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2 SUBTITLE C: ECONOMIC DEVELOPMENT  
3 CHAPTER I: DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY  
4

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6 BUSINESS INTERRUPTION GRANT PROGRAM  
7

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94  
95 Section  
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97 EMERGENCY

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99  
100 AUTHORITY: Implementing Section 605-1050, and authorized by Sections 605-95 and 605-55,  
101 of the Department of Commerce and Economic Opportunity Law [20 ILCS 605].

102  
103 SOURCE: Emergency rules adopted at 44 Ill. Reg. 13111, effective July 21, 2020, for a  
104 maximum of 150 days; emergency amendment to emergency rule at 44 Ill. Reg. 16836, effective  
105 September 29, 2020, for the remainder of the 150 days; emergency amendment to emergency  
106 rule at 44 Ill. Reg. 18607, effective November 6, 2020, for the remainder of the 150 days.

107  
108 SUBPART A: GENERAL PROVISIONS

109  
110 **Section 690.10 Purpose**  
111 **EMERGENCY**

112  
113 The purpose of the Business Interruption Grant Program (Program) is *to provide financial*  
114 *support to businesses that have experienced interruption of business or other adverse conditions*  
115 *attributable to the COVID-19 public health emergency* [20 ILCS 605/605-1050]. Financial  
116 assistance provided through the Program established in this Part shall be consistent with the  
117 requirements of section 5001 of the federal Coronavirus Aid, Relief, and Economic Security Act  
118 (P.L. 116-136) and any rules or guidance issued by the U.S. Department of the Treasury or other  
119 responsible federal agency. The provision of support to for-profit and not-for-profit businesses  
120 that have experienced adversity attributable to the COVID-19 epidemic is necessary response to  
121 the public health emergency. Financial assistance shall be prioritized for communities most in  
122 need of assistance, as determined by numbers or rates of infection and economic measures  
123 identified in this Part. The Program will be implemented in multiple phases of funding.

124  
125 **Section 690.20 Definitions**  
126 **EMERGENCY**

127  
128 "Acutely Distressed Industry" means a business that has annual revenues of \$20  
129 million or less; has been closed or is operating at a significantly diminished  
130 capacity since March 13, 2020; is likely to continue to do so until Phase 5 of the  
131 Restore Illinois Plan; and is a member of a select industry. Select industries  
132 include, but are not limited to, amusement parks, bus operating companies, event

133 venues, indoor recreation, movie theaters, museums, music venues, and  
134 performing arts venues.

135  
136 "Affiliate" means a business that is at least 50% or more owned or controlled by  
137 another person with at least 50% ownership or control. Control is not required to  
138 be exercised to establish an affiliate relationship; it is sufficient for one person to  
139 possess the authority to control the other person to establish an affiliate  
140 relationship.

141  
142 "Allotment Tier" means the classification of a county as either having received a  
143 direct allotment from the CRF or not having received a direct allotment from the  
144 CRF.

145  
146 "Allowable Expenditure" means a necessary expenditure that the Department has  
147 authorized for reimbursement under the Program in accordance with Section 90 of  
148 this Part.

149  
150 "Amusement Park" means a park, fairground, or recreational and entertainment  
151 complex that supplies refreshments and multiple entertainment and recreational  
152 activities, including, but not limited to, amusement parks, theme parks, water  
153 parks, and attractions.

154  
155 "Applicant" means a qualifying business that applies for funding under the  
156 Program.

157  
158 "Barbershops and Salons" means an entity possessing an active license under  
159 Article IIID of the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail  
160 Technology Act of 1985 [225 ILCS 410], or a person possessing an active barber,  
161 cosmetologist, esthetician, nail technician, or hair braider license under that Act  
162 who is self-employed and has no employees or contractors.

163  
164 "Bus Operating Company" means a business that provides, for a third party,  
165 transportation, including the bus and driver, for a group of people from one  
166 location to another. These businesses may provide, but are not limited to, charter  
167 buses, interurban and rural buses, and shuttle services.

168  
169 "Business" means a for-profit enterprise or non-profit organization lawfully  
170 conducting business in Illinois. This term does not include any business that is  
171 prohibited from receiving funds under section 5001(b) of the CARES Act.

172  
173 "CARES Act" means the federal Coronavirus Aid, Relief, and Economic Security  
174 Act (P.L. 116-136).

175  
176 "Cost of Business Interruption" means:

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decreases in revenue caused by closing or limiting access to the business establishment to comply with COVID-19 prevention directives or to otherwise prevent the spread of COVID-19 within the business establishment;

decreases in revenue caused by decreased customer demand as a result of the COVID-19 emergency; or

other revenue reductions approved for reimbursement from the CRF by the U.S. Department of the Treasury.

"COVID-19" means *the novel coronavirus disease deemed COVID-19 by the World Health Organization on February 11, 2020*. [20 ILCS 605/605-1050(g)(1)]

"COVID-19 Emergency" means the national public health emergency declared March 13, 2020.

"COVID-19 Prevention Directives" means all laws, orders, regulations, and guidance relevant to and in effect during the COVID-19 emergency that pertain to preventing the spread of COVID-19, including Executive Orders and preventative guidelines issued by the Illinois Governor, the Illinois Emergency Management Agency, the Department, or the Illinois Department of Public Health.

"CRF" means the Coronavirus Relief Fund established by the CARES Act.

"DCFS" means the Illinois Department of Children and Family Services.

"Department" means the Illinois Department of Commerce and Economic Opportunity.

"Depopulation and Disposal Event" or "DDE" means swine destroyed in a 7-day period at a single location (based on premise ID) due to market supply chain disruption.

"DHS" means the Illinois Department of Human Services.

