

STYLE MANUAL

ILLINOIS ADMINISTRATIVE CODE AND ILLINOIS REGISTER



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The codification system, the indexes, tables, and other aids for locating rules prepared by the Secretary of State, notes, and other materials developed under this Section in connection with the publication of the Illinois Administrative Code and the Illinois Register shall be the official compilations of the administrative rules of Illinois and shall be entirely in the public domain for purposes of federal copyright law. (5 ILCS 100/5-80(h)).

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Introduction

The *Illinois Administrative Code* is the result of the Illinois Administrative Procedure Act (IAPA) as amended by (5 ILCS 100/). The Act requires the Secretary of State to develop a codification system for the administrative rules of state agencies. A plan for codification was adopted by the Secretary of State as a set of rules in July of 1998 (22 Ill. Reg. 11532, effective July 1, 1998).

The codification system ensures uniformity in format, style, and numbering of the agencies' rules. The purpose of the Code is to provide public access to the rules filed by state agencies with the Office of the Secretary of State Administrative Code Division.

The Administrative Code Division has designed the Style Manual to be used in conjunction with 1 Ill. Adm. Code 100 (Rulemaking) to assist agencies in the codification, filing, and publication of rules. The manual is not a rule but rather a document illustrating the requirements outlined in 1 Ill. Adm. Code 100. Throughout the Style Manual, references to 1 Ill. Adm. Code 100 appear so that those involved in the rulemaking process may cross-reference the two documents when preparing rules for filing and publication.

Each agency promulgating rules shall refer to the Style Manual and to 1 Ill. Adm. Code 100 for the style and procedures for publication and/or filing of rules with the Administrative Code Division. Code Division staff are available to assist any agency rulemaking coordinator with these processes.

The deadline for submitting all rulemakings and other material for publication in the *Illinois Register* is 4:30 p.m. on Monday. When Monday falls on a holiday, the deadline is 12 noon the next business day. Upon submission, the Code Division conducts a non-substantive review of a rule to ensure conformity to the codification system as specified in the Style Manual.

Additional information on the Illinois Administrative Code, the *Illinois Register*, or the codification, filing, and/or publication processes may be obtained from:

<p>www.cyberdriveillinois.com Click: Departments → Index → Administrative Code Services</p>	<p>www.legis.state.il.us/commission/jcar/default.htm Click: Administrative Code</p>
<p>Secretary of State Index Department Administrative Code Division 111 East Monroe St. Springfield, Illinois 62756 (217) 782-7017</p>	<p>Joint Committee on Administrative Rules 700 Stratton Building Springfield, IL 62701 (217) 785-2254</p>

ORGANIZATION AND FORMAT OF RULES

MAJOR DIVISIONS OF THE CODE (1 Ill. Adm. Code 100.110 and 100.140)

The Illinois Administrative Code has 6 major divisions. If an agency does not know where its rules appear in the Code outline, they may contact the Index Department, which maintains a detailed outline. The Codification list is updated weekly and is published on the Secretary of State website (www.cyberdriveillinois.com).

Title:	General Subject Area
Subtitle:	A specific subject area within a Title
Chapter:	Names of state agencies, boards or commissions
Part:	A set of rules on a specific topic
Subpart:	A grouping of rules within a Part by subject matter, groups affected, etc.
Section:	A single specific rule

Every Part has at least one Section, but not necessarily a Subpart.

SUBSECTIONS (1 Ill. Adm. Code 100.110 and 100.340)

There may be subsections within Sections. Each subsection level will appear at a certain indentation level on the page. There may be no more than four (4) levels of subsections. The subsections are indented with labels. The second and successive lines of any subsection must be justified at the same text level as the first word of the subsection. These lines are **not** brought back out to the one-inch left margin.

- 1st level of subsection: Use a), b), c), etc.
- 2nd level of subsection: Use 1), 2), 3), etc.
- 3rd level of subsection: Use A), B), C), etc.
- 4th level of subsection: Use i), ii), iii), etc.

Immediately following each label there is a right parenthesis. A parenthesis does not appear in front of any label appearing to the left of text in the margin.

Sections of subsections, which consist of definitions in alphabetical order, do not need subsection labels for each definition. Each definition, and its subsection if applicable, shall

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appear at the proper indentation level, as if it were being labeled. Other lists within Sections, if in alphabetical, numerical, or other specific order do not need labels, but must be appropriately indented.

Labeled subsections at any level must have text, such as a heading or one or more sentences or phrases.

Separated paragraphs comprised of one or more sentences or phrases shall be separately labeled. There shall be no unlabeled paragraphs unless the paragraph is an opening paragraph of the Section with no other paragraph appearing in that Section at that level; or the paragraph is a single one at any level of indentation following a paragraph with text.

LABELS AND LABELING (1 Ill. Adm. Code 100.300 and 100.310)

The labels for the six major divisions of the *Code* are as follows:

Titles	Labeled with Arabic numbers (1, 2, 3, etc.)
Part:	Labeled with Arabic numbers (1, 2, 3, etc.)
Subpart:	Labeled with capital letters (A, B, C, etc.)
Section:	Labeled with Arabic numbers. The Part number always goes to the left of the decimal point and the Section number goes to the right of the decimal point. When referring to a Section, the whole number including the Part number must be used.

The four levels of subsections are labeled as follows:

- The first level is labeled with small letters (a, b, c), etc.);
- The second level is labeled with Arabic numbers (1, 2, 3), etc.);
- The third level is labeled with capital letters (A, B, C), etc.); and
- The fourth level is labeled with small Roman numeral (i, ii, iii), etc.).

When labeling subsections, remember you cannot:

- | | |
|--------------------------|---------------------------|
| Use a) without adding b) | Use A) without adding B) |
| Use 1) without adding 2) | Use i) without adding ii) |

Supplementary material (Appendices, Exhibits, Illustrations, and Tables including these terms used as subsections of one another) shall be labeled with capital letters. If there is only one Appendix, Illustration, Exhibit, or Table that appears the label, A, shall be used. Each main item of supplementary material, while named Appendix, Exhibit, Illustration, or Table, is considered a “Section” of the Part for purposes of rulemaking.

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HEADINGS (1 Ill. Adm. Code 100.110, 100.120, 100.500, 100.300 and Appendix B, Illustration D)

Each Part, Subpart, and Section has a heading that shall be concisely stated. Each heading is an explanation of what is in that division of the *Code*.

Parts, and Subparts, and applicable labels and headings shall be centered on the page as follows:

<p>TITLE 35: ENVIRONMENTAL PROTECTION SUBCHAPTER G: WASTE DISPOSAL</p> <p>CHAPTER I: POLLUTION CONTROL BOARD SUBCHAPTER I: SOLID WASTE</p>
--

A Part is defined as a set of rules and a Section is defined as a single rule. The words “Rules” and/or “regulations” **shall not** appear in the headings for Parts, Subparts, or Sections and should not appear in other headings.

Parts and their labels appear on one line with their headings on the next line. One double-space shall appear between the Chapter heading, and the Part and its label. If there is a Subpart, the word **SUBPART**, its label and heading appear one double-space below the Part heading.

Rules to be filed with the Administrative Code Division or to be published in the *Illinois Register* will have headings for either the *Code* or the *Illinois Register*.

TABLE OF CONTENTS FOR PARTS (1 Ill. Adm. Code 100.310)

Each Part shall have a table of contents. On this page or any additional pages shall appear all the major *Code* divisions, their labels, and headings. This page must include a listing of each Section of the Part, and appropriate number and heading. The Sections shall be listed in numerical order and be divided by the applicable Subpart. Subparts shall have a colon (:) following the label in the table of contents. Parts, Sections and supplementary material **shall not** have colons following their labels in the table of contents or the text.

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Below is an example of a tables of contents. The example is for demonstration purposes and may or may not exist.

TITLE 23: EDUCATION AND CULTURAL RESOURCES	
SUBTITLE B: CULTURAL RESOURCES	
CHAPTER I: SECRETARY OF STATE	
PART 3060	
PUBLIC LIBRARY CONSTRUCTION GRNATS	
SUBPART A: INTRODUCTION	
Section:	
3060.100	Program Purpose
3060.200	Duty to Administer
3060.400	Definitions
SUBPART B: GRANT APPLICATION	
3060.500	Priorities for Library Construction Grant Proposals
3060.600	Grant Funding Limitations
APPENDIX A	EDA Qualified Areas (Repealed)

SUPPLEMENTARY MATERIAL (1 Ill. Adm. Code 100.110, and 100.350)

Some parts contain supplementary material, which is placed at the end of the Part and is labeled APPENDIX, EXHIBIT, ILLUSTRATION, or TABLE **Note: These words are the only four words allowed for supplementary material.** All supplementary material shall be listed in the table of contents for the Part and appear on the next line following the last Section number and heading if the Part has no Subparts, or one double-space following the last section number and heading if the Part has Subparts. Rather than being incorporated into the Part, a heading or form number should reference forms, maps, and other material. When material must be produced in another format or program, the agency must embed this material into a Microsoft Word document prior to submission to the Code Division. **Please remember that all supplementary material shall fit within one-inch margins on all sides of an 8 ½ x 11-inch sheet of white paper and shall be upright on one side of the page.**

Occasionally Appendices, Exhibits, Illustrations, or Tables are used as subsections of one another. Example: 1 Ill. Adm. Code 100, illustrations are used as subsections of Appendices.

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TEXT OF THE PART (1 Ill. Adm. Code 100.340)

The text of the Part should follow the table of contents including the authority note, the main source note, or the statutory language note (if applicable). For publication in the *Illinois Register*, the text shall begin on the same page as the table of contents, space permitting.

If the Part contains no Subparts, the section number and heading will begin one double-space below the main source note or applicable statutory language note. If the Part has Subparts, the first Subpart and its heading will appear one double-space below the last line of the source note or applicable statutory language note. This will be followed by another double-space followed by the word “Section”, its number and the heading of that Section, all on one line. If the heading takes more than one line, it shall be continued on the next line and shall begin one inch from the left margin.

For filing the Part with the Code Division, the first Section of the Part including the Subpart and its heading, shall begin on the page following the main source note and each Section thereafter shall begin on a new page. The Subparts, their labels and headings appear only on the first page of the Subpart.

The headings of the Sections and/or Subparts in the text must agree word for word and letter for letter including all capitalization and punctuation with the headings in the table of contents.

A double-space below the line containing the section number and heading shall appear on the first line of the text. If the Section has only one paragraph, that paragraph will be at the same indent level as the Section number and the left margin as shown below:

Section 100.180 Interior Finish

Interior wall and ceiling finish and trim in buildings hereafter erected, altered or converted shall be as required in the occupancy Sections of this Part.

If the section has more than one paragraph, it shall be labeled and indented. The following example contains more than one paragraph:

Section 100.160 Smoking Prohibited

- a) Local law or ordinance shall govern regulations of smoking.
- b) Standard “NO SMOKING” signs shall be conspicuously posted in every room, building or premises where smoking is prohibited.

Any paragraph, which stands by itself at any level of subsection, shall not be labeled but shall be indented as if it were labeled, as seen in the following example:

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a) It shall be the responsibility of the pilot of each aircraft participating in such event to:

Look for and abide by any "Closed Runway" markers as shall be displayed pursuant to subsection (a)(1) above, and taxiing and parking directions.

Any paragraph, single sentence, or phrase which follows labeled subsections but returns to the level of a previous subsection shall be labeled, unless the paragraph or phrase completes a sentence started in the previously labeled subsection at that level. If it is not a continuation of the previous sentence, it shall be separately labeled. The following is an example:

a) Application for registration of securities pursuant to Section 5.A of the Act shall be made by filing the following documents with the Securities Department of the Office of the Secretary of State in Springfield in the form required by Section 5.A. (2) of the Act:

- 1) Two copies of the prospectus, together with any amendment or supplements thereto, required by Section 5.A. (2)(a) of the Act;
- 2) The consent to service of process, if any, required by Section 5.A. (2)(b) of the Act; and
 - 1) A completed Application to Register Securities on Form U-1, shall constitute the statement called for by Section 5.A. (2) of the Act, except that the applicant shall be required to comply with the undertakings set forth in paragraph 9 of such Application only to the extent required by the Act and this Part;

And by paying to the Securities Department of the Office of the Secretary of State in Springfield the registration fee required by Section 5.C of the Act on the form required by Section 130.102 of this Part.

