**Section 1705.11 Who Shall File**

a) Any employee who performs any function or duty under the State Act is required to file a statement of employment and financial interests. An employee who occupies a position which has been determined by the Director not to involve performance of any function or duty under the Act or who is no longer employed by the Department at the time a filing is due, is not required to file a statement.

b) The Director shall prepare a list of positions within Illinois state government that involve performance of any functions or duties under the State Act. Only those persons who occupy a listed position will be subject to the filing requirements of Section 517(g) of the Surface Mining Control and Reclamation Act of 1977 (the Federal Act) (30 U.S.C. 1201 et seq.).

c) The Director shall prepare and submit to the Federal Director, an initial listing of positions that do not involve performance of any functions or duties under the Act within sixty (60) days of the effective date of these regulations.

d) The Director shall annually review and update this listing. For monitoring and reporting reasons, the listing must be submitted to the Federal Director and must contain a written justification for inclusion of the positions listed. Proposed revisions or a certification that revision is not required shall be submitted to the Federal Director by no later than September 30 of each year. The Director may revise the listing of positions at any time the Director determines such revisions are required to carry out the purpose of the law or the purposes of Part 1705. Revisions in the listing of positions are effective upon notification to the holder of the positions added to or deleted from the list.

(Source: Amended at 11 Ill. Reg. 8452, effective July 1, 1987)