"Disproportionately Impacted Area" means those ZIP Codes most severely affected by the COVID-19 emergency, to be determined based on positive COVID-19 case per capita rates, and high rates in at least one of the following poverty-related categories relative to other ZIP Codes within their region:

220 share of population consisting of children age 6 to 17 in households with  
221 income less than 125% of the federal poverty level;

222  
223 share of population consisting of adults over age 64 in households with  
224 income less than 200% of the federal poverty level;

225  
226 share of population in household with income less than 150% of the  
227 federal poverty level; and

228  
229 share of population consisting of children ages 5 and under in households  
230 with income less than 185% of the federal poverty level.

231  
232  
233 The Department, using these criteria, may determine different eligibility  
234 thresholds when allocating funding for the Allotment Tiers.

235  
236 "DOA" means the Illinois Department of Agriculture.

237  
238 "Downstate Illinois" includes all counties in the State of Illinois that did not  
239 receive a direct allocation from the Coronavirus Relief Fund. Those counties that  
240 did receive a direct allocation are Cook, DuPage, Kane, Lake, and Will Counties.

241  
242 "Eligible Loan" means *a loan of up to \$50,000 that was deemed eligible for*  
243 *funding under the Department's Emergency Loan Fund Program and for which*  
244 *repayment will be eligible for reimbursement from CRF monies pursuant to*  
245 *section 5001 of the CARES Act and any related federal guidance.* [20 ILCS  
246 605/605-1050(g)(3)]

247  
248 "Emergency Loan Fund Program" means a program implemented *by the*  
249 *Department by which the State Small Business Credit Initiative Fund is utilized to*  
250 *guarantee loans released by a financial intermediary or qualified partner.* [20  
251 ILCS 605/605-1050(g)(4)]

252  
253 "Event Venue" means a business (excluding a higher education institution) that is  
254 engaged in leasing out a location for private events.

255  
256 "Financial Assistance" means financial support to an Illinois business in the form  
257 of a grant, expense reimbursement, or subsidy.

258  
259 "Fitness Center" means a business consisting of at least one fixed establishment  
260 that is open to members or the general public to participate in activities related to  
261 physical fitness at that location, with those activities including:

262

263 instruction, training, or assistance in physical culture, bodybuilding,  
264 exercising, weight loss, figure development, judo, karate, self-defense  
265 training, or any similar activity;

266  
267 access to the business' facilities for self-directed exercise; or

268  
269 membership in any group formed by a physical fitness center for any of  
270 the above purposes.

271  
272 "Food and Beverage Establishment" means a restaurant or bar business enterprise  
273 consisting of at least one establishment that is licensed or otherwise permitted to  
274 sell food or beverages for on-site consumption, and does not include event spaces  
275 or banquet halls, grocery or convenience stores, night clubs or strip clubs, or a  
276 business that derives less than 80% of its gross revenue from food and beverage  
277 sales.

278  
279 "GATA" means the Illinois Grant Accountability and Transparency Act [30 ILCS  
280 708].

281  
282 "GATA Rule" means 44 Ill. Adm. Code 7000.

283  
284 "Indoor Recreation" means a business that provides an indoor facility with usable  
285 indoor space designated for indoor play or fitness activities. These activities  
286 include, but are not limited to, bowling alleys, skating rinks, trampoline parks,  
287 indoor playgrounds, field houses, laser tag, arcades, and indoor sports facilities  
288 (not fitness centers).

289  
290 "Leadership Member" means any:

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293 executive officer of the Department, including the Director, Assistant  
294 Director, Chief Operating Officer, Chief Financial Officer, and Chief of  
295 Staff; or

296  
297 any corporate officer of an independent business entity, including the  
298 president, any vice president in charge of a principal business unit,  
299 division or function, or any "C" level executive, including, but not limited  
300 to, the Chief Executive Officer, Chief Financial Officer, or the Chief  
301 Operations Officer, who is responsible for company-wide decisions or  
302 who performs major policymaking functions.

303  
304 "Livestock Management Facility" means an operation where livestock (swine,  
305 beef cattle, dairy cattle, poultry, sheep, and meat goats) is primarily used in the

306 production of food, fiber, or other products and have been, are, or will be fed,  
307 confined, maintained or stabled for a total of 45 days or more in any 12-month  
308 period.

309  
310 "Microbusiness" means a business with annual sales valued at less than \$100,000  
311 per year with fewer than 10 employees, including the owner.

312  
313 "Movie Theater" means a theater where movies are shown for public  
314 entertainment.

315  
316 "Museum" means an institution or entity located in Illinois that:  
317  
318 is operated by a 501(c)(3) organization (that is not owned or operated by a  
319 government entity);  
320  
321 is operated primarily for educational, scientific, historic preservation,  
322 cultural, or aesthetic purposes; and  
323  
324 owns, borrows, cares for, exhibits, studies, archives, or catalogs property.

325  
326 "Music Venue" means a business entity that provides space for live music  
327 performance, whose primary source of revenue comes from the attendance of  
328 patrons of those performances. These venues often provide:  
329  
330 a defined performance and audience space;  
331  
332 a mixing desk and a public address system;  
333  
334 for the receipt of a cover charge (through ticketing or a front door entrance  
335 fee) from patrons attending a music performance; and  
336  
337 marketing of specific acts through gig listings in printed or electronic  
338 publications, or through event listings in physical or electronic format.

339  
340 "Necessary Expenditure" means an expenditure of funds that is eligible for  
341 reimbursement from the CRF and necessary to:  
342  
343 respond to the COVID-19 emergency; or  
344  
345 reimburse the cost of business interruption.

346



347 "Non-Profit Organization" means an organization that is registered as a non-profit  
348 corporation with the Illinois Secretary of State.