SECTION AND PART NUMBERS (1 Ill. Adm. Code 100.110)

Section and Part numbers follow the original numbering system unless there is a substantive change or subsequent amendment of rules. Section numbers always contain the Part number to the left of the decimal point. Part numbers may contain one to four digits. To the right of the decimal point appears the Section number, which may contain up to four digits. A zero immediately after the decimal point is not allowed. In order to allow for future expansion of the Part, Section numbers should end in a zero. When referring to a Section by number, the entire number including both the Part and Section numbers can be used.

Prior to establishing a new Part or placing a new Part within a Chapter, an agency **must** contact the Administrative Code Division for assignment of Part number.

REFERENCES TO THE ILLINOIS ADMINISTRATIVE CODE (1 Ill. Adm. Code 100.370)

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When referring to a division of the *Illinois Administrative Code*, the correct citation contains the Title number, the Part or Section number, and/or other division and its label along with the abbreviation used for the *Code* (Ill. Adm. Code). Each Part number appears once in the Code, which allows the Parts and their sections to be easily cited.

Within the text of one Part, you may refer to other divisions of that Part by simply citing the division and its label. The correct citations for the various divisions of the *Code* are as follows:

Part:	23 Ill. Adm. Code 3060
Subpart:	23 Ill. Adm. Code 3060.Subpart A
Section:	23 Ill. Adm. Code 3060.100
Supplementary Material:	23 Ill. Adm. Code 3060.Appendix A

REFERENCES TO THE ILLINOIS REGISTER (1 Ill. Adm. Code 100.330)

Both the Main and Section Source notes shall indicate the location within the *Illinois Register* of the Notice of Adoption and the effective date.

When referring to the *Illinois Register*, the abbreviation “Ill. Reg.” shall be used. In a citation, the number preceding “Ill. Reg.” is the volume number of the *Illinois Register*. The number following “Ill. Reg.” is the page number where the information may be located. Volumes are numbered by calendar years. Each volume begins with the first issue in January and ends with the last issue published in December of the same calendar year.

For volumes 1- 4 of the *Illinois Register*, the issue number and the page number must be designated because each issue was continually paginated from the first issue in January through the last issue in December. Therefore, only the page number must be listed in the citation after “Ill. Reg.” for these volumes. The effective date of a rule can be on the first page of the notice of adopted, emergency, and/or peremptory rules amendments, and/or repealers published in the *Illinois Register*. The exceptions to listing effective dates occur for rules which were codified or recodified containing no substantive change and for those adopted rules in the *Illinois Register* as specified in 1 Ill. Adm. Code 100.240. Codification or recodification does not change the substantive text of the rules and carries no effective date. The *Illinois Register* page on which the notice of adopted rulemaking begins is the page to be used in an *Illinois Register* citation. The following are examples for citing the *Illinois Register*:

For volumes 1-4:	For volumes 5 forward:
2 Ill. Reg. 29, p. 32, Effective July 31, 1978 (vol. #)(issue #)page # (effective date)	5 Ill. Reg.12345, effective December 1, 1981 (vol. #) (page #) (effective date)
3 Ill. Reg. 32, p. 214, effective August 15, 1979 4 Ill. Reg. 51, p. 109, effective January 1, 1980	6 Ill. Reg. 3312, effective May 1, 1982 10 Ill. Reg. 26892, effective December 7, 1986

STATUTORY LANGUAGE AND CITATIONS, EXECUTIVE ORDER CITATIONS
(1 Ill. Adm. Code 100.380)

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STATUTORY LANGUAGE

Italic type is expressly reserved for statutory language. Rules shall not unnecessarily repeat or paraphrase statutory language. When it is absolutely necessary to quote or paraphrase from the *Illinois Compiled Statutes*, such a quotation or paraphrase shall appear in distinguishing type. If a type face, size or style other than italic type face is used, a statement or note explaining what kind of distinguishing type has been used shall be made one double-space below the main source note for the Part for filing and publication. Underscoring is not allowed because it is expressly reserved for language being added to existing rules published in the *Illinois Register*.

When citing directly from the statutes, quote or paraphrase only the text. Do not use the publisher's headings or codification numbers. The paragraph numbers that constitute the publisher's codification of the statutes may be cited in a statutory citation as it appears in the authority note for the Part. The subsection labels shall not be used since numbered or lettered phrases within paragraphs do not correspond with the codification system and, when indented to the proper level may not adhere to the labeling requirements of subsections.

STATUTORY CITATIONS

The paragraphs cited within a statutory citation must match the Sections of the referenced Act. Sections are the divisions of the Act. Each paragraph number corresponds to one Section of the Act. If you wish to reference only two Sections of an Act, the statutory citation must specify the paragraphs in which those Sections appear. If you are referencing an entire Act, list only the name of the Act and not all of its Sections.

When citing a Public Act appearing in a published edition of the *Illinois Compiled Statutes*, use the title of the Act. The title is either the long title that begins with "AN ACT" or the short title if one is designated as such within the text of the Act. **You cannot use a short title for an Act if not specifically mentioned in the text of the Act.** When citing an Act by its long title place the entire title of the Act within quotation marks and place the words "AN ACT" in capital letters. The title must match the title appearing in the *Illinois Compiled Statutes*. When using the Act's statutorily designated short title, it must also match the title exactly as it appears in the Act except it shall not appear within quotation marks. The following examples show an Act being cited by its long and short title.

Section 1 of "AN ACT creating the Department of Children and Family Services, codifying its powers and duties, and repealing certain Acts and Sections herein named" (20 ILCS 505/1)

The Illinois Administrative Procedure Act (5 ILCS 100/5)

Compiled Statutes including its supplements, there are two citation methods:

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- 1) If the Public Act or the Sections being cited amends an Act which appears in a published edition of the *Illinois Compiled Statutes*, reference the name of the Act and the specific Sections, followed by the statutory citation. After the paragraph number(s) in the statutory citation, place a comma and add the words “as amended by P.A.” followed by the appropriate number and effective date. If the section was renumbered or added, the words “renumbered” or “added” may be substituted for “amended.” The following is an example:

Section 4.03 of The Illinois Administrative Procedure Act (430 ILCS 55/4 as amended by P.A. 84-1452, effective January 5, 1987).

- 2) If the Public Act or the Sections being cited are new, and do not amend an existing Act, the title of the new Public Act must appear with the abbreviation “P.A.” followed by the appropriate number and effective date appearing within parentheses just as if it were a citation to the *Illinois Compiled Statutes*.

When a state or federal law or federal rule is cited within the text of a Part, the statutory citation must immediately follow the name of the law or rule the first time it is mentioned. Thereafter, within that one Part, only references to different Sections of the law or rule must be followed by a statutory citation.

EXECUTIVE ORDER CITATIONS

When an agency cites an Executive Order issued by the Governor, the correct citation includes the year in which the Order was issued followed by a hyphen then the order number. For example the fifth Executive Order issued in 1986 would be cited as “Executive Order 86-5.” Presidential Executive Orders are cited by number and are numbered consecutively rather than by year.

CAPITALIZATION AND UNDERSCORING (1 Ill. Adm. Code 380)

AVOID USING capitalization for whole words, phrases or complete sentences. If you have designated capitalization as the distinguishing type for statutory language, you **shall not** use capitalization for any other purpose within the Part.

DO NOT use underscoring within a Part except to denote new language being added to an existing Part being published in the *Illinois Register*.

DO NOT use the typeface, size, or style you have selected for statutory language for any other purpose in a Part.

REFERENCES WITHIN A PART (1 Ill. Adm. Code 100.370)

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Within one Part, all references to another Part of the *Illinois Administrative Code* must contain the entire *Code* citation.

Within one Part, references to other Sections, Subparts or supplementary material contained in the Part may include the appropriate word and label as follows:

- 1) Another Section
Section 100.280 of this Part
- 2) Another Subpart
Section 100. Subpart D of this Part
- 3) Supplementary material

Within one subsection, references to other subsections of the **same** Section shall include the word “subsection” followed by the appropriate subsection label(s) enclosed within parentheses.

Example: subsection (d) (2) (B) above

Within a subsection, a reference to a subsection of a different section of the same Part shall include the word “Section” followed by the complete Section number and subsection label(s) within parentheses.

Example: section 100.630 (a) (3)

REPLACEMENT PAGES FOR REPEALED, RENUMBERED, RECODIFIED OR EMERGENCY EXPIRED SECTIONS WHERE NO TEXT REMAINS

When one or more Sections of a Part, but not the entire Part, is repealed, renumbered, recodified, or has an emergency that has expired so that no text remains at that number, the Section number and heading shall not be deleted.

Immediately after the Section heading, the appropriate word shall appear stating the action that was taken.

- ❑ For publication in the *Illinois Register*, either as a proposed or adopted amendment, the word shall be underscored both in the table of contents of the Part and in the text.
- ❑ For filing in the Code Division, the word shall not be underscored but shall remain a part of the Section heading until new text is adopted at that Section number.

The deletion process can be done during or without a rulemaking. Coordination with the agency, Code division, and JCAR staff will be required when submitting a replacement table of contents. This action does not require publication in the *Illinois Register*.

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No more than six Sections of any Part may be renumbered at one time. If there are more than six Sections to be renumbered, the Part must be recodified. (1 Ill. Adm. Code 100.345)

The Section number and heading followed in parentheses by the appropriate word shall remain in the Part's table of contents until such time as the Part is recodified or new text is adopted at the Section number.

Replacement pages are pages that must be filed for Sections that have been repealed, renumbered or recodified so that no text remains. Replacement pages will have the appropriate *Code* headings at the top of the page, including the section number, heading, appropriate action statement, and a Section source note explaining the action that took place.

If an emergency rule expires without being adopted as a permanent rule, a replacement table of contents is required without the word EMERGENCY under the Section number, unless another emergency is still in effect. The Main Source note must state that the emergency rule expired immediately following the entry for the emergency rule.

Section Source notes for Sections that have been renumbered to another Section number shall not include the word "amended." A Section cannot be amended without text. If the section is amended and at the time it is renumbered, the word "amended" appears in the Section Source note of the applicable Section where the text has been renumbered.

If the Section is repealed or renumbered and replaced by new text, the Section source note must explain the deletion of the old text and a reason for the new text, as follows:

(Source: Former Section 100.2000 renumbered to Section 100.3000, new Section 100.2000 renumbered from Section 100.4000 and amended at 11 Ill. Reg. _____, effective _____.)

EDITOR'S NOTES, FOOTNOTES, and AGENCY NOTES (1 Ill. Adm. Code 100.390)

EDITOR'S NOTES

Occasionally an Editor's Note will appear in the *Code* to explain discrepancies between two similar rules issued by different agencies or to explain what appears in that particular Section or Part. The Editor's Note also is used to identify Parts that have been repealed or replaced by a Part containing different subject matter. The notes are not part of the rule and appear as user aids for explanatory purposes only. The Administrative Code Division is the editor of the *Code* and is the sole agency authorized to add Editor's Notes.

FOOTNOTES

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Footnotes may be included in rules when an agency cites brief digests of court cases and opinions of the Attorney General. Such footnotes shall be numbered in sequence throughout the Part and the text of the footnotes shall appear at the bottom of the page where the footnote appears in the text of the Part.

AGENCY NOTES

Occasionally an Agency Note will appear in the *Code* to explain or cross-reference material. The Agency Note is considered part of the rule when it appears within the text of a Section or in supplementary material. The use of Agency Notes is discouraged, as the information should be contained within the subsection text. The agency should obtain the approval of the Administrative Code Division to use such a note, which must fit within the proper subsection(s) margins.

RE-USE OF NUMBERS OF REPEALED, RENUMBERED OR RECODIFIED PARTS OR SECTIONS

After a Part has been filed with the Code Division and the Part is entirely repealed or recodified to another Part number, the Part number cannot be used again for a two-year period if the subject matter has been totally changed. If the agency repeals some of the Sections in the existing Part, the Section numbers may be reused immediately, even with changes in the subject matter. The Code Division recommends that different Section numbers be used to avoid confusion.

