**Section 240.830 Unearned Income Exemptions**

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

a) The following unearned income shall be exempt from consideration in determining eligibility:

1) Any allotment under SNAP (7 USC 2017(b));

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

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

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

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

6) 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 Programs (42 USC 3056) established under Title II of the Domestic Volunteer Service Act, as amended (42 USC 5001 through 5023);

7) Income in an amount not greater than the current amount allowed received by a beneficiary of life insurance which is expended on the funeral and burial of the insured;

8) Income received under Section 4(c) of the Senior Citizens and Persons with Disabilities Property Tax Relief Act. This includes both the benefits commonly known as the "circuit breaker" and "additional grants";

9) Payments to volunteers under the 1973 Domestic Volunteer Service Act (48 USC 5044(q)). These include:

A) Vista Volunteers;

B) volunteers serving as senior health aides, senior companions, or foster grandparents;

C) persons serving in the Service Corps of Retired Executives (SCORE) or the Active Corps of Executives (ACE);

10) Social Security death benefits expended on a funeral/burial;

11) The value of home produce that is used for personal consumption;

12) The value of supplemental food assistance received under the Child Nutrition Act of 1966, as amended, (42 USC 1780(b)) and the special food service program for children under the National School Lunch Act, as amended (42 USC 1760);

13) Any payments distributed per capita or held in trust for members of any Indian tribe under Public Law 92-254, 93-134 or 94-450 (25 USC 1407);

14) Tax exempt portions of payments made pursuant to the Alaska Native Claims Settlement Act (43 USC 1626);

15) Experimental Housing Allowance Program payments made under Annual Contributions Contracts entered into prior to January 1, 1975 under Section 23 of the U.S. Housing Act of 1937, as amended (42 USC 1437(f));

16) That portion of an educational benefit that is actually used for items such as tuition, books, fees, equipment or transportation, necessary for school attendance:

A) Veterans Educational Assistance –

Income from educational benefits paid to a veteran or to a dependent of a veteran shall be exempt only to the extent that it is applied toward educational expenses;

B) Social Security Administration (SSA) Benefits –

Income received as a SSA benefit paid to or for an individual and conditioned upon the individual's regular attendance in a school, college or university, or a course of vocational or technical learning, shall be exempt to the extent that it is applied toward educational expenses;

C) Loan and Grants –

Income from educational loans and grants obtained and used under conditions that prevent their use for current living costs shall be exempt;

17) Income from educational loans and grants made or insured under any program administered by the Secretary of Education is totally exempt whether the grant is paid directly to the schools or to the student. These loans and grants include the National Direct Student Loans, Basic Educational Opportunity Grants, Supplementary Educational Opportunity Grant, Work Study Grant, and the Guaranteed Loan Program;

18) The following incentive allowances:

A) National Training Services Grant –

Incentive payments which the Department of Rehabilitation Services authorizes to be paid for a maximum of 2 years to disabled persons receiving categorical public assistance and enrolled in the National Training Service Project;

B) Jobs Training Partnership Act (JTPA) –

Needs based payments (e.g., transportation); case assistance (e.g., uniforms and lunches); compensations in lieu of wages; and allowances received under JTPA are exempt.

b) Unearned Income In-Kind

1) Unearned income in-kind is payment made by a person other than a member of a participant's family on behalf of or in the name of a member of the participant's family (e.g., payment of CCP incurred expense for care, medical bills, etc.).

2) Unearned income in-kind shall be exempt.

3) When the participant's family shares a dwelling unit with another family or individuals, the exchange of cash for purposes of satisfying payment of shelter related obligations shall not constitute an income in-kind payment and shall not be considered available to the person who receives and disburses the shelter-related payment.

c) Earmarked Income

1) Earmarked income is income restricted for the use of a specified participant by court order or by legal stipulation of a contributor.

2) Earmarked income shall be considered as income of the specified participant only.

d) Lump Sum Payments

1) Lump sum payments shall be considered available for the eligibility period in which it is received and are not exempt.

2) Supplemental Security Income (SSI) lump sum payments are exempt income. SSI lump sum payments that are kept separately and are not combined with other monies remain exempt.

e) Protected Income

SSI is protected income and not considered available to be applied toward the incurred expense for CCP services of anyone other than the SSI recipient.

(Source: Amended at 42 Ill. Reg. 20653, effective January 1, 2019)