349  
350 "Performing Arts Venue" means a business that provides space for various  
351 performing arts, including music, dance, drama, or similar presentations. These  
352 venues exclude organizations that primarily operate as an educational institution.

353  
354 "Premises ID" means the standardized unique identifier that is permanently  
355 assigned to a physical location by the U.S. Department of Agriculture (USDA).

356  
357 "Program" means the financial assistance program funding opportunities  
358 administered by the Department and implemented in this Part. The Department  
359 may implement financial assistance programs in cooperation with DHS and DOA  
360 to more effectively target specific industries.

361  
362 "Program Participant" means the business that receives financial assistance under  
363 the Program.

364  
365 "Qualified Non-profit Organization" means a community-based organization that  
366 is a certified non-profit under State or federal laws, located in modest and low-  
367 income census tracts, with a demonstrable record of serving diverse, underserved,  
368 and minority-owned small businesses.

369  
370 "Qualifying Business" means *a business or organization that experienced or is*  
371 *experiencing business interruption due to the COVID-19 public health emergency*  
372 *and for which provision of financial assistance under the Program is eligible for*  
373 *reimbursement as prescribed by section 601(a) of the Social Security Act (42*  
374 *USC) as added by section 5001 of the CARES Act, or other federal legislation*  
375 *addressing the COVID-19 emergency. A qualifying business includes self-*  
376 *employed individuals and independent contractors. [20 ILCS 605/605-*  
377 *1050(g)(2)]*

378  
379 "Qualified Partner" means *a financial institution or nonprofit with which the*  
380 *Department, or another State agency pursuant to an intergovernmental agreement*  
381 *with the Department, has entered into an agreement or contract to provide or*  
382 *incentivize assistance to qualifying businesses. [20 ILCS 605/605-1050(g)(5)]*

383  
384 "Qualifying Small Business" means a small business that is a qualifying business,  
385 as those terms are defined in this Section.

386  
387 "Restore Illinois Plan" means the framework announced by the Governor of the  
388 State of Illinois to safely reopen Illinois in five phases, with any modifications to  
389 that plan.

390

391 "Severely Disproportionately Impacted Area" means a disproportionately  
392 impacted area that has experienced heightened adverse economic conditions since  
393 March 13, 2020, which may include high rates of business closures or losses,  
394 unemployment, poverty rates, or other economic factors.

395  
396 "Small Business" means a business enterprise that:

397  
398 is physically operating in Illinois;

399  
400 generated 51% or more of its revenue in Illinois in 2019; and

401  
402  
403 has fewer than 250 full-time employees prior to March 13, 2020 or is not  
404 dominant in its field within Illinois, as determined by the Department.

405  
406 "Uniform Guidance" means the Uniform Administrative Requirements, Cost  
407 Principles, and Audit Requirements for Federal Awards, codified at 2 CFR 200,  
408 as amended.

409  
410 **Section 690.30 GATA Requirements**

411 **EMERGENCY**

412  
413 a) The Program established in this Part is subject to the Grant Accountability and  
414 Transparency Act [30 ILCS 708], with any exceptions granted.

415  
416 b) To the extent the Program is implemented using Grant Agreements, at minimum  
417 the following provisions of the Uniform Guidance apply to grant recipients: 2  
418 CFR 200.303 and 330 through 332.

419  
420 **Section 690.40 Qualified Partners**

421 **EMERGENCY**

422  
423 a) The Department may enter into Grant Agreements, contracts, or intermediary  
424 agreements with qualified partners to implement the Program. The nature of the  
425 services provided by the qualified partner shall determine whether the  
426 arrangement is a grant, procurement, or other relationship. The Department may  
427 award grants to qualified partners to provide financial assistance to qualifying  
428 businesses or contract with qualified partners to secure services to implement the  
429 Program.

430  
431 b) A qualified partner shall include a non-profit agency or organization registered to  
432 conduct business in the State of Illinois or a financial institution that has  
433 demonstrated experience providing financing or services to businesses or  
434 residents located in disproportionately impacted areas.

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- c) An agreement with a qualified partner shall specify the qualified partner's responsibility, if any, for determining eligibility for financial assistance and monitoring program participants for compliance with Program requirements.
- d) Nothing in this Part shall restrict the Department from securing services from entities other than qualified partners to assist in implementing the Program.

**Section 690.50 Identifying Disproportionately Impacted Areas**

**EMERGENCY**

- a) The Department will allocate funding within the Program such that no less than 30% will be provided to qualifying businesses located in disproportionately impacted areas. The Department will determine which ZIP Codes constitute disproportionately impacted areas based on available COVID-19 case information and economic data at the time it announces funding opportunities under the Program, and areas may be added or removed from prioritization based on changes in relative COVID-19 rates and economic distress.
- b) Within each Allotment Tier, the Department will rank each ZIP Code by COVID-19 cases per capita and by each of the poverty-related criteria. ZIP Codes with moderate, high, and very high COVID-19 cases per capita will be considered to be disproportionately impacted areas if they also have moderate to high rates of economic distress, as demonstrated by high rates within at least one of the poverty-related criteria (see Section 690.20 (Disproportionately Impacted Area)). The Department will include areas with significantly higher rates of COVID-19 cases per capita and lower levels of the poverty-related criteria, as well as areas with significantly higher levels of the poverty-related criteria and lower relative COVID-19 cases per capita.
- c) The Department will reserve funding opportunities for qualifying businesses located in or predominantly serving severely disproportionately impacted areas.

**Section 690.60 Form of Financial Assistance**

**EMERGENCY**

Financial assistance under the Program may be in the form of a grant, subsidy, or expense reimbursement. Regardless of the form of assistance, a program participant shall be obligated to comply with requirements set forth in this Part and in any agreement or certification executed as part of applying for financial assistance.

