**Section 420.620 General Provisions**

a) AVAILABILITY OF INFORMATION.

Except as provided in Section 420.630 of this Part, all information maintained by the Office of the Auditor General shall be public information and shall be available to the public as provided by this Subpart.

b) SUBPOENA OF EMPLOYEES.

1) Any employee or agent of the Office of the Auditor General who is served with a subpoena requiring the disclosure of information or the production of any document that is classified confidential shall appear as required by the subpoena and shall respectfully decline to disclose the information or produce any document called for basing the refusal on the requirement of this Section, unless the person subpoenaed has a written authorization permitting the release of the information or production of the document requested.

2) The authorization required by this Section may be issued only by the Auditor General, Deputy Auditor General, or the Chief Legal Counsel of the Office of the Auditor General. An authorization may be issued only if the release of the information:

A) would not contravene any statute;

B) would not interfere with an ongoing audit or investigation; or

C) would not unreasonably interfere with an individual's right of privacy.

3) In addition, information of other agencies that is confidential by or pursuant to law shall not be disclosed by the Office of the Auditor General, unless:

A) the information is not available from the officially authorized custodian and the officially authorized custodian consents to the release; or

B) a court orders the disclosure of the documents.

c) SUBPOENA OF CONTRACTORS.

1) Any Special Assistant Auditor or other contractor of the Office of the Auditor General who is served with a subpoena requiring the disclosure of information or the production of any document that is classified confidential and that was obtained or created in the exercise of audit authority delegated by the Auditor General pursuant to the ISAA shall appear as required by the subpoena and shall respectfully decline to disclose the information or produce any document called for basing the refusal on the requirement of this Section, unless the person subpoenaed has a written authorization permitting the release of the information or production of the document requested.

2) The authorization required by this Section may be issued only by the Auditor General, Deputy Auditor General, or the Chief Legal Counsel of the Office of the Auditor General. An authorization may be issued only if the release of the information:

A) would not contravene any statute;

B) would not interfere with an ongoing audit or investigation; or

C) would not unreasonably interfere with an individual's right of privacy.

3) In addition, information that is confidential by or pursuant to law shall not be disclosed, unless:

A) the information is not available from the officially authorized custodian and the officially authorized custodian consents to the release; or

B) a court orders the disclosure of the documents.

(Source: Amended at 32 Ill. Reg. 16372, effective October 10, 2008)