**Section 2605.40 Definitions**

"IAPA" means the Illinois Administrative Procedure Act [5 ILCS 100].

"Administrative Hearing" or "Hearing" means the adjudicatory proceeding used to resolve a contested case.

"Agency" shall have the meaning ascribed to it in Section 1-20 of the IAPA.

"Agency Head" shall have the meaning ascribed to it in Section 1-25 of the IAPA.

"Business Day" means all days except Saturday and Sunday, and all weekdays that are not national and/or State legal holidays.

"Complainant" means the party who initiates the Administrative Hearing.

"Contested Case" shall have the meaning ascribed to it in Section 1-30 of the IAPA.

"Department" means the Illinois Department of Commerce and Economic Opportunity.

"Development Assistance Agreement" shall have the meaning ascribed to it in Section 715-5 of the Corporate Accountability for Tax Expenditures Act [20 ILCS 715].

"Director" means the Director of the Department or duly appointed Acting Director, or in the Director's or Acting Director's absence from the State, or in any event of the Director's or Acting Director's incapacity to act, the next immediate subordinate officer within the Department.

"Hearing Number" means the case number assigned to the Petition for Hearing or the Notice of Charges by the Department for the Administrative Hearing proceedings.

"Hearing Officer" means the Administrative Law Judge as defined in Section 1-15 of the IAPA, and is the person appointed or retained by the Department to preside over the Administrative Hearing proceedings.

"Municipality" shall have the meaning ascribed to it in Section 1-45 of the IAPA.

"Notice of Charges" means a complaint filed by the Department initiating an Administrative Hearing proceeding against a Recipient under this Part.

"Order" shall have the meaning ascribed to it in Section 1-50 of the IAPA.

"Party" shall have the meaning ascribed to it in Section 1-55 of the IAPA.

"Person" shall have the meaning ascribed to it in Section 1-60 of the IAPA.

"Petition for Hearing" means a request for an Administrative Hearing.

"Program Rule" means any of the rules adopted by the Department and codified within the Illinois Administrative Code or any programmatic requirement established by a federal agency that is a source of funding for the program.

"Proof of Service" means evidence submitted specifying the date, method, and person who served a document on another party. All Proofs of Service must be signed by the server.

"Proposal for Decision" means the report issued by the Hearing Officer pursuant to Section 2605.400.

"Recipient" means anyone that has received direct financial assistance from the Department pursuant to a Statute or Program Rule or who is a party to a Development Assistance Agreement with the Department.

"Respondent" means any party who answers/responds to a Notice of Charges, Petition for Hearing, or Motion.

"State Agency" means any State office, officer, division, or part thereof, and any other office, nonelective officer, department, division, bureau, board, or commission in the executive branch of State government, under the authority of the Governor of Illinois.

"Statute" means a formal written enactment of a legislative body, whether federal or State.

"Statutory Authority" means the authority given to the Department by a Statute either directly or as delegated by agreement with another unit of government.

(Source: Amended at 43 Ill. Reg. 4056, effective March 19, 2019)