**Section 285.1102 Request for Processing a Claim Under Section 10.05 of the Act**

a) All debts that exceed $250 and are more than one year past due shall be placed in the Comptroller's Offset System unless:

1) the State agency to which the debt is owed has entered into a deferred payment plan or other settlement agreement with the debtor; or

2) the State agency to which the debt is owed demonstrates to the Comptroller's satisfaction that use of the Comptroller's Offset System is not cost effective. The demonstration shall be based on efficiency to the State and maximizing the portion of the debt that will be recovered by the State.

b) The Comptroller will not process a claim under Section 10.05 of the Act until the Comptroller has received a statement of notification from the State agency that the debt has been established through notice and opportunity to be heard.

c) For purposes of Section 10.05 of the Act and this Part, "statement of notification" of an account or claim eligible to be offset shall be deemed to occur when the State agency in favor of which the account or claim has arisen has submitted to the Comptroller the following information:

1) the name and Social Security Number or Federal Employer's Identification Number of the person against whom the claim exists;

2) the amount of the claim then due and payable to the State;

3) the reason why there is an amount due to the State (i.e., income tax liability, overpayment, etc.);

4) the time period to which the claim is attributable;

5) the fund to which the debt is owed;

6) a description of the type of notification given to the person against whom the claim exists and the type of opportunity to be heard afforded that person;

7) a statement as to the outcome of any hearings or other proceedings held to establish the debt, or a statement that no hearing was requested; and

8) the date of final determination of the debt.

d) The statement required by subsections (b) and (c) shall be executed by the person or persons who are authorized to issue, certify and approve vouchers for the agency under Sections 10 and 11 of the State Finance Act [30 ILCS 105/10 and 11]. The authority to execute the statement of the claim required by this Section may be delegated to a responsible person or persons. This delegation of authority shall be made on forms provided by the Comptroller and shall contain a signature sample of the persons to whom the delegation is made.

e) A State agency that has submitted a claim for offset must notify the Comptroller as soon as possible, but in no case later than 30 days, after receiving notice of a change in the status of an offset claim. A change in status may occur due to circumstances such as payments received other than through a successful offset, the filing of a bankruptcy petition, or the death of the debtor.

(Source: Amended at 37 Ill. Reg. 15376, effective September 9, 2013)