**Section 735.420 Waiver**

The Treasurer may waive a State agency’s required participation in the E-Pay Program for a specified duration of time when the Treasurer determines a waiver is in the best interest of the State.

a) A State agency seeking a waiver may submit a waiver application to the Treasurer. The Treasurer will prescribe the information required from a State agency in applying for a waiver, which may include the following information:

1) the name of the State agency seeking the waiver;

2) a contact person at the State agency who is responsible for the application and any further contact information the Treasurer requests from the State agency;

3) the basis for the requested waiver, which must include any applicable considerations listed in subsection (b);

4) information regarding any procurement utilized by the State agency to procure existing payment processing or other related services;

5) the requested duration of the waiver; and

6) any additional information requested by the Treasurer in evaluating the waiver request.

b) The Treasurer will not unreasonably withhold a waiver, and will consider the following factors prior to granting, in whole or in part, or denying a waiver:

1) the sufficiency of information provided by the State agency seeking a waiver;

2) any current payment processing or related services used by or available to the State agency, the benefits or drawbacks of those services, and prior efforts, if any, to participate in the E-Pay Program;

3) potential technical impacts;

4) potential operational impacts;

5) potential financial impacts; and

6) any additional information the Treasurer determines necessary or important in its evaluation of the waiver request.

(Source: Added at 46 Ill. Reg. 19013, effective November 10, 2022)