**Section 3035.460 Requirements and Conditions of Grant Funds**

a) Building Construction Plans

1) Library buildings are to be planned for 20-year population projection (for new construction, conversions, and additions to buildings).

2) A library building consultant may work with the library in developing and implementing the public library facilities plan. The library board shall select a building consultant in accordance with the Illinois Local Library Act [75 ILCS 5/4-7] and the Illinois Library District Act [75 ILCS 16/30-55.40].

3) An architect and/or engineer licensed to practice in Illinois shall be retained by the grantee throughout the design and construction if the total cost of the project is equal to or greater than $75,000.

4) The library must meet the eligibility criteria to qualify for per capita grants provided in Section 8.1 of the Illinois Library System Act [75 ILCS 10], and must have submitted applications for, and have been awarded, those grants for three previous fiscal years. This subsection (a)(4) shall not apply to library systems.

5) The library or library system facility shall provide access for persons with disabilities as required in the Illinois Capital Development Board's Illinois Accessibility Code (71 Ill. Adm. Code 400) and shall display the symbol of accessibility.

b) No grant shall be awarded to any public library or regional library system unless the building and the property are owned fee simple by the municipality, library district, or library system, as applicable, or proof of long-term (20-year) occupancy exists. The State Librarian may grant an exception for any property or buildingowned in fee simple by a non-profit community organization that is incorporated in Illinois, has federal Internal Revenue Service 501(c)(3) status, and has a charter specifying that the ownership of the property or building shall revert to the public library upon the dissolution of the organization. No such exception shall be granted for a regional library system.

c) A letter of certification from the project architect or engineer, stating that the drawings represent the project as presented with the grant application, must be submitted to the Illinois State Library for approval prior to going out to bid.

d) All contracts for library construction shall be awarded to the lowest, qualified bidder on the basis of open competitive bidding; however, if one or more items of construction are covered by an established alternative procedure used by a unit of local government and approved by the Illinois State Library as designed to assure construction in an economical manner consistent with sound business practices, the alternative procedure may be followed to the extent consistent with State statutes and local ordinances.

e) The library board shall establish and maintain records and accounts as will permit accurate and expeditious audits at any time before, during, and after completion of construction. The records shall be retained for not less than the time provided for by the Local Records Act [50 ILCS 205].

f) The library board shall comply with all applicable provisions in local bidding ordinances.

g) The applicant must certify that the applicant has adopted either the American Library Association's Library Bill of Rights that indicates materials should not be proscribed or removed because of partisan or doctrinal disapproval, or provide a written policy, adopted by the applicant’s board of trustees or its board of directors, that indicates the applicant will protect the intellectual freedom of the library user and shall prevent censorship of its library materials, ensuring that items are not withdrawn from its library collection merely because individuals or groups object to the material.

h) The applicant must certify that for grants made under this Section on or after January 1, 2024, and upon request of the State Librarian the applicant agrees to provide the Illinois State Library with any final decision for the reconsideration of library materials during the terms of the grant award.

i) The library must permit statewide reciprocal borrowing.

j) Grants made under this Section are subject to the provisions of the Illinois Grant Funds Recovery Act [30 ILCS 705]. If a provision of this Subpart conflicts with a provision of the Illinois Grant Funds Recovery Act, then the provision of the Illinois Grant Funds Recovery Act controls.

(Source: Amended at 48 Ill. Reg. 948, effective January 1, 2024)