**Section 690.70 Financial Assistance Application Process**

**EMERGENCY**

- 479 a) The Department will announce funding availability and application procedures on  
480 its website as funding opportunities are made available. The Department may  
481 direct prospective applicants to apply via qualified partners or another State  
482 agency that has agreed to implement a financial assistance program for a  
483 particular industry.  
484
- 485 b) As part of applying for financial assistance, applicants may be required to  
486 complete an application form and sign a certification that attests to eligibility for  
487 the Program and conditions funding on compliance with programmatic  
488 requirements.  
489
- 490 c) Applicants will be required to demonstrate eligibility for the funding. Supporting  
491 documents required for the application may include, but are not limited to:  
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- 493 1) applicant's 2018 (for applications prior to August 15, 2020) or 2019  
494 income tax return;
  - 495
  - 496 2) completed W-9 form;
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  - 498 3) proof of eligible necessary expenditures;
  - 499
  - 500 4) information or records identifying the applicant and its owners;
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  - 502 5) proof of licensure, if applicable;
  - 503
  - 504 6) DUNS number or other unique identifier requested by the Department;
  - 505
  - 506 7) any other information or proof necessary to confirm the existence of the  
507 applicant and its eligibility to participate in the Program.  
508
- 509 d) Completed application materials must be signed by the applicant's authorized  
510 representative and received by the Department, or the entity processing the  
511 application, by the announced deadline for the submission of applications.  
512

513 **Section 690.80 Selection Process**

514 **EMERGENCY**

515  
516 The Department, its qualified partners, or other State agencies administering parts of the  
517 Program will select recipients of financial assistance using competitive scoring, first-come first-  
518 served basis, lotteries, or discretionary selection procedures set forth in a financial assistance  
519 opportunity notice. The method of selection may vary based on industry and population served to  
520 maximize the effectiveness of the amount of financial assistance available and the equitable  
521 distribution of financial assistance among disproportionately impacted areas and other impacted  
522 areas, industries, and businesses.

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**Section 690.90 Eligibility Requirements and Allowable Expenditures**  
**EMERGENCY**

- a) The following business types are excluded from the Program:
  - 1) a private club or business that limits membership for reasons other than capacity;
  - 2) a government-owned business entity (except for businesses owned or controlled by a Native American tribe);
  - 3) a business that derives at least 33% of its gross annual revenue from legal gambling activities, unless, subject to the Department's approval, the business is a restaurant with gaming terminals;
  - 4) a business engaged in pyramid sales, in which a participant's primary incentive is based on the sales made by an ever-increasing number of participants; or
  - 5) payday lenders.
- b) A business shall be ineligible to participate in the Program if it:
  - 1) did not comply with COVID-19 prevention directives;
  - 2) is delinquent on payment of any State of Illinois tax obligation;
  - 3) is on the Illinois Stop Payment List or in default of any contractual obligation to the Department, DHS, or DOA;
  - 4) is engaged in a business that is unlawful under Illinois or federal law;
  - 5) has already received assistance under the Program, unless the Department allocates funding specifically for severely impacted businesses that have already received assistance;
  - 6) is on the federal System for Award Management excluded parties list; or
  - 7) does not meet any other eligibility criteria established in a financial assistance application.

- 565 c) Allowable expenditures must be incurred on or after March 1, 2020 and by the  
566 deadline identified in any announcement or certification applicable to any  
567 financial assistance opportunity.  
568
- 569 d) Ineligible expenditures include:  
570
- 571 1) expenses that have been or will be reimbursed under any State, local, or  
572 federal program, such as expense or losses that were reimbursed by a loan  
573 forgiven under the CARES Act's Payroll Protection Program;  
574
  - 575 2) damages covered by insurance;  
576
  - 577 3) expenditures prohibited by section 5001(b) of the CARES Act;.  
578
  - 579 4) reimbursement to donors for donated items or services;  
580
  - 581 5) workforce bonuses other than hazard pay or overtime;  
582
  - 583 6) severance pay;  
584
  - 585 7) legal settlements; or  
586
  - 587 8) any other expense not reasonably incurred due to the COVID-19  
588 emergency.  
589
- 590 e) Expenses shall be submitted to the State agency or qualified partners for review,  
591 either as part of the application process or following selection for financial  
592 assistance. Expenses shall be reviewed for eligibility and funding will be provided  
593 to program participants after verifying allowable expenditures.  
594

595 **Section 690.100 Reporting, Cooperation, and Record Retention**  
596 **EMERGENCY**  
597

- 598 a) Program participants shall not deviate from the budget, project scope, or  
599 objectives stated in the financial assistance agreement or certification, except with  
600 prior approval of the Department and any qualified partner or other State agency  
601 administering the Program.  
602
- 603 b) On or before March 31, 2021, Program participants shall submit a report to the  
604 Department on the use of financial assistance, in relation to the project and initial  
605 budget, and any information about the impact of the Program requested by the  
606 Department.  
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- 608 c) Program participants shall:

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- 1) permit access to their premises, and inspection of records relating to the Program, to any lawful governmental authority, including, but not limited to, the Department, DHS, DOA, the Illinois Attorney General, the Illinois Auditor General, the Illinois Office of the Executive Inspector General, the Office of Inspector General of the U.S. Department of the Treasury; and
- 2) cooperate in any audit, monitoring, or investigation relating to the Program.
- d) Program participants shall retain records relating to the Program until at least December 31, 2026, unless another retention period is set forth in the financial assistance agreement or certification or until after the conclusion of all litigation, claims, or audit exceptions involving the records have been resolved and final action taken.
- e) Participation in the Program requires a business to have complied with, and remain in compliance with, all laws, orders, and regulations that are relevant to operation of the business, including the COVID-19 Prevention Directives.

