**Section 230.100 Basic Policy**

a) The fact that situations occur in which agencies must take prompt action to adopt rules is recognized by the Joint Committee on Administrative Rules (Joint Committee) and the Illinois Administrative Procedure Act (Act) (Ill. Rev. Stat. 1991, ch. 127, par. 1001-1 et seq.) [5 ILCS 100]. In some of these instances, emergency rules must be adopted under the process provided for this purpose by Section 5-45 of the Act. However, the Joint Committee believes that public notice and comment is an essential part of the rulemaking process, which should only be by-passed for very serious reasons. The use of the emergency rulemaking process must be limited to situations that reasonably constitute a threat to the public interest, safety or welfare, and that require the adoption of rules upon fewer days' notice than is required by Section 5-40 of the Act.

b) The Joint Committee is empowered by Section 5-120 of the Act to examine any rule. The Joint Committee will review each rule adopted through the use of emergency rulemaking under this power. The purpose of this review is to ensure that the use of the process is limited only to those situations that meet the requirements of Section 5-45 of the Act. The criteria used in this review are stated in Sections 230.400 and 230.550 of this Part.

(Source: Amended at 18 Ill. Reg. 1233, effective January 13, 1994)