**Section 3200.35 Certification by a Unit of Local Government**

a) Museums with an annual indoor attendance of 150,000 or more, which are not operated by or located on land owned by a unit of local government, must provide a certification by a unit of local government to show eligibility for grant funding. The certification is an attestation by the unit of local government that a museum that is not operated by or located on land owned by a unit of local government meets eligibility criteria established in State law. The certification notwithstanding, it is possible that restrictions inherent to the funding source, e.g., Capital Development Bond Funds, may preclude museums that are only eligible through this process from receiving grant assistance. The certification must be in accordance with the following procedures:

1) Museums located within the boundaries of a municipality must submit a certification approved by the municipality's elected governing body. Museums located outside municipal boundaries must submit a certification approved by the county's elected governing body.

2) The approved certification must be submitted at the time of application. The certification may be subject to audit.

3) The certification must be in the form, and approved using the process, normally used by the unit of local government for similar resolutions or actions. The certification must attest that the museum:

A) is operating for the purposes of promoting cultural development through special activities or programs or performing arts, and acquiring, conserving, preserving, studying, interpreting, enhancing, and, in particular, organizing and continuously exhibiting specimens, artifacts, articles, documents and other things of historical, anthropological, archaeological, industrial, scientific or artistic import, to the public for its instruction and enjoyment; and

B) has an annual indoor attendance of at least 150,000 and offers educational programs to school groups during school hours.

b) Public museums operated by or located on land owned by a unit of local government are not required to provide this certification.

c) Museums eligible for certification as a public museum must have long-term ownership of or long-term lease agreement for the property.

(Source: Added at 28 Ill. Reg. 2201, effective January 26, 2004)