**Section 2000.80 Undue Hardship**

If the spouse or member of the immediate family of an Included Person believes that any required disclosure would constitute an undue hardship to him or her, then, prior to the due date for the filing of the Statement (including any extensions thereof), such Included Person shall file a written objection with the Board. The objection shall identify, by name, the Included Person, the spouse or immediate family member or members raising objection, and the reason why such disclosure constitutes undue hardship.

a) Undue Hardship - includes, but is not limited to, the following:

1) threat of harm against person or property;

2) unwarranted invasion of privacy, or

3) such other facts or circumstances as in the judgment of the Board of Ethics constitute undue hardship.

b) If the Board sustains the objection on grounds of undue hardship, the Statement of the Included Person will not be required to disclose information with respect to the objecting spouse or immediate family member, provided that, prior to the due date for the filing of the Included Person's Statement (including any extensions thereof), there is filed with the Board the following:

1) A Statement of the Included Person containing all information required to be disclosed with respect to such person. The Statement shall also contain all information pertaining to the spouse or immediate family members with respect to which no objection to disclosure was made.

2) An affidavit, in such form as may be approved by the Board, signed under oath by the spouse or immediate family member with respect to which an objection to disclosure was made, setting forth any position or ownership interest in any corporation, partnership or sole proprietorship (including not for profit entities other than those of a religious nature but excluding publicly held corporations of which less than 1% of the outstanding capital stock is owned) which does business with, receives or is entitled to receive grants from, or is regulated by the Agency of the Included Person.

3) A Statement of the spouse or immediate family member with respect to which an objection was made disclosing all information which would have been required to be included in the Statement of the Included Person but for the provisions of this Section 2000.80.

c) The Statement and affidavit referred to in paragraphs b(1) and b(2) above, shall be open to public inspection in accordance with Section 2000.60. The Statement referred to in paragraph b(3) above, shall not be open to public inspection but shall be available for inspection only by the Board and the Board's staff.

d) In the event the Board does not sustain an undue hardship objection, it shall notify the Included Person of its determination and such Included Person shall have thirty (30) days from the date of such notification in which to file a full and complete Statement.

(Source: Added at 2 Ill. Reg. 44, p. 208, effective November 6, 1978)