AUTHORITY NOTES

GENERAL INFORMATION (1 Ill. Adm. Code 100.320)

Authority Notes are listed at the beginning of each Part, one double-space below the last entry in the table of contents, and give two pieces of information:

- 1) the laws (Acts) which give the agency the authority to promulgate rules, and
- 2) the laws (Acts) that the rules are promulgated to implement or further define.

The laws specified in a Part's authority note are contained in the latest published edition of the *Illinois Compiled Statutes*, although federal laws and other rules may be cited. If a federal law or other rule is cited, there must be a reference to the *Illinois Compiled Statutes* or a recent Public Act. In some cases, the rules are being promulgated to implement Public Acts, which have not appeared in the published edition of the *Illinois Compiled Statutes* or its supplements. The Public Acts will be listed in the authority note by the name of the Act, its number, and the effective date unless the Public Act amends an existing Act. In this case, the citation to the current Act in the latest edition of the *Illinois Compiled Statutes* is listed with a reference to the Public Act that it amended and the effective date. In rare cases, the statutory authority may be contained in an Executive Order issued by the Governor.

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The word “AUTHORITY” at the beginning of the authority note shall be in capital letters followed by a colon (:), but the word “note” shall not appear on the authority note. The authority note shall be single-spaced and appear one double-space below the last item in the table of contents for the Part.

Authority notes are user aids, and are not considered a part of the rule.

IMPLEMENTED STATUTES

Implemented statutes are those that prompt an agency to promulgate rules to be implemented or further defined. In various cases, it may be one Section, several Sections, or entire Acts.

AUTHORIZING STATUTES

Authorizing statutes identify which statutes or Public Acts give the agency the authority to promulgate rules. The authority may be given in the specific Act over which the agency has jurisdiction; in an Act that gives the agency general authority to promulgate rules; or in the Civil Administrative Code of Illinois (20 ILCS 5/1). Such authorization is explicitly given in the statutes, but may also be an implied authority. The agency may not promulgate rules without specific or implied reference.

STYLE

The proper format for an authority note requires the implemented statutes to be listed first followed by the authorizing statutes. Each Act mentioned is followed by its statutory citation.

CITATIONS TO *ILLINOIS COMPILED STATUTES*

When citing the *Illinois Compiled Statutes*, the Chapter of the statute is cited before “ILCS”, and the General Act is cited immediately after. The Public Act name, number, effective date, and any other pertinent information shall be used to cite those rules that are implementing or authorized by Public Acts that are too recent to appear in the latest edition of the Illinois Compiled Statutes.

TITLES OF ACTS

When an Act is given a short title, as specified in the Act, you shall use the short title. If no short title is given the entire title of the Act must be cited with the words “AN ACT” appearing in capital letters and the entire long title shall be placed within quotation marks. Short titles of Acts are not placed in quotation marks. All citations must be checked prior to submitting the rules to the Code Division.

STATUTES TO BE CITED IN THE AUTHORITY NOTE

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Not every statutory reference that appears in the Part needs to be cited in the authority note. The authority note includes only the laws or Public Acts, which give your agency the right to promulgate rules, and those being implemented or further defined.

CITATIONS

The following abbreviations and citations should be used when citing other legal references. Abbreviations shall not be shown in italics or in quotation marks.

Illinois Revised Statutes are cited using the abbreviation “Ill. Rev. Stat.”;

Illinois Compiled Statutes are cited using the abbreviation “ILCS”;

United States Code is cited using the abbreviation “U.S.C.”;

Code of Federal Regulations is cited using the abbreviation use “CFR.”;

Illinois Administrative Code is cited using the abbreviation “Ill. Adm. Code”;

Public Laws (U.S.) are cited using the abbreviation “P.L.”;

Public Acts (Illinois) are cited using the abbreviation “P.A.”;

Annotated *United States Code* is cited using the abbreviation “U.S.C.A.”;

Federal Register is cited using the abbreviation “FR” and

Illinois Register is cited using the abbreviation “Ill. Reg.”

If you are citing only one Section of a state or federal Act, the statutory citation must specify the correct paragraph, which corresponds to that Section by using the abbreviation “par.” If you are citing several Sections of an Act or an entire Act, the statutory citation must specify the corresponding paragraphs by the abbreviation “pars.” followed by the numbers of the paragraphs if not in consecutive order.

AUTHORITY NOTE EXAMPLES

The following examples show the correct format for various types of authority notes. These examples are for demonstration purposes and may or may not exist.

When the authorizing and implementing statutes are one and the same, use the following examples:

AUTHORITY: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

AUTHORITY: Implementing and authorized by Section 1 – 25 (22) of the Department of Natural Resources Act [20 ILCS 801/1-25(22)].

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11].

AUTHORITY: Implementing the Professional Boxing Act [225 ILCS 105] and authorized by Section 2105-15 of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15].

AUTHORITY: Implementing Sections 5 and 13 of The Illinois Dental Practice Act (225 ILCS 25/5 and 25/13) and authorized by Section 60(7) of the Civil Administrative Code of Illinois (20 ILCS 2105/60(7)).

AUTHORITY: Implementing “AN ACT” relating to the prevention of developmental disabilities” (410 ILCS 250/4) and the Lead Poisoning Prevention Act (410 ILCS 45/1) and authorized by Section 55.05 of the Civil

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When the authorizing and implementing statutes are different Sections of the same Act, use the following examples:

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Arts. II and VII] and authorized by Section 2-104 (b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5/2-104(b)].

AUTHORITY: Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. III and 12-13].

When several Acts are cited as either the authorization or the implemented statutes, use the following examples:

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.18, 2.26, 2.33 and 3.5] and Migratory Bird Hunting (50 CFR, August 25, 1987).

AUTHORITY: Implementing and authorized by the Child Care Act of 1969 [225 ILCS 10], Section 3 of the Abused Neglected Child Reporting Act [325 ILCS 5/3], and Sections 1 and 2 of the Facilities Requiring Smoke Detectors Act [425 ILCS 10/1 and 2].

When authorizing or implemented sections of the statutes were enacted after the publication of the latest edition of the Ill. Rev. Stat. or its supplements, use the following examples:

AUTHORITY: Implementing and authorized by the Illinois Union Label Act (P.A. 84-517, effective January 1, 1986).

AUTHORITY: Implementing and authorized by Section 24-12 of The School Code (Ill. Rev. Stat. 1989, ch. 122, par. 24-12, as amended by P.A. 84-1334, effective September 9, 1986).

When either the *U.S. Code* or the CFR are cited in addition to the Ill. Rev. Stat., use the following examples:

AUTHORITY: Implementing the U.S. Constitution, Titles VI and VII of the 1964 Civil Rights Act (42 U.S.C. 2000d and 2000), sections 503 and 504 of the 1973 Rehabilitation Act (29 U.S.C. 793 and 794), the Age Discrimination Act (42 U.S.C. 6101), and the Illinois Human Rights Act (Ill. Rev. Stat. 1985, ch. 68, pars. 1-101 seq.) and authorized by Section 4 of "AN ACT" creating the Department of Children and Family Services, codifying its powers and duties, and repealing certain Acts and Sections herein named (Ill. Rev. Stat 1989, ch.23, par. 5004).

When the Act and the Section being emphasized is the one giving your agency the authority to promulgate rules, use the following examples:

AUTHORITY: Implementing the Illinois Horse Racing Act of 1975 and authorized by Section 9(b) of that Act [20 ILCS 1001 and 1001.37-9(b)].

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If the Section being emphasized is different than the one containing the authority to promulgate rules the agency shall contact the Administrative Code Division for the proper format since various forms may be used.

When an Executive Order issued by the governor is cited, use the following example:

AUTHORITY: Implementing and authorized by Executive Order 86-17, effective December 17, 1986.

SOURCE NOTES

MAIN SOURCE NOTES

Main source notes appear one double-space below the last line of the authority note. The word “SOURCE” shall be in capital letters followed by a colon and the appropriate *Illinois Register* citations. The word “note” shall not appear. Main source notes are single-spaced.

Main source notes contain the original filing and effective date(s) plus subsequent actions on the Part. Because some rules have numerous source citations, the main source note is limited to the original filing, effective dates and any action for which there is an *Illinois Register* citation. This refers to any action after July 1977 for some agencies, and from January 1, 1978 forward for all agencies. Anyone desiring the complete history of the rule between the original filing date and the first *Illinois Register* citation may contact the appropriate agency.

Most source notes will cite amendments that went through the regular rulemaking process. Such amendments include the following actions: changed language, added or repealed Sections, and renumbering of Sections. The source note entry for amendments will state “amended at” along with the *Illinois Register* citation for that amendment. Users of the *Code* who want to know the exact amendatory change to a Section of a Part must refer to the source note at the end of the particular Section. Parts that are totally repealed will state, “repealed at” along with the *Illinois Register* citation.

Two types of rulemaking do not go through the regular rulemaking process: emergency and preemptory. Emergency rules or amendments are adopted when an agency feels a situation exists that constitutes a threat to the public interest, safety or welfare. They are in effect for a maximum of 150 days and may or may not be replaced by regular rules. If an agency knows in advance that the emergency rules will be in effect for less than the 150 day maximum, it must be stated on the notice of rulemaking in the appropriate place. Preemptory rules or amendments are those necessitated by federal laws, federal rules or court orders that preclude compliance with the general rulemaking requirements of the IAPA. Emergency and preemptory rules or amendments will be specified in the main source note.

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When rules are codified or recodified, the phrase “codified at” or “recodified at” followed by the *Illinois Register* citation will appear in the main source note. Original codification citations do not have effective dates unless other amendatory action occurred at the same time, in which case the phrase “amended and codified at” appears.

EXAMPLES OF MAIN SOURCE NOTES

The following are examples of various citations that will appear at one time or another in a main source note. These examples are fictitious and appear only for demonstration purposes.

For rules adopted prior to the publication of the *Illinois Register*:

SOURCE: Adopted January 1, 1977.
SOURCE: Filed March 29, 1962, effective April 8, 1962.
SOURCE: Filed and effective May 22, 1969.

SOURCE: Adopted at 2 Ill. Reg. 39, p. 129, effective October 1, 1978.
SOURCE: Adopted at 6 Ill. Reg. 13329, effective September 13, 1982.

For rules that contain an amendment, add the wording “amended at”:

SOURCE: Adopted January 1, 1977; amended at 3 Ill. Reg. 5, p. 42, effective February 3, 1979.
SOURCE: Adopted at 7 Ill. Reg. 8865, effective May 30, 1983; amended at 10 Ill. Reg. 18929, effective October 1, 1986.

For rules containing an emergency rule or amendment, use the wording “emergency rules adopted at” or “emergency amendment at” along with the wording “for a maximum of 150 days” unless the emergency will expire before the end of the 150 days and that specific expiration date is known and specified:

SOURCE: Adopted at 2 Ill. Reg. 39, p. 129, effective October 1, 1978; emergency amendment at 8 Ill. Reg. 16354, effective August 17, 1984, for a maximum of 150 days.
SOURCE: Emergency rules adopted at 9 Ill. Reg. 3327, effective March 13, 1985, for a maximum of 150 days.

Some rules adopted as emergency rules prior to January 1, 1978 did not expire. The following format is used:

SOURCE: Emergency rules adopted June 15, 1976.

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Rules adopted or amended by emergency action and allowed to expire without adoption as a permanent rule:

SOURCE: Emergency amendment at 15 Ill. Reg. 12345, effective January 1, 1991, for a maximum of 150 days; emergency expired May 31, 1991.

For an amendment, or rules originally adopted as a peremptory rule or containing one, use the wording “peremptory rules adopted at” or “peremptory amendments at” as in:

SOURCE: Adopted January 1, 1977; peremptory amendment at 5 Ill. Reg. 4497, effective May 15, 1981.

SOURCE: Peremptory rules adopted at 8 Ill. Reg. 12001, effective June 15, 1984.

For rules that were adopted, repealed, and new rules adopted to replace them prior to codification use the following example:

SOURCE: Adopted January 1, 1977; rules repealed at 4 Ill. Reg. 14, p.98, effective April 23, 1980; new rules adopted at 4 Ill. Reg. 15, p.34, effective April 24, 1980.