**Section 690.110 Noncompliance  
EMERGENCY**

A Program participant shall return all funds provided under the Program if it makes any material misrepresentation in applying for, or reporting on, the use of financial assistance or if it does not comply with any requirements in this Part or breaches any material term of the financial assistance agreement or certification. A material term is any term that relates to eligibility for Program participation, reimbursement under the CRF, or compliance with State and federal law, including COVID-19 Prevention Directives. Recovery of funds in the event of noncompliance may be effectuated by any means authorized under Illinois law, including the Grant Funds Recovery Act [30 ILCS 705] for any financial assistance in the form of a grant.

SUBPART B: FINANCIAL ASSISTANCE TO SEVERELY  
IMPACTED AREAS, BUSINESSES, AND INDUSTRIES

**Section 690.120 Prioritizing Severely Impacted Businesses and Industries  
EMERGENCY**

- a) The Department will provide targeted funding opportunities for industries and businesses most impacted by the COVID-19 emergency. In determining which industries and businesses to prioritize, the Department will consider the impact of compliance with the COVID-19 Prevention Directives on business operations or impact of the COVID-19 emergency on the workforce. The Department will also

653 prioritize funding to qualifying small businesses. The targeted funding  
654 opportunities will be announced on the Department's website.

655  
656 b) Targeted funding opportunities to qualifying businesses will include financial  
657 assistance to:

- 658  
659 1) Bars and restaurants that: earned between \$80,000 and \$3 million in  
660 revenue in 2019, or a pro-rated amount of revenue if the establishment  
661 was in business for less than the entire year; operated for at least the three  
662 months prior to March 2020; did not provide outdoor food and beverage  
663 service during phase 3 of the Restore Illinois Plan; and incurred necessary  
664 expenditures of at least \$10,000 since March 21, 2020.  
665  
666 2) Businesses in severely disproportionately impacted areas that: earned  
667 between \$80,000 and \$2 million in revenue in 2019, or a pro-rated amount  
668 of revenue if the establishment was in business for less than the entire  
669 year; operated for at least the three months prior to March 2020; and  
670 incurred necessary expenditures of at least \$10,000 since March 21, 2020.  
671  
672 3) Barbershops and salons that: earned between \$80,000 and \$500,000 in  
673 revenue in 2019, or a pro-rated amount of revenue if the establishment  
674 was in business for less than the entire year; operated for at least the three  
675 months prior to March 2020; and incurred necessary expenditures of at  
676 least \$10,000 since March 21, 2020.  
677  
678 4) Fitness centers that: earned between \$80,000 and \$2 million in revenue in  
679 2019, or a pro-rated amount of revenue if the establishment was in  
680 business for less than the entire year; operated for at least the three months  
681 prior to March 2020; incurred necessary expenditures of at least \$10,000  
682 since March 21, 2020; and operated out of a single permanent location.  
683  
684 5) Qualifying small business having experienced severe impacts during the  
685 COVID-19 emergency, in particular those whose return to normal activity  
686 is limited by phases of the Restore Illinois Plan or COVID-19 Prevention  
687 Directives.  
688

689 **Section 690.130 Applicant Affiliations**  
690 **EMERGENCY**

691  
692 In a financial assistance opportunity that may be applied for on or after July 21, 2020, a business'  
693 revenue and headcount shall include that of any parent company, affiliate, and subsidiary for the  
694 purposes of any revenue or employee headcount eligibility criteria set forth in this Subpart.  
695



697 THROUGH THE CHILD CARE RESTORATION GRANTS PROGRAM

698  
699 **Section 690.140 Requirements for Child Care Restoration Grants**  
700 **EMERGENCY**

701  
702 In order to qualify for a Child Care Restoration Grant, the applicant must:

- 703
- 704 a) be a licensed child care provider holding a valid day care license from DCFS (see  
705 89 Ill. Adm. Code 406, 407 or 408).
  - 706 b) regularly provide full-day, year-round child care services.
  - 707 c) typically rely on private-pay tuition receipts and/or payments through the Child  
708 Care Assistance Program (CCAP) for at least 25% of its revenues.
  - 709 d) be open and receiving children at the time of application.
  - 710 e) comply with all COVID-19 requirements outlined in DCFS rules for child care  
711 providers.
  - 712 f) certify that their operating capacity has been reduced due to the group size and  
713 restrictions imposed by DCFS emergency rules.
- 714  
715  
716  
717  
718  
719

720 **Section 690.150 Calculation of Child Care Restoration Grant Award Amounts**  
721 **EMERGENCY**

- 722
- 723 a) Grant amounts will be determined based on four factors:  
724
    - 725 1) The licensed capacity of the applicant, as indicated on its day care license  
726 as of March 1, 2020. If the applicant received its license after March 1,  
727 2020, then its grant award amount will be determined based on its licensed  
728 capacity as of the date of its application.
    - 729 2) The applicant's current Circle of Quality in the ExceleRate Illinois Quality  
730 Rating and Improvement System (see 23 Ill. Adm. Code 235.65).
    - 731 3) The CCAP county grouping in which the applicant is located.
    - 732 4) Whether the applicant is in a disproportionately impacted area.
  - 733 b) If an applicant is located in a disproportionately impacted area, its grant amount  
734 will be increased by 10%.
- 735  
736  
737  
738  
739

- 740 c) The first round of grants will be issued between July 1, 2020 and September 30,  
741 2020. If funds allow, a second round of grants will be made in September 2020 to  
742 cover the period of October 1, 2020 through November 30, 2020. The amount of  
743 the grants will be determined using the same criteria as the first round (see  
744 Section 690.140).  
745

