**Section 240.900 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 the manner shown in Exhibit D of Part 230 of the Joint Committee's rules (1 Ill. Adm. Code 230.Exhibit D) and shall be signed by the agency head.

b) The agency must respond to each objection of the Joint Committee by one of the methods enumerated as follows:

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

2) Repeal the peremptory rule.

3) Refuse to amend or repeal the peremptory 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 peremptory rule in response to an objection, it shall initiate rulemaking pursuant to Section 5-40, 5-45 or 5-50 of the Act. The agency shall complete the rulemaking process within 180 days after the rulemaking is proposed in the Illinois Register.

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 peremptory 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. 4745, effective March 14, 1994)