For rules or Parts which were in order, adopted, codified, repealed, and a new Part with the same subject matter adopted at the same number use the following example:

SOURCE: Adopted at 2 Ill. Reg. 39, p.129, effective October 1, 1980; codified at 5 Ill. Reg. 14829; Part repealed at 6 Ill. Reg. 2877, effective March 8, 1982; new Part adopted at 6 Ill. Reg. 3925, effective March 31, 1982.

For rules or Parts which were in order, adopted, codified, repealed, and a new Part with a different subject matter adopted at the same number more than two years later. Remember that for different subject matter, a two-year period must elapse before the Part number may be re-used. The main source note would begin by stating the previous Part’s repeal citation followed by the citation for the new Part being adopted as in:

SOURCE: Former Part 160 repealed at 7 Ill. Reg. 2219, effective February 12, 1983; new Part 160 adopted at 11 Ill. Reg. 10111, effective June 1, 1987.

For rules or Parts where one or more Sections, but not the entire Part, were repealed after codification use the following example:

SOURCE: Adopted at 2 Ill. Reg. 39, p. 129, effective October 1, 1980; codified at 5 Ill. Reg. 14829; amended at 6 Ill. Reg. 2439, effective February 26, 1982.

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For Parts that were repealed and no new text appears at the number use the following example.
The source note lists only the repeal citation:

SOURCE: Repealed at 10 Ill. Reg. 2029, effective January 30, 1986.

For Parts where one or more, but less than six, Sections were renumbered at one time from July 1, 1993, forward use the following example:

SOURCE: Adopted at 8 Ill. Reg. 101, effective January 1, 1984; amended at 11 Ill. Reg. 2229, effective March 18, 1987.

For Parts which were codified with no substantive changes:

SOURCE: Adopted January 1, 1977; codified at 5 Ill. Reg. 12265.

For Parts which were adopted and codified at the same time:

SOURCE: Adopted at 7 Ill. Reg. 3956, effective March 26, 1983.

For Parts that were recodified completely to another Part number use the following examples for:

Source at old Part number:

SOURCE: Adopted January 1, 1977; codified as 1 Ill. Adm. Code 170 at 5 Ill. Reg. 10111; recodified to 5 Ill. Adm. Code 100 at 27 Ill. Reg. 2095.

Source at new Part number:

SOURCE: Adopted at 8 Ill. Reg. 7774, effective May 29, 1984; Sections 999.10 and 999.20 recodified to 16 Ill. Adm. Code 100 at 27 Ill. Reg. 2222.

For Parts, which were amended and codified at the same time, use the following examples for:

SOURCE: Adopted January 1, 1977; amended and codified at 5 Ill. Reg. 14129, effective December 23, 1981.

For Parts with Sections, which were recodified to new Section, numbers within the same Part use the following examples for:

SOURCE: Adopted at 8 Ill. Reg. 8865, effective June 17, 1984; Sections 3001.10 and 3001.20 recodified to Sections 3001.1000 and 3001.2000 at 10 Ill. Reg. 9990.

For Parts with Sections that were recodified to another Part number use the following example:

At old Part number:

SOURCE: Adopted at 8 Ill. Reg. 7774, effective May 29, 1984; Sections 9999.10 and 9999.20 recodified to 16 Ill. Adm. Code 100 at 27 Ill. Reg. 2222.

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At new Part number:

SOURCE: Recodified from 5 Ill. Adm. Code 100 at 27 Ill. Reg. 2095.

The following example demonstrates how source notes can accumulate. The source note will list all actions in chronological order:

SOURCE: Adopted January 1, 1977; amended at 3 Ill. Reg. 5, p. 42, effective February 3, 1979; rules repealed at 4 Ill. Reg. 14, p. 98, effective April 23, 1980; new rules adopted at 4 Ill. Reg. 15, p. 34, effective April 24, 1980; emergency amendments at 4 Ill. Reg. 45, p. 239, effective November 10, 1980, for a maximum of 150 days; emergency expired April 3, 1981; amended at 5 Ill. Reg. 4321, effective May 1, 1981; peremptory amendment at 6 Ill. Reg. 7654, effective June 1, 1982; codified at 7 Ill. Reg. 2345; Part repealed, new Part adopted at 9 Ill. Reg. 2020, effective February 23, 1985; amended at 9 Ill. Reg. 11045, effective June 1, 1985; Sections 12.35 and 12.40 recodified to 7 Ill. Adm.; Code 120.350 and 120.400 at 10 Ill. Reg. 22890; emergency amendments at 10 Ill. Reg. 27777, effective December 29, 1986, to expire March 1, 1987; amended at 11 Ill. Reg. 3329, effective March 1, 1987.

SECTION SOURCE NOTES (1 Ill. Adm. Code 100.330 and 100.315 and 100.240)

Section source notes are placed one double-space below the last line of the text of the Section and appear within parentheses with the word “Source” capitalized, followed by a colon, the action taken and the *Illinois Register* citation. Section source notes shall be single-spaced and shall **not** end with a period. Approximately twenty blank spaces shall be left for the *Illinois Register* page number to allow adequate space for a five digit typed or stamped number and the effective date including the complete month, day and year.

Example:
(Source: Amended at 22 Ill. Reg. _____, effective _____)

Section source notes contain the most recent action on that Section that has an *Illinois Register* citation, except for codification, unless that action is the same as the original filing. In the event a Section of a Part has been recodified, a Section source note will appear.

Part numbers which have been codified and subsequently repealed or recodified to another Part number may not be used again for a different subject matter for a two-year period as specified in 1 Ill. Adm. Code 100.135. Rules adopted after the two-year period with a different subject matter or during the two-year period with the same subject matter and number, will not have Section source notes until the Sections have been amended.

Section source notes will contain only one citation. Two citations may appear only under the following circumstances:

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- a) A Section has been repealed and replaced by new text at that same number at different times;
- b) A Section has been renumbered and replaced with new text at that same number at different times;
- c) A Section has been recodified to another number and new text is being adopted at the old Section number;
- d) A Section has an emergency amendment in effect and a different amendment is adopted through the regular rulemaking process;
- e) A Section which has been added to an existing Part by emergency action or amended by emergency action and is modified due to an objection by JCAR prior to the expiration of the emergency;
- f) A Section has been corrected after its adoption as allowed by 1 Ill. Adm. Code 100.240.

Any amendatory source citations between the original filing date and the initial publication of the *Illinois Register* will not appear in the Main or Section source notes unless the agency requests such information to appear in both places. The complete history of the section between the original filing date and the first *Illinois Register* citation can be obtained by contacting the agency.

New Parts initially adopted as emergency rules will not have Section source notes. Each Section of an existing Part being added, repealed, or amended by emergency amendments to the Part will carry Section source notes. These source notes will revert to the previous source notes if the emergency is not amended into the rule before it expires through the regular rulemaking process. If the rule is amended through the regular rulemaking process to include the emergency amendment, the latest action, which would be the regular amendment, would be listed in the Section source note.

Peremptory rules, amendments or repealers also will be specified in the Section source note.

EXAMPLES OF SECTION SOURCE NOTES

The following examples of Section source notes are fictitious and for demonstration purposes. Note: Sections of new Parts adopted by regular, emergency or peremptory action do not have Section source notes. Sections of Parts completely repealed do not have Section source notes since only a main source note appears for the repeal of the Part.

NEW SECTION SOURCE NOTES

Regular rulemaking process

- Adopted prior to the publication of the *Illinois Register* or as a part of a new set of rules or a new Section of an existing set of rules (Part):

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No Section source note needed.

- Adopted after the *Illinois Register* began publication as part of a new set of rules. No subsequent action other than codification:

No Section source note needed.

- Adopted after the *Illinois Register* began publication as a new Section to existing rules. No subsequent action other than codification:

(Source: Added at 2 Ill. Reg. 13, p. 313, effective April 13, 1978)

- Adopted after codification as a new Section to an existing Part. No subsequent action:

(Source: Added at 10 Ill. Reg. 4040, effective February 28, 1986)

Emergency rulemaking

- For Sections of a new Part adopted by emergency action:

No Section source note needed.

- For new Sections added to existing rules (Parts):

Added prior to the publication of the *Illinois Register*:

No Section source note needed.

- Added after the publication of the *Illinois Register*, either before or after codification, no specific expiration dates:

(Source: Emergency Rule added at 10 Ill. Reg. 8092, effective April 27, 1986, for maximum of 150 days)

- Added after publication of the *Illinois Register* and with a specified expiration date:

(Source: Emergency rule added at 10 Ill. Reg. 8092, effective April 27, 1986, to expire July 1, 1986)

Peremptory action

- For Sections of a new Part adopted by peremptory action:

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No Section source note needed.

- For Sections added by peremptory amendments to an existing Part:

(Source: Peremptory rule added at 10 Ill. Reg. 9083, effective May 14, 1986)

AMENDED SECTIONS

Regular process

- Before publication of the *Illinois Register*:

No Section source note needed.

- After the publication of the *Illinois Register*:

(Source: Amended at 3 Ill. Reg. 31, p. 134, effective August 16, 1979)

(Source: Amended at 7 Ill. Reg. 10253, effective September 1, 1983)

Emergency action

- Amended with no specific expiration date before the expiration of the 150 day period:

(Source: Emergency amendment at 10 Ill. Reg. 8092, effective April 27, 1986, for a maximum of 150 days)

- Amended with a specified expiration date prior to the end of the 150 day period:

(Source: Emergency rule added at 10 Ill. Reg. 8092, effective April 27, 1986, to expire July 1, 1986)

Peremptory action

(Source: Peremptory amendment at 10 Ill. Reg. 9083, effective May 14, 1986)

REPEALED SECTIONS

Regular process

- Prior to publication of the *Illinois Register*:

No Section source note needed. (Section should not appear in codified rules.)

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- Prior to codification:

No Section source note needed. (Section should not appear in codified rules.)
- After codification of rules:

(Source: Repealed at 8 Ill. Reg. 16892, effective October 21, 1985)
- Automatically repealed:

(Source: Automatically repealed at 8 Ill. Reg. 16892, effective October 21, 1985)

Emergency action

- A Section of a Part, repealed by emergency action; no text remains at that number:

(Source: Emergency repealer at 10 Ill. Reg. 8092, effective April 27, 1986, for a maximum of 150 days)

Peremptory action

- A Section of a Part repealed by peremptory action; no text remains at that number:

(Source: Peremptory repealer at 10 Ill. Reg. 4085, effective May 18, 1986)

SECTIONS REPEALED AND REPLACED BY TEXT

Regular rulemaking process

- Concurrently with repeal:

(Source: Section repealed, new Section adopted at 10 Ill. Reg. 19876, effective November 28, 1986)
- Following repeal:

(Source: Section repealed at 8 Ill. Reg. 16882, effective October 23, 1984; new Section adopted at 10 Ill. Reg. 7656, effective July 23, 1986)

Emergency action

- Concurrently with repeal:

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(Source: Section repealed, new Section adopted by emergency action at 10 Ill. Reg. 7656, effective November 28, 1986, for a maximum of 150 days)

- Following repeal:

(Source: Section repealed at 8 Ill. Reg. 16882, effective October 23, 1984; new Section adopted by emergency action at 10 Ill. Reg. 7656, effective July 23, 1986, for a maximum of 150 days)

Peremptory Action

- Concurrently with repeal:

(Source: Section repealed, new Section adopted by peremptory action at 10 Ill. Reg. 19876, effective November 28, 1986)

- Following repeal:

(Source: Section repealed at 8 Ill. Reg. 16882, effective October 23, 1984; new Section adopted by peremptory action at 10 Ill. Reg. 7656, effective July 23, 1986)

SECTIONS RENUMBERED OR RECODIFIED AND NO TEXT REMAINS AT THE OLD NUMBER

Regular rulemaking

- At old Section number:

(Source: Section 27.3892 renumbered to Section 27.4000 at 11 Ill. Reg. 4092, effective March 16, 1987)

(Source: Section 270.30 recodified to 5 Ill. Adm. Code 100 at 27 Ill. Reg. 10001)

- At new Section number:

(Source: Section 27.4000 renumbered from section 27.3892 at Ill. Reg. 4092, effective March 16, 1987)

(Source: Section 400.80 recodified from 5 Ill. Adm. Code 100 at 27 Ill. Reg. 10001)

Emergency action - No more than 6 Sections may be renumbered at one time. Recodification cannot be done by emergency rulemaking.