746 **Section 690.160 Eligible Expenses**

747 **EMERGENCY**

- 748
- 749 a) Grant awards may be used to cover any operational cost that is not otherwise  
750 covered by a grant or refundable loan from any source (e.g., Paycheck Protection  
751 Program, Economic Disaster Injury Loan, other disaster relief, Head Start or Early  
752 Head Start, Early Childhood Block Grant, philanthropic grants) and is eligible for  
753 reimbursement through the CRF.  
754
- 755 b) Examples of eligible operational costs include, but are not limited to, staff wages  
756 and benefits, occupancy costs, materials and supplies, and professional services.  
757

758 **Section 690.170 Reporting Requirements**

759 **EMERGENCY**

- 760
- 761 a) Program participants shall provide monthly expenditure reports documenting how  
762 grant funds were used. Reporting will be in a format determined by DHS.  
763 Expenditure reports will be due the 15<sup>th</sup> of the month following the month of  
764 expenditure. Documented expenses will be reconciled with grant funds received  
765 on a quarterly basis.  
766
- 767 b) Program participants shall provide a final expenditure report of all grant funds by  
768 December 15, 2020.  
769

770 **Section 690.180 Monitoring**

771 **EMERGENCY**

772

773 Program participants will be monitored for compliance with contractual obligations, applicable  
774 administrative rules, and legislation, ensuring that Child Care Restoration Grant funds are spent  
775 appropriately as specified in the financial assistance agreement/certification. Monitoring may  
776 include desk reviews and on-site reviews of the Program participant.  
777

778 **SUBPART D: FINANCIAL ASSISTANCE THROUGH**  
779 **THE LIVESTOCK MANAGEMENT FACILITIES GRANT PROGRAM**

780

781 **Section 690.200 General Provisions of the Livestock Management Facilities Program**

782 **EMERGENCY**

783

- 784 a) Applicants for livestock management facilities financial assistance must submit  
785 an application to DOA for one of the following programs:  
786
- 787 1) Swine Depopulation Program (SDP)  
788 The Swine Depopulation Program covers the costs and expenses of swine  
789 producers associated with the depopulation and disposal of livestock due  
790 to the disruption of the livestock market caused by the COVID-19  
791 emergency.  
792
- 793 2) Agriculture Business Interruption Program (ABIP)  
794 The Agriculture Business Interruption Program covers monetary losses of  
795 livestock producers due to the disruption of the livestock market caused by  
796 the COVID-19 emergency.  
797
- 798 3) Meat and Poultry Capacity Program (MPCP)  
799 The Meat and Poultry Capacity Program covers costs for operations and  
800 costs associated with facility improvements necessary to decrease or  
801 eliminate COVID-19 related slowdowns and mitigate capacity reductions.  
802
- 803 b) Applicants are only permitted to apply to one program established in this Subpart.  
804
- 805 c) Applicants must comply with all relevant State and federal laws and rules,  
806 including prevailing wage requirements, when applicable.  
807
- 808 d) Applications must be received by DOA on or before the deadline indicated on the  
809 application.  
810
- 811 e) DOA will determine, on a continuing basis, the amount of money allocated to  
812 each program established in this Subpart and may eliminate payments for a  
813 program at any time based on continuing review and assessment of the following  
814 factors:
- 815
- 816 1) Initially received applications;  
817
- 818 2) Relevant industry's analysis and appraisal of the greatest need for  
819 allocation; and  
820
- 821 3) Additional information that becomes available to DOA.  
822

823 **Section 690.210 Swine Depopulation Program**  
824 **EMERGENCY**  
825

- 826 a) In order to qualify for financial assistance under the Swine Depopulation  
827 Program, an applicant must be a livestock owner or producer that experienced  
828 financial loss as the result of a depopulation and disposal event.  
829
- 830 b) Applicants for the SDP are eligible to receive financial assistance for costs  
831 associated with a DDE that occurred on or after April 15, 2020, under the  
832 following conditions:  
833
- 834 1) An applicant may receive up to \$135 for each 1000 pounds of disposed  
835 carcasses.  
836
  - 837 2) An applicant is eligible to receive up to \$10,000.  
838
  - 839 3) An applicant may apply for financial assistance for no more than 5 DDEs.  
840
  - 841 4) An applicant who received financial assistance for carcass disposal from  
842 the USDA Environmental Quality Incentives Program is ineligible for the  
843 SDP.  
844
  - 845 5) If an applicant is located in a disproportionately impacted area, the amount  
846 of financial assistance will be increased by 10%.  
847
- 848 c) Applicants of the SDP must submit the following documentation:  
849
- 850 1) Completed application;  
851
  - 852 2) IRS Form W-9;  
853
  - 854 3) Certification from the applicant attesting that:  
855
    - 856 A) The disposal of carcasses complied with the Illinois Dead Animal  
857 Disposal Act [225 ILCS 610];  
858
    - 859 B) The applicant did not receive financial assistance for carcass  
860 disposal from the USDA Environmental Quality Incentives  
861 Program; and  
862
    - 863 C) Depopulation was the only option because of market supply chain  
864 disruption caused by the COVID-19 emergency.  
865
  - 866 4) Certification from a veterinarian containing the following:  
867
    - 868 A) Confirmation of a veterinarian-client-patient relationship;  
869

- 870 B) Confirmation that the veterinarian has reviewed the applicant's
- 871 records and that the records accurately depict the number and
- 872 weight of the applicant's animals at the time of depopulation; and
- 873
- 874 C) Attestation that euthanasia practices were consistent with
- 875 American Veterinary Medical Association guidelines.
- 876
- 877 5) Inventory records documenting total site inventories and dates and
- 878 location of depopulation and disposal.
- 879

