer and, if the proposal is an amendment to or repeal of an existing Part, the text shall appear as it is on file in the Index Department with all changes indicated by strike-outs and/or underscoring (however, if an entire Part is being repealed, the text is printed without strike-outs and if a new Part is being proposed the text appears without underscoring):

1) The heading of the Part;

2) The Code citation (include only the Chapter number, the Code abbreviation, the General Act Number followed by a colon and the Part number);

3) Section Numbers Proposed Action

(list in numerical order) (new Section, amendment,

(include supplementary material) repeal, renumber, etc.)

4) The specific statutory citation upon which the Part is based and authorized;

5) A complete description of the subjects and issues involved;

6) Any published studies or reports, along with the sources of underlying data, that were used when composing this rulemaking, in accordance with 1 Ill. Adm. Code 100.355;

7) Whether the proposed rule will replace an emergency rule currently in effect;

8) Whether the proposed rule contains an automatic repeal date;

9) Whether the proposed rule (amendment, repealer) contains incorporations by reference;

10) Whether there are any other amendments to this Part, other than those appearing in the same Register issue, pending. If so, specify the Section numbers, the proposed action, and a Register citation to the Notice of proposal;

11) A Statement of Statewide Policy Objectives (See Sections 100.110 and 100.415(b));

12) The time, place and manner in which interested persons may present their views concerning the proposed action, and the name, address and phone number of the individual within the agency who may be contacted; and

13) Initial Regulatory Flexibility Analysis (see "Regulatory Flexibility Analysis", Section 100.110):

A) Types of small businesses (see Section 1-75 of the Act), small municipalities (see Section 1-80 of the Act) and not for profit corporations (see Section 1-85 of the Act) affected

B) Reporting, bookkeeping or other procedures required for compliance

C) Types of professional skills necessary for compliance.

14) Whether the rulemaking was summarized in a previous Regulatory Agenda. The Regulatory Agenda in which the rulemaking was summarized shall be indicated by the month (January or July) and year it was published. The agency must provide an explanation in this area if the rulemaking was not included on either of the two most recent agendas.

b) Under the Section Numbers and Proposed Action columns at the beginning of the Notice of Proposed Rules as described above in subsection (a)(3) of this Section shall be listed the specific Section Numbers in numerical order and the specific action being taken. If several actions are occurring, each Section affected must be listed on a separate line with the appropriate action listed on the same line under the correct column. This enables the Code Division staff to accurately compile the Sections Affected Index for each week's Register on a quarterly basis. Appendices, Exhibits, Illustrations and Tables on which rulemaking activity is occurring must also be listed under these columns.

c) Only one Part shall be listed per Notice. All new Sections, amendments to existing Sections, and/or repealers of Sections shall be contained on this Notice. Only one Notice per Part for proposed rules will be accepted by the Index Department for publication in a single issue of the Register, unless the agency is repealing a Part in its entirety and proposing a new Part to replace the repealed Part (same subject matter). In this instance only, the Index Department will accept two Notices of proposed rulemaking for one Part number, one for the proposed repealer and one for the proposed new Part, for publication in the same issue of the Register.

d) If an agency is proposing, amending, or repealing more than one Section, and the agency wishes to have any of the Sections considered as separate rulemakings, the agency shall specify the statutory authority for each separate rulemaking. The agency shall follow the procedure in Section 100.410(a)(1) through (a)(14) and, if necessary, specify different people to be contacted for each separate rulemaking. This procedure permits an agency to take those portions of the rulemaking into second notice separately or adopt those portions of the Part at different times.

e) If an agency intends to hold a public hearing on the proposed rules, the information on the hearing may be included in the Time, Place, and Manner item on the Notice (subsection (a)(12)) or the agency may submit a Notice of Public Hearing on Proposed Rules as shown in Appendix A, Illustration E. Notice for public hearings on proposed rules will be accepted for Register publication unless a notice for another type of public hearing is required by State statute to be published in the Register.

(Source: Amended at 29 Ill. Reg. 13224, effective August 12, 2005)