- At old Section number:

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(Source: Section 27.3892 renumbered to Section 27.4000 by emergency action at 11 Ill. Reg. 4092, effective March 16, 1987, for a maximum of 150 days)

- At new Section number:

(Source: Section 27.2000 renumbered from Section 27.3892 by emergency action at Ill. Reg. 4092, effective March 16, 1987, for maximum of 150 days)

Peremptory action - No more than 6 Sections may be renumbered at one time. Recodification cannot be done by peremptory rulemaking.

- At old Section number:

(Source: Section 270.380 renumbered to Section 270.400 by peremptory action at 11 Ill. Reg. 4092, effective March 16, 1987)

- At new Section number:

(Source: Section 270.400 renumbered from Section 270.300 by peremptory action at Ill. Reg. 4092, effective March 16, 1987)

SECTIONS RENUMBERED AND NEW TEXT ADOPTED AT THE SAME TIME

Regular process

- At old Section number:

(Source: Section 270.3000 renumbered to Section 270.4000, new Section 270.300 adopted at 11 Ill. Reg. 4092, effective March 16, 1987)

- At new Section number:

(Source: Section 27.4000 renumbered from Section 27.3892 at 11 Ill. Reg. 4092, effective March 16, 1987)

Emergency action

- At old Section number:

(Source: Section 270.3000 renumbered to Section 270.4000, new Section 270.3000 adopted by emergency action at 11 Ill. Reg. 4092, effective March 16, 1987, for a maximum of 150 days)

- At new Section number:

(Source: Section 270.4000 renumbered from Section 270.3000 by emergency action at 11 Ill. Reg. 4092, effective March 16, 1987, for a maximum of 150 days)

Peremptory action

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- At old Section number:

(Source: Section 270.3000 renumbered to Section 270.4000, new Section 270.3000 adopted by peremptory action at 11 Ill. Reg. 4092, effective March 16, 1987)
- At new Section number:

(Source: Section 27.4000 renumbered from Section 27.3892 and amended by peremptory action at 11 Ill. Reg. 4092, effective March 16, 1987)

SECTIONS RENUMBERED AND AMENDED AT THE SAME TIME

Regular process

No text remains at the old number. Note: the amending citation appears in the source note for the Section where text appears.

- At old Section number:

(Source: Section 27.3892 renumbered to Section 27.4000 at 11 Ill. Reg. 4092, effective March 16, 1987)
- At new Section number:

(Source: Section 27.4000 renumbered from Section 27.3892 and amended at 11 Ill. Reg. 4092, effective March 16, 1987)

Emergency action

No text remains at the old number Note: the amending citation only appears in the source note for the Section where there is text.

- At old Section number:

(Source: Section 27.3892 renumbered to Section 27.4000 by emergency action at 11 Ill. Reg. 4092, effective March 16, 1987, for a maximum of 150 days)
- At new Section number:

(Source: Section 27.4000 renumbered from Section 27.3892 and amended by emergency action at 11 Ill. Reg. 4092, effective March 16, 1987, for a maximum of 150 days)

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Peremptory action

No text remains at the old number Note: the amending citation only appears in the source note for the Section where there is text.

- At old Section number:

(Source: Section 27.3892 renumbered to Section 27.4000 by peremptory action at 11 Ill. Reg. 4092, effective March 16, 1987)

- At new Section number:

(Source: Section 27.4000 renumbered from Section 27.3892 and amended by peremptory action at 11 Ill. Reg. 4092, effective March 16, 1987)

FILING AND PUBLICATION PROCEDURES

Rules to be filed should be submitted to the Code Division five working days prior to the date the agency wishes the rules to take effect or five working days prior to the *Illinois Register* deadline, whichever comes first. The five day period allows the Code Division staff adequate time to review the rules for compliance with the filing, publication and codification requirements of 1 Ill. Adm. Code 100, and allows the agency time to submit corrected pages. To save time, the Code Division staff will telephone the agency with specific instructions for any corrections that may be necessary. If the agency wishes the material to be returned they shall do so at that time.

The agency may submit adopted rules for preliminary review prior to making the copies necessary for submission. This preliminary review **does not** take the place of the 5-day review period allowed the Code Division in 1 Ill. Adm. Code 100; however, it shall enable major corrections to be noted and made prior to the rules being formally submitted.

In the case of adopted rules, including emergency and peremptory rules, the rulemaking submission is not complete unless all documents necessary for filing and publication are received. If an agency submits the *Illinois Register* copies only, the Code Division considers the rulemaking incomplete until the file copies and all other necessary documents are received.

Please make sure all documents are included for filing.

COVER LETTER (1 Ill. Adm. Code 100.225 and 100.510)

A cover letter must accompany all documents submitted to the Administrative Code Division for filing or publication in the *Illinois Register*. The letter must be on agency letterhead (or identify the agency in some way) and shall be addressed to:

Secretary of State
Index Department
Attn: Administrative Code Division
111 East Monroe
Springfield, IL 62756

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The letter must concisely state what is being submitted and the purpose for submission (publication, filing, preliminary review, etc.). It must be signed by someone with the proper authorization to do so.

The letter will be checked by Code Division personnel for accuracy in the listing of material (compared to what was enclosed with the letter) and will then be date stamped once accuracy is determined.

REQUIRED DOCUMENTATION FOR FILING

(1 Ill. Adm. Code 100.220)

Documentation submitted to the Code Division for publication in the *Illinois Register* and for filing is as follows:

PROPOSING NEW PARTS, AMENDMENTS AND REPEALERS:

- ❑ A cover letter specifying what is being submitted to the Administrative Code Division for publication in the next available issue of the *Illinois Register*.
- ❑ One original and two copies of the Notice of Proposed Rulemaking.
- ❑ One original and two copies of a complete table of contents with source and authority notes.
- ❑ The text of the rulemaking action showing strike-outs for text being deleted and underscoring for text being added to reflect the changes between the rules on file with the Code Division and the way the agency wishes the rule to read.
- ❑ A disk containing electronic copy of the documents.
All electronic copy must be:
 - ▶ Microsoft Word format
 - ▶ 1 inch margins on all sides.
 - ▶ Font: Times New Roman 12.
 - ▶ No Section or Page Breaks

ADOPTING A NEW PART, AMENDMENTS OR REPEALERS:

- ❑ A cover letter specifying what is being submitted to the Administrative Code Division for publication in the next available issue of the *Illinois Register*.
- ❑ Letter of no objection from JCAR or response to JCAR objections
- ❑ Copy of changes in the text made by JCAR.
- ❑ Agency Agreements (if applicable)

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Register Pages

- ❑ One original and two copies of the Notice of Adopted Rulemaking.
- ❑ One original and two copies of a complete table of contents with source and authority notes.
- ❑ One original and two copies of the text of the rulemaking action showing strike-outs for text being deleted and underscoring for text being added to reflect the changes between the rules on file with the Code Division and the way the agency wishes the rule to read.

Code Pages

- ❑ One original and two copies of the agency certification.
- ❑ One original and two copies of code/file pages three-hole punched with all approved changes applied.
- ❑ A disk containing electronic copy of the documents.
All electronic copy must be:
 - ▶ Microsoft Word format
 - ▶ 1 inch margins on all sides.
 - ▶ Font: Times New Roman 12.
 - ▶ No Section or Page Breaks

EMERGENCY ACTION FOR ADOPTING NEW PARTS, AMENDMENTS AND REPEALERS:

- ❑ A cover letter specifying what is being submitted to the Administrative Code Division for publication in the next available issue of the *Illinois Register*.
- ❑ One original and two copies of the agency certification.

Register Pages

- ❑ One original and two copies of the Notice of Emergency Rules.
- ❑ One original and two copies of a complete table of contents with source and authority notes.

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- ❑ The text of the rulemaking action showing strike-outs for text being deleted and underscoring for text being added to reflect the changes between the rules on file with the Code Division and the way the agency wishes the rule to read.

Code Pages

- ❑ One original and two copies of the agency certification.
- ❑ One original and two copies of code/file pages three-hole punched with all approved changes applied.
- ❑ A disk containing electronic copy of the documents.
All electronic copy must be:
 - ▶ Microsoft Word format
 - ▶ 1 inch margins on all sides.
 - ▶ Font: Times New Roman 12.
 - ▶ No Section or Page Breaks

PEREMPTORY ACTION FOR ADOPTING NEW PARTS, AMENDMENTS AND REPEALERS

- ❑ A cover letter specifying what is being submitted to the Administrative Code Division for publication in the next available issue of the *Illinois Register*.
- ❑ One original and two copies of the agency certification.

Register Pages

- ❑ One original and two copies of the Notice of Peremptory Rules.
- ❑ One original and two copies of a complete table of contents with source and authority notes.

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- The text of the rulemaking action showing strike-outs for text being deleted and underscoring for text being added to reflect the changes between the rules on file with the Code Division and the way the agency wishes the rule to read.

Code Pages

- One original and two copies of the agency certification.
- One original and two copies of a complete table of contents with source and authority notes.
- One original and two copies of code/file pages three-hole punched with all approved changes applied.
- A disk containing electronic copy of the documents.
All electronic copy must be:
 - ▶ Microsoft Word format
 - ▶ 1 inch margins on all sides.
 - ▶ Font: Times New Roman 12.
 - ▶ No Section or Page Breaks

REGULATORY AGENDAS, NOTICE OF PUBLIC INFORMATION, EXPEDITED CORRECTION AND OTHER NOTICES PUBLISHED IN THE REGISTER:

- A cover letter specifying what is being submitted to the Administrative Code Division for publication in the next available issue of the *Illinois Register*.
- One original and two copies of the documents.
- A disk containing electronic copy of the documents.
All electronic copy must be:
 - ▶ Microsoft Word format
 - ▶ 1 inch margins on all sides.
 - ▶ Font: Times New Roman 12.
 - ▶ No Section or Page Breaks

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ILLINOIS REGISTER HEADINGS FOR RULES SUBMITTED FOR PUBLICATION
(1 Ill. Adm. Code 100.220 and 100.300)

Rules published in the *Illinois Register* must have at the top of each page, the words “ILLINOIS REGISTER” in capital letters centered on a line one inch from the top of the page. The line will extend across the page from the left margin to the right margin. An electronic copy in Microsoft Word format can be obtained by contacting the Code Division.

Rules submitted for publication shall be preceded by the required questions as specified:

- ❑ Proposed rules, in 1 Ill. Adm. Code 100.410 and Appendix A, Illustration A;
- ❑ Adopted rules, 1 Ill. Adm. Code 100.530 and Appendix B, Illustration A;
- ❑ Emergency rules, 1 Ill. Adm. Code 100.610 and Appendix C, Illustration A;
- ❑ Peremptory rules, 1 Ill. Adm. Code 100.710 and Appendix D, Illustration A.

All rules submitted for publication shall indicate on each page, one double-space under the solid line, the agency’s name centered and in capital letters, as specified in the statute creating the agency.

All rules submitted for publication will indicate the action heading on each page, one double-space under the agency name. These action headings shall be centered on the page in capital letters.

Choice of action statement wording:

PROPOSED RULES, AMENDMENTS OR REPEALERS

Proposed rulemaking is a new Part:

NOTICE OF PROPOSED RULES

Proposed rulemaking is amending an existing Part:

NOTICE OF PROPOSED AMENDMENTS

Proposed rulemaking is a repeal of an entire Part:

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NOTICE OF PROPOSED REPEALER

ADOPTED RULES, AMENDMENTS OR REPEALERS

Adopted rulemaking is a new Part:

NOTICE OF ADOPTED RULES

Adopted rulemaking is amending an existing Part:

NOTICE OF ADOPTED AMENDMENTS

Adopted rulemaking is repealing an entire Part:

NOTICE OF ADOPTED REPEALER

EMERGENCY RULES, AMENDMENTS OR REPEALERS

Emergency rulemaking is a new Part:

NOTICE OF EMERGENCY RULES

Emergency is amending an existing Part:

NOTICE OF EMERGENCY AMENDMENTS

Emergency is repealing an entire Part:

NOTICE OF EMERGENCY REPEALER

PEREMPTORY RULES, AMENDMENTS, OR REPEALERS

Peremptory rules, amendments, or repealers:

NOTICE OF PEREMPTORY RULES

Peremptory rulemaking is amending an existing Part:

NOTICE OF PEREMPTORY AMENDMENTS

Peremptory rulemaking is repealing an entire Part:

NOTICE OF PEREMPTORY REPEALER

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NOTICE PAGE

The first page of the notice of rulemaking shall consist of the required numbered questions as shown below in the sample portion and in the illustrations in the Appendices of 1 Ill. Adm. Code 100. They must be numbered as shown in the illustrations, underlined and all questions answered. Remember that the answer “N/A” is not appropriate for the questions. The text of the rulemaking begins on the page following the last statement on the notice page.

