**Section 651.350 Voluminous Requests**

a) *Notwithstanding any provision of* FOIA *to the contrary,* the Office of the Treasurer *shall respond to a voluminous request within 5 business days after receipt. The response shall notify the requester:*

1) *that the* Office of the Treasurer *is treating the request as a voluminous request;*

2) *the reasons why the* Office of the Treasurer *is treating the request as a voluminous request;*

3) *that the requester must respond to the* Office of the Treasurer *within 10 business days after the* Office of the Treasurer’s *response was sent and specify whether the requester would like to amend the request in such a way that the* Office of the Treasurer *will no longer treat the request as a voluminous request;*

4) *that if the requester does not respond within 10 business days or if the request continues to be a voluminous request following the requester's response, the* Office of the Treasurer *will respond to the request and assess any fees the* Office of the Treasurer *charges pursuant to* Section 651.520*;*

5) *that the* Office of the Treasurer *has 5 business days after receipt of the requester's response or 5 business days from the last day for the requester to amend his or her request, whichever is sooner, to respond to the request;*

6) *that the* Office of the Treasurer *may request an additional 10 business days to comply with the request;*

7) *of the requester's right to review of the* Office of the Treasurer’s *determination by the Public Access Counselor and provide the address and phone number for the Public Access Counselor;*

8) *that if the requester fails to accept or collect the responsive records, the* Office of the Treasurer *may still charge the requester for its response pursuant to Section 6 of* the *Act* and Section 651.520 of this Part *and the requester's failure to pay will be considered a debt due and owing to the* Office of the Treasurer *and may be collected in accordance with applicable law.* (Section 3.6(a) of FOIA)

b) TheOffice of the Treasurer *shall provide a person making a voluminous request 10 business days from the date the* Office of the Treasurer’s *response pursuant to* subsection (a) *is sent to amend the request in such a way that the* Office of the Treasurer *will no longer treat the request as a voluminous request.*

c) *If a request continues to be a voluminous request following the requester's response under subsection (b) of Section* 3.6(b) of the Act *or the requester fails to respond, the* Office of the Treasurer *shall respond within the earlier of 5 business days after it receives the response from the requester or 5 business days after the final day for the requester to respond to the* Office of the Treasurer’s *notification under this subsection. The response shall:*

1) *Provide an estimate of the fees to be charged, which the* Office of the Treasurer *may require the person to pay in full before copying the requested documents;*

2) *Deny the request pursuant to one or more of the exemptions set out in* Sections 7 and 7.5 of FOIA or this Part*;*

3) *Notify the requester that the request is unduly burdensome and extend an opportunity to the requester to attempt to reduce the request to manageable proportions; or*

4) *Provide the records requested*.

d) *The time for response by the* Office of the Treasurer *under subsection (c) may be extended by the* Office of the Treasurer *for not more than 10 business days from the final day for the requester to respond to the* Office of the Treasurer’s *notification under subsection (c) of this Section for any of the reasons provided in subsection (e) of Section 3 of* FOIA or Section 651.410(b)*. The* requester *and the* Office of the Treasurer *may agree in writing to extend the time for compliance for a period to be determined by the parties. If the requester and the* Office of the Treasurer *agree to extend the period for compliance, a failure by the* Office of the Treasurer *to comply with any previous deadlines shall not be treated as a denial of the request for the records.*

e) *If a requester does not pay a fee charged pursuant to Section* 651.520 *for a voluminous request, the debt shall be considered a debt due and owing to the* Office of the Treasurer *and may be collected in accordance with applicable law. This fee may be charged by the* Office of the Treasurer *even if the requester fails to accept or collect records the* Office of the Treasurer *has prepared in response to a voluminous request.* (Section 3.6(e) of FOIA)

(Source: Added at 46 Ill. Reg. 1635, effective January 7, 2022)