**Section 690.20 Definitions**

"Acutely Distressed Industry" means a business that has annual revenues of $20 million or less; has been closed or is operating at a significantly diminished capacity since March 13, 2020; is likely to continue to do so until Phase 5 of the Restore Illinois Plan; and is a member of a select industry. Select industries include, but are not limited to, amusement parks, bus operating companies, event venues, indoor recreation, movie theaters, museums, music venues, and performing arts venues.

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

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

"Allowable Expenditure" means a necessary expenditure that the Department has authorized for reimbursement under BIG in accordance with Section 690.90.

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

"Applicant" means a qualifying business that applies for funding under BIG.

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

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

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

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

"Cost of Business Interruption" means:

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.

"CURE Fund" means the State Coronavirus Urgent Remediation Emergency Fund (see 20 ILCS 605/605-1045).

"DCEO Law" means the Department of Commerce and Economic Opportunity Law [20 ILCS 605].

"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:

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

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

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

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

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

"DOA" means the Illinois Department of Agriculture.

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

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

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

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

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

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

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

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

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

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

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

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

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

"Leadership Member" means any:

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

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

"Livestock Management Facility" means an operation where livestock (swine, beef cattle, dairy cattle, poultry, sheep, and meat goats):

are primarily used in the production of food, fiber, or other products; and

have been, are, or will be fed, confined, maintained or stabled for a total of 45 days or more in any 12-month period.

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

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

"Museum" means an institution or entity located in Illinois that:

is operated by a 501(c)(3) organization (that is not owned or operated by a government entity);

is operated primarily for educational, scientific, historic preservation, cultural, or aesthetic purposes; and

owns, borrows, cares for, exhibits, studies, archives, or catalogs property.

"Music Venue" means a business entity that provides space for live music performance and whose primary source of revenue comes from the attendance of patrons of those performances. These venues often provide:

a defined performance and audience space;

a mixing desk and a public address system;

for the receipt of a cover charge (through ticketing or a front door entrance fee) from patrons attending a music performance; and

marketing of specific acts through gig listings in printed or electronic publications, or through event listings in physical or electronic format.

"Necessary Expenditure" means an expenditure of funds that is eligible for reimbursement from the CRF and necessary to:

respond to the COVID-19 emergency; or

reimburse the cost of business interruption.

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

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

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

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

"Qualified Non-Profit Organization" means a community-based organization that:

is a certified non-profit under State or federal laws;

is located in modest and low-income census tracts; and

has a demonstrable record of serving diverse, underserved, and minority-owned small businesses.

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

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

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

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

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

"Small Business" means a business enterprise that:

is physically operating in Illinois;

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

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

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