ILLINOIS REGISTER

AGENCY NAME

NOTICE OF PROPOSED RULES

1) Heading of the Part:

2) Code Citation:

3) Section Numbers: Proposed Action:

4) Statutory Authority:

5) A Complete Description of the Subjects and Issues Involved:

6) Will this/these proposed rule(s) replace an emergency rule currently in effect?

7) Does this rulemaking contain an automatic repeal date? Yes No

If “Yes” please specify the date:

The Heading of the Part submitted for publication shall begin one double-space under the action heading.

TEXT OF THE PART

The text of the Part shall begin one double-space under the last line of the main source note or one double-space under the last line of the statutory language note. The text shall begin with the first Subpart and its heading if the Part has Subparts or, if the Part does not have Subparts, the first Sections number and its heading. If the rulemaking amends an existing Part, the first Section of the text is the first one being amended. Only those Sections being amended shall appear in the *Illinois Register*. If the Part being amended has Subparts but the first Section being amended is not the first Section of the Subpart, the Subpart and its heading must still appear. Remember that the file copy for that Section will **not** have the Subpart listed

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If the rulemaking consists of amendments to an existing Part, each Section in the rulemaking must have the appropriate Section source note with blanks left for the volume, page number and the effective date.

Each successive Section of the rulemaking shall appear one double-space under the last line of the preceding Section if it is a new Part or one double-space under the last line of the Section source note of the preceding Section if the rulemaking is amending an existing Part.

If the rulemaking contains supplementary material, the supplementary material can either begin one double-space under the last line of the preceding Section or its source note, or on the next page. **If the supplementary material consists of illustrations or tables start on the next page following the last Section in the rulemaking. If the supplementary material is text, it shall begin on the same page as the last Section.**

All typesetting remarks within the document shall be removed prior to submitting the material to the Code Division for publication.

No page numbers shall appear on the page. The Code Division paginates the *Illinois Register* once it has been compiled from the material submitted prior to the deadline.

AGENCY CERTIFICATION OF RULES (1 Ill. Adm. Code 100. Appendix B, Illustration C; Appendix C, Illustration C; and Appendix D, Illustration C)

When filing adopted rules with the Code Division, a certificate, which must be signed by an officer of the agency before submission, must accompany the rules. The Code Division will not accept any rules for filing without the certification. All references to rules including those shown on the certificates must use correct *Code* citations.

CERTIFICATE OF REVIEW AND APPROVAL (1 Ill. Adm. Code 100.110, 100.550, 100.660, 100.740, 100.820, and 100.1120)

When an adopted Part including amendments and repealers meets the publication, filing and codification requirements outlined in 1 Ill. Adm. Code 100 and the Style Manual, the Administrative Code Division will issue a Certificate of Review and Approval. This Certificate indicates that the requirements of 1 Ill. Adm. Code 100 have been met, but does not indicate approval of the text of the rules.

In the case of emergency or preemptory rules, the rules may be filed and published without this Certificate being issued if the publication and filing requirements have been met, even if minor corrections are necessary in codification. If corrections are required, the Code Division will inform the agency. Once the Code Division receives the corrections, a Notice of Codification Changes will be prepared and published in the next available issue of the *Illinois Register*. The codification requirements are tied to filing and publication requirements. Agencies must ensure that their rules are correct prior to being filed. Codification changes do not affect the validity of the rules or their effective date.

MISCELLANEOUS INFORMATION

RECODIFICATION OF RULES (1 Ill. Adm. Code 100.11000, 100.1110, and 100.1115)

A Part may be recodified either partially or in its entirety to either another Part number or within the same Part number. Whenever Parts or portions are recodified, both the former and the new Part shall be submitted to the Administrative Code Division at least **30 days** prior to the date the agency wishes to file the material as recodified.

Recodification within the same Part number:

Recodification of a Part must be performed when an agency wishes to renumber more than six Sections within the same Part number. Recodification may take the following forms:

Recodification of an entire Part should be used when:

- Sections being recodified are in several different Subparts;
- Sections involved comprise the majority of the Part; and

Must be used when the renumbering of the Sections and/or Subparts would place the renumbered Sections and/or Subparts out of numerical or alphabetical order.

Sections comprising less than half the number of Sections in the Part may be recodified without the entire Part being recodified. When the entire Part is being recodified, the agency shall submit a copy of it to the Administrative Code Division at least 30 days before the agency wishes to file. The main source note of the Part continues with a citation added for the recodification action.

No Section source notes for the recodification action shall appear. The only Section source notes that shall appear are those for amendatory action on the Sections prior to recodification.

When only a portion of the Part is being recodified:

- The main source note continues with a citation to the recodification action.
- Section source notes will appear both for the Sections recodified with no text remaining at that Section number and for the Sections to which the text was recodified.

Recodification to another Part number:

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When an entire Part or portions of it are being moved to a different Part number, recodification shall be used.

When the entire Part is being recodified:

- The main source note of the new Part continues from the old Part with a citation added for the recodification action.
- No Section source notes for the recodification action shall appear. The only Section source notes that shall appear are those for action on the Sections prior to recodification.
- A replacement page for the old Part number shall be filed. The Title, Subtitle (if applicable), the Chapter, and the Subchapter (if applicable) shall appear just as they were in the old Part. One double-space under the Chapter, or under the Subchapter, if applicable, shall appear the Part number, below that line the Part heading should appear with the word “RECODIFIED” following it. The rest of the table of contents and the authority note for the old Part shall not appear, but a main source note shall appear showing the recodification citation.

When only a portion of the Part is being recodified to another Part:

The main source note at the old Part number continues with a citation to the recodification action, specifying the Sections and the citation being recodified. The new Part’s main source note will also have a recodification citation similar to the one at the old Part number as follows:

- If the Part already exists, following other action citations for that Part; or
- If the Part number has not existed before, the first entry shall specify the original adoption citation(s) plus any amendatory citations for action of the Sections involved in the recodification plus the recodification entry.
- Section source notes will appear both for the Sections which were recodified with no text remaining at the Section number in the old Part and for the Sections to which the text was recodified.

For assistance with recodification of entire Parts or portions of Parts, please contact the Administrative Code Division.

REGULATORY AGENDAS

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Regulatory agendas may be published in the *Illinois Register* when an agency wishes to obtain comments from the public prior to proposing rulemaking. Regulatory agendas are explained in 1 Ill. Adm. Code 100.1150 and Appendix E, Illustration F.

INCORPORATION BY REFERENCE

When an agency proposes rules, which contain incorporations by reference, the agency shall refer to the requirements specified in 1 Ill. Adm. Code 100.240, 100.385, 220.760 and 220.780. If the agency determines the materials being incorporated by reference are those specified in Section 6.02(b) of the Illinois Administrative Procedure Act, it shall obtain approval of the incorporations by reference from JCAR. Incorporations by reference must specify the material by the issuing agency along with any necessary publication information, date, and shall specify that the material contains no later editions or amendments.

INTERNAL RULES

Internal rules are adopted pursuant to Section 4.01 of the Illinois Administrative Procedure Act (IAPA). These include agency organization, rulemaking procedures, and public information rules and may include other types of rules if the statute authorizing an agency to promulgate rules specifies that they shall be adopted pursuant to Section 4.01 of the IAPA.

Internal rules are adopted, amended, or repealed without any prior notice or approval. These rules must be published in the *Illinois Register* as adopted rules and file copies of the rules must be submitted to the Code Division. Internal rules are not first proposed.

Freedom of Information rules adopted pursuant to the Illinois Freedom of Information Act are also considered internal rules, pursuant to directives issued by the Governor's office shortly after this Act became effective.

DELETION OR TRANSFER OF RULES

When agencies are reorganized, abolished or when there is a transfer of functions between agencies either by legislation or Executive Order, the Code Division shall, in cooperation with the agencies involved, delete or transfer any rules involved in order to maintain consistency within the Illinois Administrative Code. If an agency is aware that legislation has passed involving reorganization or abolition of agencies or transfer of functions between agencies, it is urged to contact the Code Division immediately in order for the transfer or deletion of the rules to be made.

ILLINOIS REGISTER DEADLINES

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The deadline for publication of materials in the *Illinois Register* is 4:30 p.m. each Monday. Material submitted by the deadline which meets the publication and codification requirements outlined in 1 Ill. Adm. Code 100 and the Style Manual shall appear in the *Illinois Register* published 11 days later on Friday. If Monday is a state holiday the deadline becomes 12:00 p.m. on Tuesday, the following business day. If the date of publication falls on a state holiday the *Illinois Register* will be published the next following business day.

If the material submitted for *Illinois Register* publication is comprised of adopted rules, submission by Monday at 4:30 p.m. does not necessarily mean that the rules will be contained in the *Illinois Register* published 11 days later. The Code Division, pursuant to 1 Ill. Adm. Code 100, has five working days following the agency's submission of the material to review it.

PUBLIC INFORMATION NOTICES

Any material required by state statute to be published in the *Illinois Register*, which does not directly concern rulemaking, shall be published as a Notice of Public Information.

When preparing the notices for publication, the agency shall be required to have on each page of the Notice, a solid line one inch from the top of the page extending from the left margin to the right margin centered on which the words *ILLINOIS REGISTER* shall appear. One double-space under the solid line and centered on the page shall be the agency's name as specified by statute, matching the agency's name in Chapter headings in the *Code* in capital letters. One double-space under the agency name and centered on the page shall be the words NOTICE OF PUBLIC INFORMATION.

One double-space under the words NOTICE OF PUBLIC INFORMATION on the first page only and centered on the page shall be the type of notice, in capital letters.

Following the type of notice of public information, the agency shall print the actual notice information in the format required by statute. One original and two copies of the Notice of Public Information must be furnished to the Index Department as well as a cover letter specifying what is being submitted to the Administrative Code Division including the Code citation, the numbers of copies, and the purpose for submission.

OTHER MISCELLANEOUS NOTICES

Unless a state statute requires information to be published in the *Illinois Register*, the Code Division will not do so. If the information is to be published in the "state newspaper," the agency shall contact the Department of Central Management Services for the appropriate procedure.

Other types of notices allowed to be published in the *Illinois Register* are specified in 1 Ill. Adm. Code 100. See the Illustrations in the Appendices to that Part.

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CORRECTIONS TO PROPOSED OR ADOPTED RULES (1 Ill. Adm. Code 100.430; Appendix A, Illustration D; Appendix B, Illustration F; and Appendix E, Illustration B)

After the compilation or publishing of the *Illinois Register* if an agency discovers an error in proposed rules it submitted, they may submit a Notice of Corrections to Proposed Rules, Amendments, or Repealer for publication in the next available issue of the *Illinois Register*. See 1 Ill. Adm. Code 100. Appendix A, Illustration D. Remember, pursuant to 1 Ill. Adm. Code 220 the publication of such a notice negates the original first notice period and a new first notice period begins on the day on which the Notice of Corrections is published.

If a rule or amendment appeared in the *Illinois Register* with an error, but the file version was correct, the agency may submit for publication a NOTICE OF CORRECTIONS TO NOTICE ONLY for publication in the next available issue of the *Illinois Register*, within one week (7 calendar days) from the publication date. See 1 Ill. Adm. Code 100. Appendix E, Illustration B.

