**Section 230.800 Agency Response to Objection**

a) *The agency shall respond to an objection issued by the Joint Committee within 90 days after receipt of the statement of specific objections* pursuant to Section 5-120 of the Act. The response should be made, in writing, in the manner shown in Exhibit D of this Part, and shall be signed by the agency head.

b) The agency shall respond to each objection of the Joint Committee by one of the methods enumerated in this subsection, as required by Section 5-120 of the Act.

1) Amend the emergency rule to meet the Joint Committee's objection.

2) Repeal the emergency rule.

3) Refuse to amend or repeal the emergency rule. A notice of refusal must also be submitted to the Administrative Code Division for publication in the Illinois Register if the agency responds in this manner.

c) If the agency elects to amend or repeal the emergency rule in response to an objection, it may repeal the emergency rule in its entirety or file a notice of modification of emergency rule in response to an objection of the Joint Committee with the Administrative Code Division. Modification of an emergency rule in response to Joint Committee objection shall not be deemed to violate the provisions of Section 5-45 of the Act, nor will it extend the expiration date of the rule.

d) An amendment 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 emergency rule or rulemaking.

e) The failure of an agency to respond to an objection of the Joint Committee within 90 days after receipt of the objection shall be deemed to be a refusal to amend or repeal the rule pursuant to Section 5-120(g) of the Act.

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