**Section 100.25 Initiation of a Hearing**

a) An alleged violator receiving a citation pursuant to the Smoke Free Illinois Act (SFIA) shall submit a request for hearing to the enforcing agency that issued the citation. The enforcing agency shall forward the request to the Department for scheduling. Failure to request a hearing within 10 calendar days after the citation is received (or failure to attend a hearing when scheduled) or failure to pay the total amount of the fine, without objection, within 28 calendar days after the citation is issued will result in a final decision and order being entered against the alleged violator.

b) *The Department shall serve written notice to all parties of the time, place, nature, and location of the hearing, not less than 10 days prior to the hearing.* (SFIA Section 40(d) and IAPA Section 10-25)

c) The Notice of Hearing *shall include the following:*

1) *A statement of the time, place, telephone number and nature of the hearing;*

2) *A statement of legal authority and jurisdiction under which the hearing is to be held;*

3) *The names, mailing addresses*, and electronic mail addresses *of the Administrative Law Judge, all parties, and all other persons* who are given notice of the hearing (IAPA Section 10-25);

4) Copies of the original citation and any documents to be introduced pursuant to Section 100.60(d); and

5) Information as to how the alleged violator can access a copy of this Part and the SFIA on the Department's website.

d) Notice shall be sufficient if served personally or if sent by certified mail to the alleged violator's address as it appears on the citation or as maintained with the Illinois Secretary of State as of the date of service.

(Source: Amended at 46 Ill. Reg. 8158, effective May 5, 2022)