**Section 1291.215 Death, Incapacity, and Receivership of a Principal Officer**

a) In the event of the death, incapacity, receivership, or other event rendering one or more principal officer incapable of performing the duties associated with the license, the principal officer, principal officers' successor in interest (e.g., appointed guardian, executor, administrator, receiver, trustee), or dispensing organization shall notify the Department in writing within 10 business days of the triggering event. The notification shall be supported by proof, such as a death certificate or court order, and shall be on a form or manner prescribed by the Department.

b) As soon as reasonably possible after a triggering event described in subsection (a), and in order to continue the operations of the dispensing organization, the Department may approve a successor in interest to act on behalf of the affected principal officer. As used in this subsection, "successor in interest" is an individual who has the authority to act on behalf of the affected principal officer (e.g., appointed guardian, executor, administrator, receiver, custodian, trustee), as documented by a court order or other similar document appointing guardianship, receivership, administration or through a will or trust. The successor in interest is subject to all terms and conditions under which a principal officer is held to, however, the Department's approval of the successor in interest creates no vested right to the future approval as a principal officer for the successor in interest. The Department may approve a successor in interest if the individual or the dispensing organization submits the following:

1) The name of the successor in interest;

2) The name of the principal officer for which the successor in interest is succeeding along with the corresponding principal officer license numbers;

3) The phone number, mailing address, and email address of the successor in interest; and

4) Documentation demonstrating the following:

A) That the principal officer is incapable of performing the duties associated with the license including, but not limited to, a death certificate or court order;

B) That the successor in interest is at least 21 years of age;

C) That the successor in interest is not delinquent in filing any required tax return or paying any amount owed to the State of Illinois as evidenced by the Illinois Department of Revenue;

D) That the successor in interest is the principal officers' legal successor as evidenced by documentation such as a court order appointing guardianship, receivership, or a will or trust agreement;

E) An attestation that naming the successor in interest will not have the effect of granting any of the owners or principal officers, including the successor in interest, direct or indirect ownership or control of more than 10 adult use dispensing organization licenses; and

F) If the affected principal officer's ownership interest is held by a trust, that trust shall be disclosed to the Department within 10 business days of the trust receiving the impacted ownership interest in compliance with the trust disclosure parameters in Section 1291.30.

c) The Department will provide an approved successor in interest written approval to continue operations for a specific period of time.

d) The Department may request an updated Table of Organization, Ownership, and Control in order to reflect a successor in interest.

(Source: Added at 48 Ill. Reg. 13377, effective August 20, 2024)