**Section 951.40 Response to Requests**

a) The Department shall make a determination of whether, or the extent to which, the Department will comply with the request within 7 working days after receipt of the request by the FOIA Officer. Under exceptional circumstances, as set forth in Section 3(d) of the FOIA, the Department may extend the time limit to comply with or deny the request for up to 7additional working days. If the time limit is extended, the requester will be notified in writing of the reason for the extension and the date by which the Department will comply with or deny the request.

b) Upon determination to comply with the request, the Department will notify the requester in writing, and will either make the requested records available for inspection or provide copies. The Department will also notify the requester of the applicable copying fees to be charged. An invoice for any copies provided will be mailed separately. When a requester chooses to inspect public records, rather than have the Department provide copies, the records will be available to the requester for inspection at the Department's offices for 30 days following the Department's written response. After that time, the Department will return all records to their point of origin within the Department.

c) If the Department makes a determination to deny the request, in whole or in part, the requester shall be informed in writing of the specific reasons for denying access, the extent of the denial, the name and title of the Department employee responsible for the decision to deny access, and the right to appeal this decision to the Director.

d) If the records requested cannot be located after a reasonable search or they are no longer in existence, the requester will be notified in writing. e) If the records requested are not maintained by the Department, but they are known to be maintained by another public body, the Department will inform the requester that they may be requested from the other public body.

f) If the Department fails to respond to a written FOIA request within 7 working days after its receipt or within an extension of 7 additional working days, the requester may deem the request denied, and may request a review of the denial by the Director of Insurance.

(Source: Amended at 26 Ill. Reg. 18276, effective December 16, 2002)