**Section 2525.40 Procedures for the Commission's Response to Request for Public Records**

a) The Commission shall respond to a written request for public records within five working days after receipt of the request.

b) In the event that the request for public records cannot be responded to within five days for one of the reasons provided in Section 3(d) of FOIA, the Commission shall have an additional five working days in which to respond. The Commission shall give the requestor notice of the extension of time to respond. The notice of extension shall set forth the reasons why extension is necessary.

c) The Commission shall respond to a request for public records in one of three ways:

1) Approve the request;

2) Approve in part and deny in part;

3) Deny the request.

d) When a request for public records has been approved, the Commission will provide an electronic copy, give notice that the requested material will be made available upon payment of reproduction costs, or give notice of the time and place for inspection of the requested material.

e) A denial of a request for public records shall be made in writing. It shall state the reasons for the denial in accordance with either Section 3(f) or Section 7 of FOIA. The denial shall also inform the requestor of the right to request review by the Public Access Counselor at the Office of the Illinois Attorney General and the right to seek judicial review by filing a lawsuit in the Circuit Court of Cook County.

f) Categorical requests that place an undue burden on the Commission shall be denied only after extending to the requestor an opportunity to confer in an attempt to reduce the request to manageable proportions in accordance with Section 3(f) of FOIA.

g) Failure to respond to a written request within five working days may be considered by the requestor as a denial of the request.

(Source: Amended at 48 Ill. Reg. 8616, effective May 28, 2024)