**Section 310.120 Amendment, Withdrawal of Complaints and Petitions for Hearing**

a) The complaint may be amended at any time. An amended Complaint may be filed in the same manner as a Complaint, or it may be presented to the Comptroller or hearing officer during the course of the hearing. A continuance shall be granted whenever the amendment materially alters the Complaint, and when the licensee demonstrates that he or she would otherwise be unable to properly prepare an Answer to the Amended Complaint or prepare his or her case. "Materially altered" means the addition of a new issue of law or allegation of fact that may affect the decision to which the party has not had an opportunity to respond. Continuances will be granted for no more than 30 days.

b) A Complaint or Petition for Hearing may be withdrawn at any time prior to the hearing by the party who initiated it. After a hearing has begun, a Complaint may be withdrawn only upon written notice to the Comptroller or hearing officer.

(Source: Amended at 42 Ill. Reg. 16010, effective August 1, 2018)