**Section 240.815 Exempt Assets**

a) Exempt Assets

1) Homestead property.

2) Clothing and personal effects.

3) Household furnishings.

4) Business or farming equipment used for the production of income.

5) Motor vehicles except those primarily used for recreational purposes.

6) Group life insurance held as a condition of employment or provided by employer.

7) The principal of a trust fund only when the instrument establishing the trust specifically states the principal cannot be impaired.

8) One of the following:

A) a prepaid burial plan with a total value of up to the amounts specified in 89 Ill. Adm. Code 120.381(c) and (d) if burial merchandise is not specified. If burial merchandise is specified in the burial plan, that merchandise shall be exempt. Any excess of the allowed amounts in value for burial services shall be considered non-exempt; or

B) life insurance policy with a total face or cash value of the amount specified in 89 Ill. Adm. Code 120.381(a)(5) or less. When both cash and face value exceed this amount, apply the excess cash value over this amount toward the non-exempt assets.

C) Burial spaces intended for use of the participant and grave markers shall be exempt (see 89 Ill. Adm. Code 120.381(b)).

9) The value of the allotment under the Supplemental Nutrition Assistance Program (SNAP) Act of 2008 (7 USC 2017(b)).

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

11) 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).

12) Assets protected by purchase of a certified long-term care insurance policy that meets State standards [320 ILCS 35/25(a)(1) through (5)].

b) In addition to the exempt assets listed in subsection (a), the following assets are exempt. These assets remain exempt only so long as they can be identified by a separate account.

1) Any benefits received under Title III, Part C, Nutrition Program for the Elderly, of the Older Americans Act of 1965, as amended (42 USC 3030(e) and (f)).

2) Any payment received under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 USC 4636).

3) Any funds distributed per capita to or held in trust for members of any Indian tribe under P.L. 92-254, P.L. 93-134 or P.L. 97-458 (25 USC 1407).

4) Tax-exempt portions of payments made pursuant to the Alaska Native Claims Settlement Act (43 USC 1626).

5) 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)).

6) Effective October 17, 1975, receipts distributed to certain Indian tribal members for marginal land held by the United States government.

7) Payments to volunteers under the 1973 Domestic Volunteer Service Act (42 USC 5044, Section 4951). These include:

A) Vista Volunteers;

B) Volunteers serving as senior health aides, senior companions, foster grandparents, or persons serving in the National Senior Volunteer Corps (NSVC).

8) Any grant or loan to any undergraduate student for educational purposes made or insured under any program administered by the Secretary of Education.

9) Supplemental Security Income (SSI) lump sum payments.

10) Income received under Section 4(c) of the Senior Citizens and Persons with Disabilities Property Tax Relief Act [320 ILCS 25]. This includes both the benefits commonly known as the "circuit breaker" and the "additional grants".

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