**Section 5010.1400 Request for Exemption**

a) The Director of CMS is authorized to make exemptions to the requirements of this Part on a case-by-case basis.

b) Application for an exemption shall be made in writing to the Director by the requesting agency.

c) The application shall specify the property for which an exemption is sought, its acquisition value and estimated current value, the rule from which exemption is sought, and the reason for exemption.

d) Within 30 days after receipt of a request for exemption, the Director shall either grant or deny the request. The decision of the Director shall be in writing and shall include the reasons for the decision.

e) If the request is denied, the requesting agency shall have seven days from the receipt of the denial to re-request the exemption, giving such supplementary information as it deems necessary.

f) In granting exemptions, the Director will consider the:

1) public policy considerations embodied in the Act; i.e., obtain maximum use or value for State property;

2) effect of the request on the health and safety of the citizens of the State; i.e., does the intended use meet an unusual or emergency need;

3) effect of the request on the economic interests of the State; i.e., does the intended use maximize the economic use of the property; and

4) effect of the request on the ongoing programs of the requesting agencies; i.e., does the intended use further an agency's program goals.

(Source: Amended at 43 Ill. Reg. 5637, effective May 3, 2019)