If an agency adopts a rule or amendment and submits file and publication copies for the *Illinois Register* and discovers within one week (7 calendar days) of the date the rule or amendment appeared in the *Illinois Register* correctly, but that an error is present in the file version, they may submit for publication a NOTICE OF CORRECTIONS TO ADOPTED RULES for publications in the next available issue of the *Illinois Register*. See 1 Ill. Adm. Code 100. Appendix B, Illustration F. The agency shall also submit 1 original and 2 copies of correction pages for filing.

The Code Division will send all corrections to the agency during the first notice period. Prior to the Code Division issuing a Certificate of review and Approval, there may be additional corrections needed besides those changes made during the first and second notice periods. The five-day review period allows the Code Division time to review and correct the material and contact the agency. This allows adequate time for the agency to submit corrected pages. If the agency fails to submit corrected pages within the five day period, the rules, amendments or repealers will not take effect until the corrected pages are received and determined correct by the Code Division. This will include both the *Illinois Register* and file versions. For further information on Notices of Corrections, please refer to 1 Ill. Adm. Code 100.430.

EMERGENCY RULES

The Code Division will publish emergency and preemptory rules, amendments and repealers in the *Illinois Register* if they meet the publication and codification requirements as outlined in 1 Ill. Adm. Code 100 and the Style Manual. If other codification requirements are necessary as specified in 1 Ill. Adm. Code 100.655 and 100.735, the Code Division will publish the emergency or preemptory rules, amendments or repealers. Those rules, amendments or repealers will become effective on the date filed unless a later date is known and specified if they meet the publication, filing and codification requirements. The Code Division will then publish in the next available issue of the *Illinois Register* a Notice of Codification Changes. The publication notice does not affect the validity of the rule, amendment or repealer or its effective date. The Code Division will notify the agency of codification changes to be made and the agency shall submit corrected pages to the Code Division.

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For further information on publication of emergency and preemptory rules, amendments or repealers, refer to 1 Ill. Adm. Code 100.655 and 100.735.

MODIFICATION OF EMERGENCY RULES

When an agency wishes to modify an emergency rule or amendment due to an objection by JCAR, it shall contact the Code Division for the proper procedure. Such a modification in response to a JCAR objection shall not change the original 150-day effective period for the emergency rule or amendment.

EXPEDITED CORRECTIONS

Errors that are discovered in the adopted text following the publication of the Register in which the Notice of Adopted rulemaking appeared shall be corrected by the agency through the general rulemaking process or by the Expedited Correction process.

A request for an Expedited Correction may be forwarded by JCAR to the Administrative Code Division. The notice page of the request shall include a summary and purpose for the Expedited Correction. The request shall be accompanied by the complete text of the effected Section(s), indicating both the incorrect text and the agency's proposal for correction. The correction version shall be published in the next available issue of the Register.

JCAR will take one of the following two actions:

Notice of Expedited Correction – States the reason for the Expedited Correction and is signed by the Executive Director of JCAR. This Notice and appropriate Code pages will be accompanied by a Certificate of Expedited Correction and should be filed with the Index Department for placement in the Administrative Code.

Refusal to Certify Expedited Correction – JCAR may issue a refusal, but this does not prevent the agency from promulgating rules through the general rulemaking process.

JOINT RULES

When two or more agencies are statutorily authorized to promulgate joint rules, the text shall appear in one location under one Chapter. Each agency must go through the rulemaking process to propose the Parts, even though there may be no text at their Part number. All joint rules shall have Part headings, which begin JOINT RULES OF THE followed by the names of the agencies promulgating the joint rules. Following the name of the last agency, there shall be a colon followed by the actual name of the Part.

Since joint rules are not common, the agencies involved should contact the Code Division for proper codification guidelines, and work with the staff so that the rulemaking may be proposed by each agency in the proper manner and correctly adopted.

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ABBREVIATIONS; ACRONYMS; SHORTENED FORMS

All Rulemaking Agencies, Boards, Commissions, and Departments have an acronym as a short title or a quick reference to their organization. Each rulemaking body must provide this acronym to the Secretary of State’s office. No two rulemaking bodies may have the same acronym. The Code Division can make alterations of acronyms submitted by the agencies. When a board, commission, or counsel is within a larger rulemaking body such as a Department or Agency and submits rules under their own header, that rulemaking body must have its own acronym. This acronym is a requirement for completing the file pages of all adopted rules submitted to the Secretary of State’s office.

Abbreviations specified in 1 Ill. Adm. Code 100.340(k) (3) may be used without spelling them out within the text of each Part. Acronyms specified in this section may be used in conjunction with (1 Ill. Adm. Code 100. Appendix B, Illustration D - Format for Filing Adopted Rules.) Agency acronyms will appear in the header (upper left corner) of each adopted rule filed with the Code Division.

All other abbreviations, acronyms, and shortened forms must be spelled out in full the first time they are used in each Part with the acronym placed in parentheses immediately following. Throughout the remainder of the Part, the abbreviation, or acronym may be used.

Department	ACR
ABANDONED MINED LANDS RECLAMATION COUNCIL	AMLRC
AGING, DEPARTMENT ON	AGE
AGRICULTURE, DEPARTMENT OF	AGR
ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF	DASA
APPELLATE DEFENDER, OFFICE OF THE STATE	OSAD
ARTS COUNCIL, ILLINOIS	IAC
ASBESTOS ABATEMENT AUTHORITY, ILLINOIS	IAAA
ATTORNEY GENERAL, OFFICE OF THE	AGO
AUDITOR GENERAL, OFFICE OF THE	OAG
BANKS AND REAL ESTATE, OFFICE OF	OBRE
BAR ASSOCIATION, ILLINOIS STATE	ISBA
BOARD OF ETHICS	BOE
BOARD OF EXAMINERS	BOEX
BOARD OF GOVERNORS OF STATE COLLEGES AND UNIVERSITIES	BOG/SCU
BOARD OF GOVERNORS UNIVERSITIES EDUCATIONAL COMPUTING	BOG/UECN
BOARD OF REGENTS	BOR
BOARD OF SAVINGS INSTITUTIONS	BSI
BOARD OF TRUSTEES OF EASTERN ILLINOIS UNIVERSITY	BOT/ EIU

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BOARD OF TRUSTEES OF ILLINOIS PUBLIC UNIVERSITIES	BOT/IPU
BOARD OF TRUSTEES OF SOUTHERN ILLINOIS UNIVERSITY	BOT/SIU
BOARD OF TRUSTEES OF THE UNIVERSITY OF ILLINOIS	BOT/UOI
BOARD OF TRUSTEES, EAST ST. LOUIS COMMUNITY COLLEGE	BOT/ESLCC
BUILDING COMMISSION, ILLINOIS	IBC
CAPITAL DEVELOPMENT BOARD	CDB
CAPITAL REVIEW BOARD	CRB
CARNIVAL AMUSMENT SAFETY BOARD	CASB
CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF	CMS
CHICAGO AREA TRANSPORTATION STUDY	CATS
CHICAGO STATE UNIVERSITY	CSU
CHIEF PROCUREMENT OFFICER FOR PUBLIC INSTITUTIONS OF HIGHER	CPO/PIHE
CHILDREN AND FAMILY SERVICES, DEPARTMENT OF	DCSF
CITIZENS COUNCIL ON CHILDREN	CCOC
CIVIL SERVICE COMMISSION	CSC
COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF	DCCA
COMMERCE COMMISSION, ILLINOIS	ICC
COMMISSION REVIEW BOARD	COMRB
COMMISSIONER OF BANKS AND TRUST COMPANIES	CBTC
COMMISSIONER OF SAVINGS AND LOAN ASSOCIATIONS	CSLA
COMMUNITY COLLEGE BOARD, ILLINOIS	ICCB
COMMUNITY DEVELOPMENT FINANCE CORPORATION, ILLINOIS	ICDFC
COMPREHENSIVE HEALTH INSURANCE PLAN	CHIP
COMPTROLLER, MERIT COMMISSION	IOC/MC
COMPTROLLER, OFFICE OF THE	IOC
CORRECTIONS, DEPARTMENT OF	DOC
COUNCIL ON DEVELOPMENTAL DISABILITIES, ILLINOIS	ICODD
COURT OF CLAIMS	COC
COURTS OF ILLINOIS	COI
CRIMINAL JUSTICE INFORMATION AUTHORITY, ILLINOIS	ICJIA
DEAF AND HARD OF HEARING COMMISSION, ILLINOIS	IDHHC
DEBT COLLECTION BOARD	DCB
DEVELOPMENT FINANCE AUTHORITY, ILLINOIS	IDFA
DIVISION OF SPECIALIZED CARE FOR CHILDREN	DOSCFD
DRYCLEANER ENVIRONMENTAL RESPONSE TRUST FUND COUNCIL OF	DERTFCOI
EAST ST LOUIS FINANCIAL ADVISORY AUTHORITY, CITY OF	ESLFAA
EASTERN ILLINOIS UNIVERSITY	EIU
ECONOMIC AND FISCAL COMMISSION, ILLINOIS	IEFC
EDUCATION, ILLINOIS STATE BOARD OF	ISBE
EDUCATIONAL FACILITIES AUTHORITY, ILLINOIS	IEFA
EDUCATIONAL LABOR RELATIONS BOARD, ILLINOIS	IELRB
ELECTIONS, ILLINOIS STATE BOARD OF	ISBOE
EMERGENCY MANAGEMENT AGENCY	IEMA
EMPLOYMENT SECURITY, DEPARTMENT OF	IDES
ENERGY AND NATURAL RESOURCES, DEPARTMENT OF	DENR
ENVIRONMENTAL PROTECTION AGENCY	IEPA
ETHICS COMMISSION, ATTORNEY GENERAL	AGEC

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EXECUTIVE ORDERS	N/A
EXECUTIVE ORDERS AND PROCLAMATIONS	N/A
EXPERIMENTAL ORGAN TRANSPLANT PROCEDURES BOARD	EOTPB
EXPORT DEVELOPMENT AUTHORITY, ILLINOIS	EDA
FARM DEVELOPMENT AUTHORITY, ILLINOIS	IFDA
FINANCIAL INSTITUTIONS, DEPARTMENT OF	DFI
FIRE MARSHAL, OFFICE OF THE STATE	OSFM
GAMING BOARD, ILLINOIS	IGB
GENERAL ASSEMBLY - HOUSE OF REPRESENTATIVES - MAJORITY	GA/HOR/MAJ
GENERAL ASSEMBLY - HOUSE OF REPRESENTATIVES - MINORITY	GA/HOR/MIN
GENERAL ASSEMBLY – SECRETARY OF THE SENATE	GA/SOTS
GENERAL ASSEMBLY - SENATE MAJORITY	GA/SMAJ
GENERAL ASSEMBLY - SENATE MINORITY	GA/SMIN
GENERAL ASSEMBLY RETIREMENT SYSTEM	GARS
GOVERNOR'S ETHICS COMMISSION	GEC
GOVERNOR'S PURCHASED CARE REVIEW BOARD	GPCRB
GOVERNOR'S TRAVEL CONTROL BOARD/CMS	GTCB/CMS
GOVERNOR, OFFICE OF THE	GOV
GOVERNORS STATE UNIVERSITY	GSU
GUARDIANSHIP AND ADVOCACY COMMISSION	IGAC
HEALTH CARE COST CONTAINMENT COUNCIL	HCCCC
HEALTH FACILITIES PLANNING BOARD, ILLINOIS	IHFPB
HEARING AID CONSUMER PROTECTION BOARD	HACPB
HIGHER EDUCATION TRAVEL CONTROL BOARD	HETCB
HIGHER EDUCATION, BOARD OF	BOHE
HISTORIC PRESERVATION AGENCY	HPA
HISTORICAL LIBRARY, ILLINOIS STATE	ISHL
HOUSE OF REPRESENTATIVES	HOR
HOUSING DEVELOPMENT AUTHORITY, ILLINOIS	IHDA
HUMAN RIGHTS COMMISSION	HRC
HUMAN RIGHTS, DEPARTMENT OF	DHR
HUMAN SERVICES, DEPARTMENT OF	DHS
ILLINOIS CENTURY NETWORK	ICN
ILLINOIS CONSORTIUM FOR EDUCATIONAL OPPORTUNITY	ICEO
ILLINOIS EDUCATION ASSOCIATION	IEA
ILLINOIS HEALTH FACILITIES AUTHORITY	IHHA
ILLINOIS INDEPENDENT HIGHER EDUCATION LOAN AUTHORITY	IHELAA
ILLINOIS PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES	IPCODD
ILLINOIS STATE LABOR RELATIONS BOARD/ILLINOIS LOCAL LABOR	ISLRB/ILLRB
ILLINOIS STATE UNIVERSITY	ISU
ILLINOIS TECHNOLOGY OFFICE	ITO
INDUSTRIAL COMMISSION, ILLINOIS	IIC
INSURANCE, ILLINOIS DEPARTMENT OF	IDOI
INTERGOVERNMENTAL COOPERATION COMMISSION	IGCC
INVESTMENT, ILLINOIS STATE BOARD OF	ISBI
JOINT COMMITTEE ON ADMINISTRATIVE RULES	JCAR
JOINT COMMITTEE ON ADMINISTRATIVE RULES SCHEDULED MEETING	N/A

