**Section 104.250 Official Notice**

a) Official notice may be taken of:

1) Matters of which the Circuit Courts of this State may take judicial notice;

2) Matters in prior administrative hearings within and without the agency relating to the vendor or alternate payee or individuals associated with the vendor or alternate payee (including findings and evidence made in hearings initiated prior to December 30, 1977);

3) Generally recognized technical or scientific facts within the agency's specialized knowledge;

4) Generally recognized technical, scientific or customary and ordinary procedures and operation without the agency's specialized knowledge.

b) For purposes of this Section, "individuals associated with the vendor" shall mean:

1) persons with management responsibility for the vendor;

2) an officer or person owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in a corporate vendor;

3) an owner of a sole proprietorship that is a vendor; or

4) a partner in a partnership that is a vendor.

c) For purposes of this Section, "individuals associated with the alternate payee" shall mean:

1) persons with management responsibility for the alternate payee;

2) a partner in a partnership that is an alternate payee;

3) an officer or person owning (directly or indirectly) 5% or more of the shares of stock or other evidences of ownership in an alternate payee.

d) Parties shall be notified either before or during a hearing, or by reference in preliminary reports, or otherwise, of the material noticed, including any staff memoranda or data to be offered as evidentiary matter during the course of the hearing, and they shall be afforded an opportunity to contest the material so noticed. Testimony of the agency's experience, technical competence and specialized knowledge may be utilized in the evaluation of the evidence.

(Source: Amended at 31 Ill. Reg. 2388, effective January 19, 2007)