**Section 735.200 Definitions**

"Act" means the State Treasurer Act [15 ILCS 505] that establishes the E-Pay Program.

"Constituent" means a person or entity that utilizes the E-Pay Program to make payments or donations of public funds to a participant.

"Custodian" means a public agency or a recipient.

*"Electronic Signature" means a signature in electronic form attached to or logically associated with an electronic record.* [5 ILCS 175/5-105]

"E-Pay Agreement" means the participant agreement that sets forth the Treasurer's terms and conditions for participation in the E-Pay Program.

"E-Pay Program" means the electronic payments processing program provided topublic agencies to facilitate the acceptance and processing of credit card, debit card or E-check payments made to public agencies.

"Enrollment Form" means the form provided by the Treasurer to collect the required pertinent public agency information for enrollment into the E-Pay Program.

"Master Services Agreement" means the participant agreement that sets forth the E-Pay Program fees and the processor's terms and conditions for participation in the E-Pay Program.

"Participant" means a public agency that has been accepted by the Treasurer and enrolled into the E-Pay Program.

"PCI Data Security Standards" means the technical and operational requirements set forth by the Payment Card Industry (PCI) Security Standards Council for organizations accepting or processing payment transactions, and for software developers and manufacturers of applications and devices used in those transactions.

"Principal" means an individual who is authorized by the public agency or statute to execute contractual agreements on behalf of the public agency.

"Processor" means a vendor designated by the Treasurer, through a competitive bidding process, to provide electronic payment services via point-of-sale (POS), internet and telephone for the E-Pay Program.

"Public Agency" has the same meaning as in Section 17 of the Act. Questions regarding whether an entity qualifies as a component unit of a public agency shall be resolved by the Treasurer, referring to Governmental Accounting Standards Board (GASB) pronouncements, including but not limited to GASB Statement 14: The Financial Reporting Entity. Component units need not be limited to those entities which may be designated as component units by the Illinois Office of the Comptroller and may include, but need not be limited to, area agencies on aging and other providers under the Illinois Act on the Aging [20 ILCS 105].

"Public Funds" means *current operating funds, special funds, interest and sinking funds, and funds of any kind or character belonging to or in the custody of any public agency*. [30 ILCS 235/1]

"Recipient" means a person or entity that receives public funds in the form of a fee or donation on behalf of a public agency.

"Settlement Account" means an account established by a participant to settle funds from E-Pay Program activity.

"Settlement Bank" means the institution designated by the participant that is responsible for the settlement of funds from E-Pay Program activity.

"State Agency" means the State of Illinois or any officer, agency, board, commission, authority or department thereof. "State Agency" does not include the judicial or legislative branches of state government, and does not include colleges or universities.

"Treasurer" means the duly elected Treasurer of the State of Illinois or the Treasurer's designees.

"Treasurer's Website" means www.illinoistreasurer.gov or the successor to that website.

(Source: Amended at 46 Ill. Reg. 19013, effective November 10, 2022)