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ILLINOIS REGISTER

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ILLINOIS EMERGENCY MANAGEMENT AGENCY AND  
OFFICE OF HOMELAND SECURITY

NOTICE OF PROPOSED AMENDMENT

TITLE 29: EMERGENCY SERVICES, DISASTERS, AND CIVIL DEFENSE  
CHAPTER I: ILLINOIS EMERGENCY MANAGEMENT AGENCY AND  
OFFICE OF HOMELAND SECURITY

SUBCHAPTER a: GENERAL ADMINISTRATION  
PART 120  
STATE NOT-FOR-PROFIT SECURITY GRANT PROGRAM

Section	
120.10	Purpose and Scope
120.15	Definitions
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120.30	Application Requirements
120.40	Application Submission and Notification of Grant Award
120.50	Grant Agreement and Payment
120.60	Audit, Grant Fund Recovery, and Records Retention

AUTHORITY: Implementing and authorized by Section 5(g-5) of the Illinois Emergency Management Agency Act [20 ILCS 3305].

SOURCE: Adopted at 48 Ill. Reg. 15492, effective October 16, 2024; Chapter I recodified at 49 Ill. Reg. 1334; amended at 50 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

**Section 120.20 Eligibility and Project Requirements**

- a) Pursuant to Section 5(g-5) of the Act, only not-for-profit organizations which are exempt from federal income taxation under Section 501(c)(3) of the federal Internal Revenue Code that are at high risk of a threat, attack, or acts of terrorism are eligible for this grant.
- b) The location of the project, as identified by the applicant during the application process, shall be in the State of Illinois and shall remain located in the State for a minimum of 5 years after the end of the grant performance period. The agency may consider and provide written approval for relocation of security equipment, but only when the grantee will no longer occupy the premises where the security equipment is located, conditions and criteria for awarding the grant have not changed, and the new location is within the State.

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- c) Eligible projects shall not duplicate, in part or in whole, a project included under any awarded federal grant or in a pending federal grant application in order to ensure that funds awarded under the program are used to supplement existing federal funds and not replace, i.e., supplant, funds appropriated for the same purpose. Applicants may apply for project funding on the State application in the same AEL category as the federal application as long as the requested funds are a supplement to the federal funding. Applicants shall provide specific distinguishable information about the project for the AEL category on the application in order for the Agency to approve the application.
- d) Eligible Projects.
  - 1) Projects eligible for funding include all eligible preparedness activities under the federal Nonprofit Security Grant Program, including, but not limited to physical security upgrades, security training exercises, preparedness training exercises, and contracting with security personnel. Project funding shall be awarded subject to the appropriation for this program.
  - 2) The Director of IEMA-OHS may deem other security upgrades, not provided under the federal Nonprofit Security Grant Program, eligible projects under this State program. Additional security upgrades, not provided under the federal Nonprofit Security Grant Program, may be deemed eligible under this subsection. The Director, in coordination with the Governor's Homeland Security Advisor, may establish additional security upgrades that are consistent with the strategic priorities in the State of Illinois' Homeland Security Strategy 2024-2028 or updated strategy (<https://iemaohs.illinois.gov/hs/strategy.html>) and U.S. Department of Homeland Security and Federal Emergency Management Agency national priorities for current and emerging threats. Additional security upgrades deemed eligible, e.g., cybersecurity enhancements, public warning systems, and physical security enhancement equipment that are developed with new technology, will be identified in the Notice of Funding Opportunity (NOFO).
  - 3) The applicant may request up to 5% of the total grant award for management and administration costs. Such management and administration costs shall be included in the requested grant award amount, rather than in addition to the requested amount.

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AGENCY NOTE: The amount of funding granted for management and administration costs will be adjusted according to the actual amount spent during the grant performance period. For example, an applicant requests 5% of the total grant award for management and administrative costs and \$150,000 is awarded. The grantee spends only \$100,000 of the grant award. The grantee will receive only \$5,000 in management and administration costs, not the original \$7,500 anticipated.

- 4) Indirect Costs: The applicant may request indirect costs consistent with the GATA Rule (44 Ill. Adm. Code 7000). The indirect costs shall be included in the requested grant award amount, rather than in addition to the requested amount.
- e) Prohibitions.
  - 1) Applicants should check SAM.gov (<https://sam.gov/content/exclusions>) for exclusions and prohibited uses to prevent entering into a prohibited transaction.
  - 2) An applicant awarded grant funding may be required to certify that it is in compliance with applicable federal, State and local prohibitions in the grant agreement described in Section 120.50.

(Source: Amended at 50 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)