**Section 121.41 Budgeting Earned Income**

a) When determining eligibility and level of benefits, income received during the month in which the household applies shall be budgeted. When recertified, income which the household anticipates receiving during the certification period starting the month following the expiration of the current certification period shall be budgeted.

b) The Department shall consider income already received by the household and any anticipated income that is reasonably certain to be received. Income received in the fiscal month prior to the fiscal month of application shall be used as an indication only if income is stable. Anticipated income shall be counted only in the month received. Income which is not certain to be received either on amount or date shall not be counted.

c) Households anticipating variable income over the certification period shall have their income averaged.

d) The earned income of special situation households shall be treated as follows:

1) Self Employed

A) Self-employment income which represents a household's annual income shall be averaged over a 12-month period even if the income is received within a shorter period of time during the 12 months.

B) Self-employment income which is intended to meet the household's needs for only part of the year shall be averaged over the period of time the income is intended to cover.

2) Resident Farm Laborers

A) If resident farm laborers are paid for work done only during the work season and such payments are anticipated to be the only source of income during the year, the income shall be averaged over the 12-month period.

B) If the household receives advance or deferred payments during the non-work season or has income from other sources, the income shall not be averaged but shall reflect the actual receipt of the income.

e) School Contractual Employees

 Those households that derive their income in a period of time shorter than one year shall have that income averaged over a 12-month period, provided the income is not received on an hourly or piecework basis.

f) Self-Employed Farmers

 A deduction is allowed from other countable household income for the costs of producing income which exceeds the income derived from self-employment as a farmer. An individual is considered a self-employed farmer if annual gross proceeds of $1,000 or more are anticipated or received from a farming enterprise.

(Source: Amended at 34 Ill. Reg. 5295, effective April 12, 2010)