

# Joint Committee on Administrative Rules

## JCAR 101 • Fact Sheet

### ***The JCAR Process***

**Drafting of Rules** Administrative rules are drafted by State agencies.

**First Notice:** The First Notice period commences upon publication of an agency's Notice of Rulemaking in the Illinois Register. First Notice lasts a minimum of 45 calendar days and terminates when the agency files with JCAR, then starting the Second Notice period. **The First Notice period for this rulemaking ends Monday, August 12, 2013.** The only limitation is that a rulemaking expires if not adopted within 1 year after commencement of First Notice. The general public can submit comments on the rulemaking proposal to the agency and a public hearing may or may not be held during this period. The agency can modify the rulemaking during First Notice by submitting a *First Notice Changes* document to JCAR when it gives Second Notice.

**Second Notice:** The Second Notice period starts when the agency files the Second Notice with JCAR and lasts for a maximum of 45 days, unless extended for an additional 45 days by mutual agreement of JCAR and the agency. During the Second Notice Period, review of the rules is conducted first by the JCAR staff and then at a meeting of the legislative members. JCAR reviews the proposed rules for statutory authority, propriety, standards for the exercise of discretion, economic effects, clarity, procedural requirements, technical aspects, etc. If the agency does not choose to modify a rulemaking or if policy differences cannot be resolved during the review process, JCAR can take one of several actions (Recommendation, Objection, Filing Prohibition/Suspension).

### ***Public Notification***

**Illinois Register** is the official State publication through which the public is informed of rulemaking activity. The Illinois Register is prepared by JCAR and published by the Secretary of State every Friday, and can be accessed through the General Assembly website ([www.ilga.gov](http://www.ilga.gov)) or the Secretary of State's website (<http://www.cyberdriveillinois.com/departments/index/register/home.html>). The Register contains First Notice publication of rulemaking proposals, JCAR actions, a list of Second Notices received by JCAR, notices of final adoption of rulemakings, regulatory agendas (in January and July), executive orders and proclamations, and quarterly indexes to the current and previous issues.

### ***Public Participation***

Any interested persons may contact an agency during the First Notice period to record a position on a rulemaking proposal. Most agencies consult with their identified interest groups during the pre-First Notice drafting process. In addition, the public may contact JCAR directly, and frequently does so if the agency refused to modify in response to public comment.

Public comment is vital to the JCAR review process. Frequently, it is only through this comment that the Committee fully recognizes the effect of a rule on the individual, business or local government that has to adhere to it on a daily basis.

Comments can be submitted in the following ways, addressed to the Co-Chairs and cc: Executive Director Vicki Thomas:

- Via email: [jcar@ilga.gov](mailto:jcar@ilga.gov)
- U.S Mail: 700 Stratton Building  
Springfield, IL 62706
- Fax: 217.524.0567

### **JCAR Members**

Senator Don Harmon (Co-Chair)  
Senator Pamela Althoff  
Senator Tony Munoz  
Senator Sue Rezin  
Senator Dale Righter  
Senator Ira Silverstein

Representative Tim Schmitz (Co-Chair)  
Representative Greg Harris  
Representative Lou Lang  
Representative David Leitch  
Representative Donald Moffitt  
Representative Andre Thapedi