**Section 114.210 Exempt Unearned Income**

The following unearned income shall be exempt from consideration in determining eligibility and the level of assistance payment.

a) The value of the benefit allotment under the Food and Nutrition Act of 2008 (7 USC 2017(b));

b) The value of the U.S. Department of Agriculture donated foods (surplus commodities);

c) Any payment received under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC 4636);

d) Any per capita judgment funds paid under P.L. 92-254 to members of the Blackfeet Tribe of the Blackfeet Indian Reservation, Montana and the Gros Ventre Tribe of the Fort Belknap Reservation, Montana (25 USC 1264);

e) Any benefits received under Title VII, Nutrition Program for the Elderly, of the Older Americans Act of 1965, as amended (42 USC 3030e);

f) Any compensation provided to individual volunteers under the Retired Senior Volunteer Program (42 USC 5001) and the Foster Grandparent Program (42 USC 5011) and Older Americans Community Service Employment Program (42 USC 3056) established under Title II of the Domestic Volunteer Service Act (42 USC 5001 thru 5023), as amended;

g) Income received under the provisions of Section 4(c) of the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act [320 ILCS 25/4(c)]. This includes both the benefits commonly known as the circuit breaker and additional grants;

h) Payments Under Certain Federal Programs

1) Any payment to volunteers in programs under Title II of the 1973 Domestic Volunteer Services Act, as amended (42 USC 5044(q)). Examples of these programs include RSVP, Foster Grandparents and other programs.

2) Payments made under Title I (VISTA, University Year for Action and Urban Crime Prevention Program) are exempt only if the individual was receiving public assistance at the time he/she joined VISTA;

i) Unearned income such as need based payments, cash assistance, compensation in lieu of wages and allowances received through the Workforce Investment Act (29 USC 2801);

j) Any payment received under Title I of P.L. 100-383 of the Civil Liberties Act of 1988 (50 USC 1989b thru 1989b-8);

k) Any payment received under Title II of P.L. 100-383 of the Aleutian and Pribilof Islands Restitution Act (50 USC 1989c thru 1989c-8);

l) Payments made by the Illinois Department of Human Services under the Family Assistance Law for Mentally Disabled Children under P.A. 86-921 [405 ILCS 80/Art. III];

m) Disaster relief payments provided by federal, State or local government or a disaster assistance organization;

n) Employment-related reimbursement for past or future expenses to the extent that they do not exceed actual expenses incurred and do not represent a gain or benefit to the client;

o) Payments made under the federal Crime Act of 1984 (as amended by P.L. 104-132, Section 234, Crime Victims Fund);

p) All educational loans, grants, scholarships, fellowships, veteran's educational benefits, and federal and State work study programs;

q) The $25 per week increase in Unemployment Compensation Benefits authorized under the American Recovery and Reinvestment Act of 2009 (Div. B, Title II, Sec. 2002 of P.L. 111-5);

r) The Economic Recovery Payment to recipients of Social Security, Supplemental Security Income (SSI), Railroad Retirement Benefits, and Veterans Disability Compensation or Pension Benefits authorized under the American Recovery and Reinvestment Act of 2009 (Div. B, Title II, Sec. 2201 of P.L. 111-5);

s) Payments to eligible persons who served in the United States Armed Forces in the Far East during World War II authorized under the American Recovery and Reinvestment Act of 2009 (Div. A, Title X, Sec. 1002 of P.L. 111-5).

(Source: Amended at 33 Ill. Reg. 16863, effective November 30, 2009)