**Section 121.30 Unearned Income**

a) All currently available unearned income that is not specified as exempt shall be considered in the determination of eligibility and benefit amount for SNAP benefits.

b) The penalty amount imposed for failure to comply with a federal, State or local welfare cash assistance program requirement is considered available unearned income in the determination of eligibility and benefit amount. This includes:

1) monies recouped under the Temporary Assistance for Needy Families Program or the federal Supplementary Security Income Program as the result of a conviction for criminal or civil fraud under Section 8A-2 or 8A-7 of the Illinois Public Aid Code [305 ILCS 5/8A-2 or 8A-7]; or

2) the amount of cash assistance benefits withheld from the household due to a failure to comply with requirements of a federal, State or local welfare cash assistance program.

c) Unearned income is all income other than that received in the form of salary for services performed as an employee or profits from self-employment.

(Source: Amended at 34 Ill. Reg. 7265, effective May 10, 2010)