**Section 3000.740 Petition for Removal from the Board Exclusion List**

a) Any person who has been placed on the Board Exclusion List may, after the expiration of one year from the date of placement on the list or from the conclusion of any hearing or appeal associated with placement on the list, whichever is later, petition the Board, in writing, and request that his or her name be removed from the list. The petition shall be verified and state with specificity facts believed by the petitioner to constitute clear and convincing evidence for removal of his or her name from the list. The petition shall be notarized and shall include a certification in the following form:

The undersigned certifies that the statements set forth in this petition are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

b) The Board shall either deny the petition or set the petition for hearing. The Board may deny a petition for removal from the Board Exclusion List if the petition fails to comply with any of the requirements of subsection (a) of this Section or if the facts contained in the petition are the same or substantially the same facts that the petitioner set forth in a request for hearing under Section 3000.405 or previous petition for removal under this Section. In the event the Board elects to set the petition for hearing, the procedures specified in Subpart D of this Part, with the exception of Section 3000.405(a), (b), (c) and (d), shall apply.

c) Any information, including the record of evidence and testimony, if any, used by the Board in making its original determination to exclude petitioner may be considered by the Board, provided, however, that the record shall not be reopened.

d) The Board's denial of a petition for removal from the Exclusion List is a final decision of the Board. Judicial review of the final order of the Board shall be conducted in accordance with the Administrative Review Law [735 ILCS 5/Art. III] pursuant to Section 17.1(b) of the Riverboat Gambling Act [230 ILCS 10/17.1(b)].

(Source: Amended at 31 Ill. Reg. 8098, effective June 14, 2007)