**Section 592.155** **Suspension or Termination of Grant Agreement or Funding**

a) Availability of Appropriation or Sufficiency of Funds

1) A grant is contingent upon and subject to the availability of funds. The Department may terminate or suspend the grant, in whole or in part, without penalty or further payment being required, if:

A) The Illinois General Assembly or the federal funding source fails to make an appropriation sufficient to pay the obligation, or if funds needed are insufficient for any reason;

B) The Governor decreases the Department's funding by reserving some or all of the Department's appropriations pursuant to power delegated to the Governor by the Illinois General Assembly; or

C) The Department or the Governor determines that a reduction is necessary or advisable based upon actual or projected budgetary considerations.

2) The grantee will be notified in writing of the lack of appropriation or a reduction or decrease.

b) Termination for Cause

1) The Department may immediately terminate the Grant Agreement, in whole or in part, upon notice to the grantee if:

A) The grantee is convicted of committing any illegal act;

B) The Department determines that the actions or inactions of the grantee have caused, or reasonably could cause, jeopardy to health, safety or property;

C) The Department has notified the grantee that the Department is unable or unwilling to perform the Grant Agreement; or

D) The Department has reasonable cause to believe that the grantee cannot lawfully perform the Grant Agreement.

2) If the grantee breaches any material term, condition or provision of the Grant Agreement, the Department may cancel the Grant Agreement upon 15 days prior written notice to the grantee. For termination for any of the causes contained in this Section, the Department retains its right to seek any available legal or equitable remedies and damages.

c) Termination for Convenience

The Department may, for its convenience and with 30 days prior written notice to the grantee, terminate the Grant Agreement in whole or in part and without payment of any penalty or incurring any further obligation to the grantee.

(Source: Added at 38 Ill. Reg. 23080, effective November 21, 2014)