**Section 204.120 Withdrawal of Approval of Voting Systems**

a) If, at any time subsequent to the Board's approval or interim approval of a voting system, the Board determines that the approved voting system fails to fulfill the criteria prescribed in Section 204.40, or the vendor failed to submit or use the proper Computer Code or the Computer Code has not been used for at least 23 months to tabulate ballots in an election, the Board shall notify any users or vendors of that particular voting system that the Board's approval of that system is to be withdrawn. The notice shall be in writing, shall specify the reasons why approval of the system is being withdrawn, and shall specify the date on which the withdrawal is to become effective.

b) Any vendor or user of a voting system may request, in writing, that the Board reconsider its decision to withdraw approval of the voting system. Upon receipt of a request, the Board shall hold a public hearing for the purpose of reconsidering the decision to withdraw approval and any interested person shall be given an opportunity to make a presentation either in support of or in opposition to the Board's decision.

c) The Board shall, on the basis of the record before it, either affirm or reverse its decision to withdraw approval. In the alternative, the Board may also order that the voting system be given further review by the Board's staff in accordance with this Part and also, if appropriate, order that the voting system be subject to interim approval as determined by the Board.

 (Source: Amended at 29 Ill. Reg. 13734, effective August 25, 2005)