**Section 178.40 Sale of Information**

a) Information concerning any limited liability company shall be available to the public from the Department of Business Services upon written request, or by telephone or in person, or, if technology is available, on line through interactive computer.

b) Information in the form of an abstract of record concerning the limited liability companies on file with the Department shall be printed from the computer file of the Department, and shall consist of the limited liability company name, its date of formation, any assumed name, its registered agent, the address of the office at which the records are maintained, the latest date (if any) at which the limited liability company will dissolve, the foreign jurisdiction where formed (if applicable), the date of filing with the Department, the members' and/or managers' names and addresses and the file number with the Department. The fee for each abstract or record shall be $25.

c) Computer connections by non-department users

1) Computer terminal connections to the Secretary's computer may be provided to other State agencies. This service may be made available at no charge so long as the requesting agency commits to pay all costs and so long as the service does not substantially increase costs or network traffic on the Secretary's computer.

2) Computer terminal connection may be allowed to commercial users provided that all costs are borne by the commercial user. The allowance of computer terminal connections shall be contingent upon the best interests of the Office of the Secretary of State, which is based upon the volume of requests received, the computer terminal connections as opposed to other methods, and other factors that may impede the operations of the Office of the Secretary of State. This service will be suspended at anytime, should the connection interfere with the Secretary's internal work schedule and processing.

3) Fees for information supplied by means of computer connections between the Secretary of State's computers and those of any other agency, corporation, or person may be paid on a monthly basis for all information delivered during that month, as determined by the Secretary and the agency or person to be the most economic way of billing. The proper fee shall be determined by negotiation between the agency or commercial user and the Director based upon telephone line charges, rental or purchase fees for terminals, and other appropriate factors, such as statutory fees for certain types of information and the requirements of this Subpart.

4) No user may reproduce any list or abstract from the computer connection. Lists of LLCA information including the names and information concerning all limited liability companies may only be purchased pursuant to the provisions of this Part. Computer connections are to be used only to look up information. No changes on the Department's LLCA files may be made by any computer connection user.

d) Terms and conditions for computer maintained LLCA information

1) The information supplied by the Department to other agencies, commercial users, or other persons shall be in the abstract format only, as specified in subsection (b) of this Section.

2) The fee for the entire file of current and dissolved limited liability companies, and assumed names, shall be $1,500. The monthly update shall cost $400 per update. The update is available through modem access only. If the file is purchased on computer tape, the purchaser shall supply the Department with a computer tape or tapes, compatible with the Secretary's computer equipment, on to which tapes the information shall be transferred.

3) All purchase requests shall be submitted in writing to the Director. Payment shall be made to the Department before delivery of the information to the purchaser. No refunds will be made after the request is approved by the Director. Payment shall be made by check, money order made payable to the "Secretary of State" or credit card approved by the Secretary of State's Department of Accounting Revenue (e.g., Visa, MasterCard).

4) All commercial or other type purchasers shall sign a written agreement setting forth the terms and conditions required by Illinois law, and as may be deemed appropriate after negotiation between the Department and the purchaser.

5) The commercial purchaser shall not resell to any other purchaser the information obtained from the Department in the same form or format in which it is obtained from the Department. Resale of information in the same form or format shall result in cancellation of access to information by the Department. The commercial purchaser may sell the information to the subscribers of its computer or business information services only to the extent that its subscribers request on an individual entity by entity basis.

(Source: Amended at 32 Ill. Reg. 12046, effective July 16, 2008)