**Section 2720.40 Eligibility for Pandemic Emergency Unemployment Compensation With a Higher Weekly Benefit Amount**

a) With respect to weeks beginning on or after December 27, 2020, an individual who is otherwise eligible to receive Pandemic Emergency Unemployment Compensation (PEUC) pursuant to Section 206(c)(1) of the federal Continued Assistance Act (PL 116-260) but for the federal requirement that such individual must have first exhausted the individual's entitlement to "regular" benefits (not including Extended Benefits) under the Act or the Unemployment Insurance Act of another state, shall continue to receive PEUC benefits in lieu of payment of regular benefits on a subsequent benefit year if:

1) the individual has remaining entitlement to PEUC benefits for a benefit year;

2) the individual's weekly benefit amount (not including any dependent allowance) for a subsequent, new benefit year is at least $25 less than the weekly benefit amount (not including any dependent allowance) that the individual is eligible to receive in PEUC; and

3) the benefit year on which the individual's PEUC is based expired after December 27, 2020.

Example: The individual exhausts his entitlement to regular benefits on December 26, 2020 and files for PEUC, effective December 27, 2020 and is eligible for a PEUC weekly benefit amount of $450 per week. His first benefit year ends on January 4, 2021. He files a subsequent benefit year claim, effective the week beginning January 3, 2021. His weekly benefit amount on the new claim is $51 per week. This individual will remain on PEUC until he exhausts his PEUC benefits or until the program ends because his weekly benefit amount on the new benefit year claim is at least $25 less than the weekly benefit amount that he is eligible to receive in PEUC and the benefit year on his prior claim expired after December 27, 2020.

b) Pursuant to the federal flexibility and option provided for payments of PEUC benefits in the federal Continued Assistance Act (PL 116-260), whenever subsection (a) above applies, the new benefit year will be established but payment on such claim will be deferred until the individual exhausts his/her prior PEUC entitlement or it is otherwise no longer available.

c) Such subsequent payments for regular benefits on the new benefit year shall not be made for weeks with respect to which the individual has been or will be paid PEUC.

Example: The individual in the previous example will be paid PEUC until he exhausts his PEUC benefits or the program ends. If eligible, he will then be paid regular benefits for any subsequent weeks remaining in the subsequent benefit year at the weekly benefit amount applicable for the subsequent benefit year.

(Source: Added at 45 Ill. Reg. 7134, effective May 27, 2021)