**Section 299.680 Restitution Procedures**

a) The Behavior Committee may recommend that the resident make restitution in any amount not to exceed actual out-of-pocket expenses or loss caused by the conduct of the resident. Restitution may include restoration for damage to property or person caused by the resident. The Committee shall determine the amount and the conditions of payment.

b) If the Behavior Committee determines that restitution for damage to property or person is appropriate, it shall ask the resident to agree to authorize disbursement from his/her trust fund or from any other account of the resident or, when appropriate, agree to restore the damaged items to the condition the items were in before the damage occurred.

1) If the resident agrees to make restitution, he/she shall sign an agreement to restore the damaged items or authorize disbursement of funds to either the State or the appropriate individual.

2) If the resident refuses to agree to either restore the damaged items or authorize disbursement of his/ her current funds or future earnings in accordance with the Behavior Committee's determination, the Committee may recommend to the Business Administrator that a hold be placed on the resident's account for the owed amount. The Committee may further recommend to the Business Administrator that commissary privileges and/or award of reward points be suspended, in whole or in part, for a period of time. The Business Administrator is authorized to take such action as he/she deems necessary to recoup payment, including debits to the resident's trust fund.

c) The Behavior Committee may consider the resident's willingness to make restitution when considering any other behavioral intervention.

d) A resident shall not be subjected to greater behavioral intervention because he/she is without funds and therefore unable to make restitution.

e) In the event a resident is released prior to full restitution, arrangements shall be made to address payment of the balance of the authorized restitution by the resident.

(Source: Amended at 44 Ill. Reg. 8246, effective April 28, 2020)