**Section 700.20 Definitions**

The following definitions are applicable to the Local Coronavirus Urgent Remediation Emergency (or Local CURE) Support Program:

"Administrative expenses" means costs associated with the administrative work necessary due to the COVID-19 public health emergency, including, but not limited to, costs related to managing the Local CURE Program and developing and managing an Economic Support Payments Grant.

"Administrative compliance expenses" means administrative expenses that are related to eligible uses of funds under the Local CURE Program (see Sections 700.50(a) and 700.60) and are necessary for a local government to comply with the requirements of the CARES Act or Local CURE Program. These expenses would include, for example, a reasonably proportionate share of the expenses incurred to comply with the Single Audit Act (31 USC 7501 through 7507) and for reporting and recordkeeping requirements imposed by the CARES Act or Local CURE Program.

"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.

"Business Interruption Grant Program" or "BIG Program" means the financial assistance program funding opportunities administered by the Department and implemented in 14 Ill. Adm. Code 690. (See 20 ILCS 605/605-1050.)

"Business participant" means the business that receives financial assistance under the economic support payments grant program.

"CARES Act" means the Coronavirus Aid, Relief, and Economic Security Act (42 USC 801).

"Certified Public Health Department" means a unit of local government that is a local public health department certified by the Illinois Department of Public Health.

"Cost of business interruption" means the following costs incurred during the allowed time period set forth in the Local CURE Program and posted on the Department's website:

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 605/605-1047(d)(1)]*.*

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

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

"Disproportionately impacted area" means those ZIP Codes most severely affected by the COVID-19 Crisis, 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 (FPL);

share of population consisting of adults over age 64 in households with income less than 200% FPL;

share of population in household with income less than 150% FPL; and

share of population consisting of children ages 5 and under in households with income less than 185% FPL.

"Economic Support Payments Grants" means grants applied for and issued to units of local government under Sections 700.80(e) and 700.120 to provide financial support to businesses that have experienced interruption of business attributable to the COVID-19 public health emergency.

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

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

"Incurred":

in relation to expenses for funding allotments received by local governments under Section 700.80(a), (b) or (c), means services were performed for or goods were received by units of local government to respond directly to the COVID-19 public health emergency.

in relation to the Economic Support Payments Grants Program, means:

expenditures by the local government associated with economic support in connection with the COVID-19 public health emergency; or

in reference to businesses, the cost of business interruption due to the COVID-19 public health emergency during the allowed time period for incurring costs set forth in the Local CURE Program and posted on the Department's website.

"LGDF formula" means the Local Government Distributive Fund formula established by the Illinois Department of Revenue.

"Local CURE Program" means the Local Coronavirus Urgent Remediation Emergency (or Local CURE) Support Program (see 20 ILCS 605/605-1047).

*"Local government" or "unit of local government" means any unit of local government as defined in Article VII, Section 1 of the Illinois Constitution* [20 ILCS 605/605-1047(d)(2)].

"Local Health Protection Grant Program formula" means the methodology established by the Illinois Department of Public Health (see 77 Ill. Adm. Code 615.210).

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

respond to the COVID-19 public health emergency, including, but not limited to, expenditures incurred to allow local governments to respond directly to the emergency, such as by addressing medical or public health needs of the local governments or local businesses; 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.

"Participating" means that a municipality, county, certified local public health department or other local government, as applicable, is receiving Local CURE Program allotments under Section 700.80(a), (b) or (c).

"Public health employees" means:

local government employees involved in providing:

medical and other health services to patients, including supervisory personnel, and including medical staff assigned to schools, prisons, and other such institutions; or

other support services essential for patient care (e.g., laboratory technicians); and

employees of public health departments who:

are directly engaged in matters related to public health; or

serve as related supervisory personnel.

"Public safety employees" means local government employees, including police officers, sheriffs and deputy sheriffs, firefighters, emergency medical responders, correctional and detention officers, and those who directly support public safety employees, such as dispatchers and supervisory personnel.

"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 Economic Support Payments Grants 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.

"Restore Illinois Plan" means the framework announced by the Governor of the State of Illinois to safely reopen Illinois in 5 phases, with any modifications to that plan.

"Substantially dedicated use" means the payroll and benefits expenses for local government employees whose services were focused on mitigating or responding to the COVID-19 public health emergency. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to COVID-19. The full amount of payroll and benefits expenses of substantially dedicated local government employees are eligible for reimbursement under the Local CURE Program. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to COVID-19 are also included. In accordance with guidance from the U.S. Department of the Treasury, a local government may presume that public health employees and public safety employees meet the substantially dedicated use test unless the chief executive (or equivalent) of the local government determines that specific circumstances indicate otherwise. Thus, if this presumption applies, all work performed by public health and public safety employees is considered to be a substantially different use than accounted for in the most recently approved budget as of March 27, 2020.

"Substantially different use" means costs that include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget, but that, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. A public function does not become a "substantially different use" merely because it is provided from a different location or through a different manner. Included within the category of substantially different uses are payroll and benefits expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

*"Third party administrator" means a service provider selected by the Department to provide operational assistance with the administration of the* Local CURE Program [20 ILCS 605/605-1047(d)(3)].

(Source: Amended at 45 Ill. Reg. 9417, effective July 9, 2021)