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JUDGES' RETIREMENT SYSTEM	JRS
JUDICIAL INQUIRY BOARD	JIB
LABOR RELATIONS BOARD, ILLINOIS	ILRB
LABOR, DEPARTMENT OF	IDOL
LAW ENFORCEMENT TRAINING AND STANDARDS BOARD, ILLINOIS	ILETASB
LEGISLATIVE AUDIT COMMISSION	LAC
LEGISLATIVE CORRESPONDENTS ASSOCIATION	LCA
LEGISLATIVE INFORMATION SYSTEM	LIS
LEGISLATIVE PRINTING UNIT	LPU
LEGISLATIVE REFERENCE BUREAU	LRB
LEGISLATIVE RESEARCH UNIT	LRU
LEGISLATIVE SPACE NEEDS COMMISSION	LSNC
LEGISLATIVE TRAVEL CONTROL BOARD	LTCB
LIEUTENANT GOVERNOR, OFFICE OF THE	OLG
LIQUOR CONTROL COMMISSION, ILLINOIS	LCC
LOCAL GOVERNMENTAL LAW ENFORCEMENT OFFICERS TRAINING	GTB
LOCAL RECORDS COMMISSION	LRC
LOTTERY CONTROL BOARD	LCB
LOTTERY, DEPARTMENT OF	ISL
LOW-LEVEL RADIOACTIVE WASTE TASK GROUP	LLRWTG
MARKETING CENTER	MC
MATH AND SCIENCE ACADEMY, ILLINOIS	IMASA
MEDICAL CENTER COMMISSION	MCC
MEDICAL DISTRICT COMMISSION	IMD
MENTAL HEALTH & DEVELOPMENTAL DISABILITIES, DEPARTMENT OF	DOMHDD
MENTAL HEALTH & DEVELOPMENTAL DISABILITIES, DEPARTMENT OF	DMHDD
MERIT COMMISSION, SECRETARY OF STATE	SOS/MC
MILITARY AFFAIRS, DEPARTMENT OF	DMAIL
MINES AND MINERALS, DEPARTMENT OF	DMM
MOTOR VEHICLE THEFT PREVENTION COUNCIL, ILLINOIS	IMVTPC
NATURAL RESOURCES, DEPARTMENT OF	DNR
NATURE PRESERVE COMMISSION	NPC
NORTHEASTERN ILLINOIS UNIVERSITY	NEIU
NORTHERN ILLINOIS UNIVERSITY	NIU
NUCLEAR SAFETY, ILLINOIS DEPARTMENT OF	IDNS
OCCUPATIONAL INFORMATION COORDINATING COMMITTEE, ILLINOIS	IOICC
OFFICE OF THE STATE'S ATTORNEYS APPELLATE PROSECUTOR	OSAAP
PENSION LAWS COMMISSION	PLC
PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES, ILLINOIS	PCDD
POLLUTION CONTROL BOARD	PCB
PRAIRIE STATE 2000 AUTHORITY	PSA
PRISONER REVIEW BOARD	IPRB
PROCLAMATIONS	N/A
PROCUREMENT POLICY BOARD	PPB
PROFESSIONAL REGULATION, DEPARTMENT OF	IDPR
PROPERTY TAX APPEAL BOARD	PTAB
PUBLIC AID, ILLINOIS DEPARTMENT OF	IDPA

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PUBLIC COUNSEL, OFFICE OF	OOPC
PUBLIC HEALTH, ILLINOIS DEPARTMENT OF	IDPH
PUBLIC OFFICIALS AND EMPLOYEES	POE
RACING BOARD, ILLINOIS	IRB
REGISTRATION AND EDUCATION, DEPARTMENT OF	DRE
REHABILITATION SERVICES, DEPARTMENT OF	DRS
REVENUE, ILLINOIS DEPARTMENT OF	IDOR
RURAL BOND BANK, ILLINOIS	IRBB
SECOND NOTICES RECEIVED	N/A
SECRETARY OF STATE, OFFICE OF THE	SOS
SENATE	SEN
SEX OFFENDER MANAGEMENT BOARD	SOMB
SOUTHERN ILLINOIS UNIVERSITY	SIU
SPORTS FACILITIES AUTHORITY, ILLINOIS	ISFA
STATE BANKING BOARD OF ILLINOIS	SBBI
STATE BOARD OF INVESTMENTS	SBI
STATE EMPLOYEES' RETIREMENT SYSTEM OF ILLINOIS	SER
STATE MANDATES BOARD OF APPEALS	SMBA
STATE POLICE MERIT BOARD	ISPMB
STATE POLICE, ILLINOIS	ISP
STATE RECORDS COMMISSION	SRC
STATE SCHOLARSHIP COMMISSION	SSC
STATE TOLL HIGHWAY AUTHORITY, ILLINOIS	ISTHA
STATE UNIVERSITIES CIVIL SERVICE SYSTEM	SUC
STATE UNIVERSITIES RETIREMENT SYSTEM	SURS
STATE'S ATTORNEYS APPELLATE PROSECUTOR	SAAP
STATE'S ATTORNEYS APPELLATE SERVICE COMMISSION	SAASC
STATEWIDE HEALTH COORDINATING COUNCIL	SWHCC
STUDENT ASSISTANCE COMMISSION, ILLINOIS	ISAC
TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS	TRS
TRANSPORTATION, ILLINOIS DEPARTMENT OF	IDOT
TRAVEL REGULATION COUNCIL	TRC
TREASURER, OFFICE OF THE	OST
UNIVERSITY OF ILLINOIS	UOI
UNIVERSITY OF ILLINOIS COOPERATIVE EXTENSION SERVICE	UOI/CES
UNIVERSITY OF ILLINOIS DIVISION OF SPECIALIZED CARE FOR	UOI/DOSCFD
VETERANS' AFFAIRS, ILLINOIS DEPARTMENT OF	IDVA
WESTERN ILLINOIS UNIVERSITY	WIU

WRITING STYLE

A Part is defined as a unified set of rules, and a Section is defined as a single rule. Therefore, the word “Rule” or the word “Regulation” or the two words together as “Rules and Regulations” shall not be used in the headings of Parts, Subparts and Sections to avoid redundancy.

Try to avoid the following terms:

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Above (as an adjective)
Aforesaid
Aforementioned
And/or (say “subsections (a) or (b) or both”)
Before (as an adjective)
Cognizance
Hereby, herein, hereinafter, hereinbefore, herewith
Provided that
Said (as a substitute for it, he, she)
Same (as a substitute for it, he, she)
To wit
Whatsoever
Whenssoever
Whereas
Wheresoever
Whosoever
Within named

Try to avoid pairs with like meanings:

Any and all
Authorized and empowered
By and with
By and under
Each and all
Each and every
Final and conclusive
Full and complete
Full force and effect
Null and void
Order and direct
Over and above
Rules and regulations (use *Code* terms instead)
Sole and exclusive
Terms and conditions
Terms and limitations
Type and kind
Unless and until

Avoid inclusive word pairs (use either the broad or the narrow term as required)

Any and all
Authorized and directed
Desire and require
Means and includes

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Necessary and desirable

Avoid expressions that may be more clearly stated

<u>Expression to avoid</u>	<u>Use instead</u>
Abeyance	wait, postpone action
Accompanied by	with
Accorded	given
Adequate number of	enough
Admit of	allow
Affix signature of	sign
Afford the opportunity	allow, permit
All of the	all the
And/or	... and... or;... or... or...;
As of the date of this _____	(use the exact date if possible)
At the same	when
Attains the age of _____	becomes _____ years of age
By means of _____ by	
Cause it to be done	have it done
Cease	stop
Commence, institute	start, begin
Contiguous to	next to
Deem	consider
Does not operate to	does not
Due to the fact	because
During such time as	while
During the course of	during
Each, each and every	a, an
Earliest practicable date	use the exact date
Endeavor to	try to
Enter into a contract with	contract
Evince	show
Excessive number of	too many
Finalize	end, finish, complete, or conclude
For the duration of	during
For the purpose of stating (or other verb)	to state (or other verb)
For the reason that	because
Forthwith	immediately
Full and complete	full, complete
Give consideration	consider
Give recognition to	recognize
Have knowledge of	know
Have need of	need
Have the effect of	effect
Hereafter	after this...takes effect

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(i.e.)	that is
Implement	carry out, put into effect
In close proximity to	close to
In compliance with request	as requested
In lieu of	in place of, instead of
In order to	to
Institute	start, begin
In the event that	if
In the interest of	for
Is able to	can
Is applicable	applies
Is authorized to	shall
Is dependent on	depends
Is unable to	cannot
Make application	apply
Make a determination	determine
Make payment	pay
May be treated as	treated
Necessitate	require
No later than	not later than
None whatsoever	none
Obligate	bind
Obligation	debt
Of a after July 1, 1987	after June 30, 1987
On or after July 1, 1987	before July 1, 1987
On the part of	by
Period of time	period, time
Possess	have
Preclude	prevent, shut out
Prior to	before
Procure	purchase, buy, get, obtain
Provisions of Section _____	Section _____
Render (cause to be)	make
Render (give)	give
Shall be considered to be	considered
Shall be deemed to be	deemed
Subsection (9A) of subsection (1) of subsection (a)	subsection (a)(1)(A)
Sufficient number of	enough
Terminate	end
Telephonically	by telephone
The manner in which	how
Under the provision of	under
Until such time as	until
Utilize, employ	use
Verification	proof
Whether or not	whether

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The following words are often confused:

Affect, effect	Only <i>effect</i> is a noun meaning result or condition. Both words are verbs. To <i>effect</i> means to bring about, to achieve; to <i>affect</i> means to influence.
All ready, already	<i>All ready</i> means entirely ready; <i>already</i> means previously.
Amount, number	To count the units, use number . Amount refers to bulk, weight or sums.
Anxious, eager	Anxious implies worry; eager conveys keen desire.
Anyone, and one	Anyone means any person at all. Any one refers to a specific person or thing in a group. Similar forms are everyone – every one and someone – some one .
Between, among	As a rule, between involves two people or two groups; among means three or more.
Capitol, capital	Capitol is the building where the U.S. Congress meets or the building where the state legislature meets. Capital means chief, principal; the seat of government. For example, Springfield is the capital of Illinois where the legislature meets in the capitol .
Continual, continuous	Continual means to occur frequently. Continuous means without stopping.
It's, its	It's is a contraction for it is. Its is a possessive form.
Lie, lay	Lie means to rest in a horizontal position. Lay means to place or put something somewhere.
Maybe, may be	Maybe is an adverb meaning perhaps. May be is a verb form.
Principal, principle	Principal means chief or chief official. Principle means fundamental rule.
Shall, will, may	Shall is used for commands and an <i>obligation to act</i> has been imposed. The subject of a sentence using shall should be an entity capable of decision-making or action. Will indicates intention, promise or willingness. An agency might remind the public that it has a particular power by using “will.” Will also shows an intention to act in the future. May indicates discretion to act and confers a power, right or privilege. When using may , the standards under which the discretion is used must be specified pursuant to the Illinois Administrative Procedure Act.

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Their, there, they're ***Their*** is a possessive pronoun; ***there*** means in that place or, in some clauses, is used when the real subject follows the verb. ***They're*** is a contraction for they are.

Which, who, that ***That*** refers to persons or things; ***who*** to people; ***which*** only to things.