

**Illinois Department of Revenue
Regulations**

Title 86 Part 435 Section 435.200 Denial, Suspension, or Revocation of Licenses

**TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE**

**PART 435
CHARITABLE GAMES ACT**

Section 435.200 Denial, Suspension, or Revocation of Licenses

- a) The Department shall deny the application, including a renewal application, of any person or organization that does not satisfy all eligibility requirements for the license for which application is made, or that is ineligible for a license under Section 435.150(a).
- b) *The Department may, in its discretion, suspend or revoke any license when it finds that the licensed organization or any person connected therewith has violated or is violating the provisions of the Act (Section 10 of the Act), or when it finds that the licensed organization has become ineligible for any reason while the license is in effect.*
 - 1) The Director may review the offenses subjecting the licensee to revocation and may issue a suspension. The decision to reduce a revocation to a suspension, and the duration of the suspension, shall be made by taking into account factors that include, but are not limited to, the licensee's previous history of compliance with the Act and this Part, the number, seriousness, and duration of the violations, and the licensee's cooperation in discontinuing and correcting violations. Violations of Sections 4, 5, 6, 7, and 8 of the Act are considered to be more serious in nature than other violations under the Act.
 - 2) The effective date of a revocation or suspension shall be not less than 25 days after the date the Department mails the notice of revocation or suspension to the licensed organization. If the licensed organization requests a hearing within 20 days as provided in subsection (c)(2), the effective date of any revocation or suspension is stayed pending the outcome of the hearing, and the licensed organization may continue to operate under the license, unless the Department has determined that a summary revocation or suspension is warranted, as provided in Section 13 of the Act. If a license expires during a stay of revocation or suspension, the licensed organization may apply for renewal pursuant to Section

435.120(a)(3). Assuming the organization is otherwise eligible, the Department may issue a renewed license. If the hearing officer determines that revocation is warranted, the renewed license shall be summarily revoked.

- 3) *A revocation or suspension shall be in addition to, and not in lieu of, any other civil or criminal penalties or assessments authorized by the Act (Section 10 of the Act).*

c) Notification of Denial, Suspension or Revocation; Requests for Hearing

- 1) The Department shall send notices of denial, suspension or revocation by certified mail, return receipt requested, to the applicant or licensed organization at the mailing address stated on the applicant's or licensed organization's most recent license application. All such notices will include a statement of the reasons for the Department's action.
- 2) An applicant or licensed organization may request a hearing to contest a denial, suspension or revocation. The request shall be in writing, and must be received by the Department within 20 days after the date the Department mailed the notice of its action to the applicant or licensed organization. If no hearing is requested within 20 days, the Department's revocation, suspension or denial becomes final, and the licensed organization is barred from operating. Hearings shall be governed by the regulations established at 86 Ill. Adm. Code 200.

(Source: Amended at 39 Ill. Reg. 4454, effective March 10, 2015)