**Section 310.190 Burden of Proof**

a) The burden of proof rests with the Department in all cases instituted by the Department by the filing of a Complaint. A recommendation for an order may be made by the hearing officer or an order entered by the Comptroller only when the Department establishes by a preponderance of the evidence that the allegations of the Complaint are true.

b) The burden of proof in all cases instituted by the filing of a Petition for Hearing rests with the petitioner. The petitioner must prove by a preponderance of the evidence that the license should be granted or restored, as the case may be.

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