880 **Section 690.220 Agriculture Business Interruption Program**  
881 **EMERGENCY**

- 882
- 883 a) In order to qualify for financial assistance under the Agriculture Business
- 884 Interruption Program, an applicant must be a livestock owner or producer that
- 885 experienced monetary losses due to the disruption of the livestock market caused
- 886 by the COVID-19 emergency.
- 887
- 888 b) Financial assistance for losses incurred due to market disruption will be based on
- 889 the following calculations:
- 890
- 891 1) Swine (market ready hogs greater than 280 lbs.) – \$8/head. Pricing is
- 892 calculated based on a 15-day holding period. Culled breeding stock and
- 893 sow abortions are not eligible.
- 894
- 895 2) Beef cattle (market ready fed cattle greater than 1,200 lbs.) – \$30/head.
- 896 Pricing is calculated at 50% of a 15-day holding period. Culled breeding
- 897 stock is not eligible.
- 898
- 899 3) Dairy cattle (market ready animal or product) – \$1.00/hundredweight
- 900 (cwt). Pricing is calculated based on the producer's production records.
- 901
- 902 4) Lamb (less than 2 years of age) – \$4/head.
- 903
- 904 5) Poultry – \$3/head.
- 905
- 906 6) Meat Goats – \$4/head.
- 907
- 908 c) Financial assistance under the ABIP will be issued under the following
- 909 conditions:
- 910
- 911 1) An applicant is eligible to receive up to \$10,000 total under ABIP.
- 912

- 913 2) Eligible expenses are increased input costs and expenses associated with  
914 holding animals and animal-related products for an extended period of  
915 time, based on the calculations set forth in this Section, due to the  
916 disruption of the livestock market that occurred between April 15 and May  
917 15, 2020.  
918  
919 3) If an applicant is located in a disproportionately impacted area, the amount  
920 of financial assistance will be increased by 10%.  
921  
922 d) Applicants for ABIP must submit the following documentation:  
923  
924 1) Completed application;  
925  
926 2) IRS Form W-9;  
927  
928 3) Certification from the applicant verifying applicable losses due to the  
929 disruption in the market; and  
930  
931 4) Inventory records documenting total site inventories and sales  
932 information.  
933

934 **Section 690.230 Meat and Poultry Capacity Program**  
935 **EMERGENCY**  
936

- 937 a) To be eligible to receive financial assistance under the Meat and Poultry Capacity  
938 Program, applicants must meet the following conditions:  
939  
940 1) The applicant must be:  
941  
942 A) A USDA licensed, State licensed, or custom exempt slaughter  
943 and/or processing facility; or  
944  
945 B) A slaughter and/or processing facility that submitted an application  
946 for licensure to USDA or the State prior to the MPCP application  
947 deadline;  
948  
949 2) The applicant must employ no more than 60 total employees;  
950  
951 3) The applicant's license must be registered and in good standing with the  
952 Illinois Secretary of State;  
953  
954 4) The applicant's proposed or existing facility must be located in the State of  
955 Illinois;  
956

- 957 5) Expenses for approved projects must be accrued and all required  
958 documentation for reimbursement must be received by DOA by the date  
959 indicated on the application; and  
960
- 961 6) An entity/facility is only permitted to submit one application for  
962 reimbursement under this program.  
963
- 964 b) Financial Assistance received under MPCP may be used for:  
965
- 966 1) Costs related to expansion or improvement of an existing facility;  
967
- 968 2) Fixtures or equipment necessary to expand animal throughput, processing  
969 capacity, the amount or type of products produced, or processing speed;  
970
- 971 3) Engineering controls/barriers to reduce disease spread, including, but not  
972 limited to, plexiglass barriers/partitions, expansion of work spaces and  
973 breakrooms/cafeterias, and ventilation improvements to improve airflow;  
974
- 975 4) Development of administrative controls (policies, procedures, training and  
976 workplace practices) to reduce disease spread, including, but not limited  
977 to, development of masking, screening and disinfection policies, standard  
978 operating procedures, and additional training. This may also include the  
979 resources necessary to execute these policies and procedures, including,  
980 but not limited to, facial coverings, facial shields, thermometers, hand  
981 washing stations and supplies, hand sanitizers and dispensers,  
982 environmental disinfection supplies, multilingual signage, videos and/or  
983 infographics on COVID-19 related information, and policies and  
984 procedures; and  
985
- 986 5) Equipment necessary for compliance with the federal hazard analysis and  
987 critical control point (HACCP) plan.  
988
- 989 c) Financial assistance received under MPCP cannot be used for:  
990
- 991 1) Wages or salaries;  
992
- 993 2) Travel costs;  
994
- 995 3) Any part of a project that has already been reimbursed by another federal  
996 or State grant program;  
997
- 998 4) Purchase of a building/facility; or  
999
- 1000 5) Land acquisition or associated fees.

