**Section 281.65 Electronic Document Providers**

a) Electronic document provider systems must allow for electronic data interface with Department computer systems to electronically transfer warehouse receipts, EPLCs, and/or other electronic document information for examination purposes.

b) Providers who operate and maintain a CFS in reference to electronic documents, including EWRs, must meet all USDA requirements pursuant to 7 CFR 735 (2008) and must maintain USDA-approved provider status to be eligible as a provider for licensees. In order to be authorized by the Director, providers must also:

1) register with the Department and pay an annual registration fee of $100;

2) provide all documentation requested by the Department to confirm that the warehouse receipt provider is a USDA-approved provider in good standing;

3) maintain and retain a complete record of EWRs and EPLCs for 6 years, showing for whom issued, the number issued and the consecutive numbers that were issued on the EWRs and EPLCs;

4) immediately notify the Department of any instance in which the provider is required to notify the USDA or a user of any breach of security or confidentiality concerning data, loss of operations, cancellation of insurance or other compromise, disruption or infringement of its operations;

5) maintain adequate levels of insurance and name the Director as an additional insured;

6) be authorized to transact business in the State of Illinois;

7) consent to jurisdiction in the State of Illinois and venue in Sangamon County;

8) maintain records, make reports and provide to the Department the documentation, records and reports requested by the Director, free of charge to the Department; and

9) comply in all respects with Illinois law, including but not limited to the Code and this Part.

c) A provider shall submit to the Department copies of its current schedule of charges and rates for services before they are to become effective. A provider shall also submit to the Department 60 calendar days notice of its intent to change rates.

d) A provider shall submit to the Department advance notice of any changes to or new agreements with users.

e) Any person authorized by the Director to issue EWRs, EPLCs, or other electronic documents shall maintain records and make reports requested by the Director.

f) A provider's ability to issue EWRs is contingent on approval by FSA, and suspension or termination by FSA of the provider is an automatic suspension or termination of the authority granted by the Department for the provider to operate in the State of Illinois. A provider shall be required to immediately notify the Department of any suspension or termination of approval as a provider by FSA.

g) After providing notice and opportunity for hearing in accordance with 8 Ill. Adm. Code 1, the Director may suspend authorization for a provider for a material violation of, or failure to comply with, any provision of the Code (including any regulations promulgated under the Code); failure to perform authorized services in an acceptable manner; failure to maintain security of the CFS; or commission of fraud against the Department, FSA or any depositor.

(Source: Amended at 47 Ill. Reg. 5939, effective April 12, 2023)