- 1001  
1002 d) Financial Assistance under MPCP will be issued under the following conditions:  
1003  
1004 1) An applicant, including any parent company, affiliate, and subsidiary, is  
1005 eligible to receive up to \$25,000.  
1006  
1007 2) Eligible payments will be made after the applicant provides DOA with  
1008 documentation demonstrating that expenses for eligible projects have been  
1009 accrued.  
1010  
1011 3) If an applicant is located in a disproportionately impacted area, the amount  
1012 of financial assistance will be increased by 10%.  
1013  
1014 e) Applicants for MPCP shall submit the following documentation:  
1015  
1016 1) Completed application;  
1017  
1018 2) IRS Form W-9; and  
1019  
1020 3) Certification from the applicant verifying eligible expenses, as set forth in  
1021 subsection (b), and attesting that no part of the project has been  
1022 reimbursed by another federal or State grant program.  
1023

1024 **Section 690.240 Reporting Requirements**

1025 **EMERGENCY**

1026  
1027 If applicable, program participants shall provide a final expenditure report to DOA no later than  
1028 December 31, 2020 in a format determined by DOA. This date could be extended based on  
1029 extenuating circumstances. Documented expenses will be reconciled with funds received.  
1030

1031 **Section 690.250 Monitoring**

1032 **EMERGENCY**

1033  
1034 Program participants will be monitored for compliance with contractual obligations, applicable  
1035 administrative rules, and legislation, ensuring that Livestock Management Facilities Program  
1036 funds are spent appropriately. Monitoring may include desk reviews, correspondence with  
1037 certifying veterinarians, and on-site reviews of the Program participant.  
1038

1039 **SUBPART E: REPAYMENT OF ELIGIBLE LOANS**  
1040 **UNDER THE EMERGENCY LOAN FUND PROGRAM**

1041 **Section 690.300 Eligibility**

1042 **EMERGENCY**

1043  
1044



1045 A qualifying business that applied for an eligible loan under the Department's Emergency Loan  
1046 Fund Program during March 2020 shall be eligible for financial assistance under the Business  
1047 Interruption Grant Program providing the business has met the minimum criteria established by  
1048 that Program. Financial assistance will include either a loan repayment for borrowers who have  
1049 outstanding debts under the Emergency Loan Fund Program or a grant for applicants who  
1050 ultimately were not awarded a loan.

1051

1052 **Section 690.310 Selection Process**

1053 **EMERGENCY**

1054

1055 a) Subject to the availability of funds, the Department and its qualified partner will  
1056 announce, to eligible businesses, fund availability and the application procedures  
1057 for financial assistance via its website and other communication mediums. The  
1058 application shall identify the information and supporting documentation  
1059 applicants must include in their requests for financial assistance. The  
1060 Department's qualified partner shall accept the applications for financial  
1061 assistance.

1062

1063 b) Each application for financial assistance shall include a request for the following  
1064 information:

1065

1066 1) The amount of funds borrowed by the applicant from the Department's  
1067 Emergency Loan Fund Program and how much remains unpaid;

1068

1069 2) The amount of costs and losses experienced by the applicant's business  
1070 from March 1, 2020 until the present;

1071

1072 3) The amount of funds received from other CARES Act-funded programs  
1073 by the applicant;

1074

1075 4) 2020 bank statements; and

1076

1077 5) Any other information requested by the Department or its qualified partner  
1078 to assist in determining eligibility under the Program, the offering of  
1079 financial assistance to an applicant, and the type of assistance that may be  
1080 offered.

1081

1082 c) Under the Emergency Loan Fund Program, borrowers who have costs and losses  
1083 equal to or greater than the loan amount outstanding shall qualify to receive an  
1084 award of equal value that repays the outstanding loan amount. Applicants of the  
1085 Program who were never awarded a loan and are currently on the waitlist for an  
1086 emergency loan may qualify to receive financial assistance equal to \$10,000 or  
1087 \$20,000 if the scale of costs and losses experienced since March are equal to or

1088 greater than the available award. The number of awards available to applicants  
1089 will be based on the availability of funds set aside for this Program.

1090

1091 **Section 690.320 Priority Status**

1092 **EMERGENCY**

1093

1094 Priority for financial assistance under this Program shall be given to borrowers first. After  
1095 eligible borrowers are offered financial assistance, priority will be given to businesses who  
1096 applied but did not receive a loan under the Program that are located in a disproportionately  
1097 impacted area, did not receive financing under the Paycheck Protection Program, or are located  
1098 in downstate Illinois. If Program funds remain unobligated after the initial disbursement to the  
1099 previously mentioned groups, the Department's qualified partner will select additional recipients  
1100 from applicants of the Program, utilizing a lottery method.

1101

1102 **SUBPART F: FINANCIAL ASSISTANCE TO**

1103 **ACUTELY DISTRESSED INDUSTRIES**

1104

1105 **Section 690.400 Prioritizing Acutely Distressed Industries**

1106 **EMERGENCY**

1107

1108 a) The Department will provide a Program offering funding opportunities to acutely  
1109 distressed industries that meet the minimum requirements established under this  
1110 Program and the CARES Act. The Department will be responsible for  
1111 determining which industries shall be designated as an acutely distressed industry.  
1112 To determine which applicants will qualify as a member of an acutely distressed  
1113 industry, the Department will establish and provide to its qualified partners  
1114 evaluation criteria that will include, but are not limited to, the following:

1115

1116 1) intent and purpose of the enabling legislation;

1117

1118 2) State and federal guidelines regarding COVID-19;

1119

1120 3) data from the Illinois Department of Public Health and other reputable  
1121 sources; and

1122

1123 4) any other factors deemed necessary to reach the most impacted businesses  
1124 and industries.

1125

1126 b) The Department will limit the amount of financial assistance available to a  
1127 qualifying business under this prioritization to no more than \$150,000. A  
1128 subaward under this program shall be determined based on the availability of  
1129 funds and the value of eligible costs and losses incurred by the qualifying  
1130 business.

1131

SUBPART G: TECHNICAL ASSISTANCE

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**Section 690.500 Set-Aside for Technical Assistance  
EMERGENCY**

The Department shall utilize funds from the State Coronavirus Urgent Remediation Emergency (CURE) Fund to implement a program that will provide financial assistance to qualified non-profit organizations to provide technical assistance to diverse, underserved and minority-owned small businesses. Technical assistance will be provided to increase the awareness of, and to assist in the procurement of, financial assistance under the Business Interruption Grant Program and other relevant resources.