

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Liquor Control Act of 1934 is amended by  
5 changing Sections 1-3.40, 5-1, 5-3, and 6-4 as follows:

6 (235 ILCS 5/1-3.40)

7 Sec. 1-3.40. Manufacturer class license holder.

8 "Manufacturer class license holder" means any holder of a  
9 Manufacturer's license as provided in Section 5-1 of this Act.

10 The Manufacturer's licenses are: a Class 1. Distiller, a Class  
11 2. Rectifier, a Class 3. Brewer, a Class 4. First Class Wine  
12 Manufacturer, a Class 5. Second Class Wine Manufacturer, a  
13 Class 6. First Class Winemaker, a Class 7. Second Class  
14 Winemaker, a Class 8. Limited Wine Manufacturer, a Class 9.  
15 Craft Distiller, a Class 10 ~~9~~. Class 1 Craft Distiller, a Class  
16 11 ~~10~~. Class 2 Craft Distiller, a Class 12 ~~11~~. Class 1 Brewer,  
17 and a Class 13 ~~12~~. Class 2 Brewer, and any future  
18 Manufacturer's licenses established by law.

19 (Source: P.A. 101-482, eff. 8-23-19.)

20 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

21 Sec. 5-1. Licenses issued by the Illinois Liquor Control  
22 Commission shall be of the following classes:

1 (a) Manufacturer's license - Class 1. Distiller, Class 2.  
2 Rectifier, Class 3. Brewer, Class 4. First Class Wine  
3 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.  
4 First Class Winemaker, Class 7. Second Class Winemaker, Class  
5 8. Limited Wine Manufacturer, Class 9. Craft Distiller, Class  
6 10 ~~9~~. Class 1 Craft Distiller, Class 11 ~~10~~. Class 2 Craft  
7 Distiller, Class 12 ~~11~~. Class 1 Brewer, Class 13 ~~12~~. Class 2  
8 Brewer,

9 (b) Distributor's license,

10 (c) Importing Distributor's license,

11 (d) Retailer's license,

12 (e) Special Event Retailer's license (not-for-profit),

13 (f) Railroad license,

14 (g) Boat license,

15 (h) Non-Beverage User's license,

16 (i) Wine-maker's premises license,

17 (j) Airplane license,

18 (k) Foreign importer's license,

19 (l) Broker's license,

20 (m) Non-resident dealer's license,

21 (n) Brew Pub license,

22 (o) Auction liquor license,

23 (p) Caterer retailer license,

24 (q) Special use permit license,

25 (r) Winery shipper's license,

26 (s) Craft distiller tasting permit,

- 1 (t) Brewer warehouse permit,  
2 (u) Distilling pub license,  
3 (v) Craft distiller warehouse permit.

4 No person, firm, partnership, corporation, or other legal  
5 business entity that is engaged in the manufacturing of wine  
6 may concurrently obtain and hold a wine-maker's license and a  
7 wine manufacturer's license.

8 (a) A manufacturer's license shall allow the manufacture,  
9 importation in bulk, storage, distribution and sale of  
10 alcoholic liquor to persons without the State, as may be  
11 permitted by law and to licensees in this State as follows:

12 Class 1. A Distiller may make sales and deliveries of  
13 alcoholic liquor to distillers, rectifiers, importing  
14 distributors, distributors and non-beverage users and to no  
15 other licensees.

16 Class 2. A Rectifier, who is not a distiller, as defined  
17 herein, may make sales and deliveries of alcoholic liquor to  
18 rectifiers, importing distributors, distributors, retailers  
19 and non-beverage users and to no other licensees.

20 Class 3. A Brewer may make sales and deliveries of beer to  
21 importing distributors and distributors and may make sales as  
22 authorized under subsection (e) of Section 6-4 of this Act.

23 Class 4. A first class wine-manufacturer may make sales and  
24 deliveries of up to 50,000 gallons of wine to manufacturers,  
25 importing distributors and distributors, and to no other  
26 licensees.

1           Class 5. A second class Wine manufacturer may make sales  
2 and deliveries of more than 50,000 gallons of wine to  
3 manufacturers, importing distributors and distributors and to  
4 no other licensees.

5           Class 6. A first-class wine-maker's license shall allow the  
6 manufacture of up to 50,000 gallons of wine per year, and the  
7 storage and sale of such wine to distributors in the State and  
8 to persons without the State, as may be permitted by law. A  
9 person who, prior to June 1, 2008 (the effective date of Public  
10 Act 95-634), is a holder of a first-class wine-maker's license  
11 and annually produces more than 25,000 gallons of its own wine  
12 and who distributes its wine to licensed retailers shall cease  
13 this practice on or before July 1, 2008 in compliance with  
14 Public Act 95-634.

15           Class 7. A second-class wine-maker's license shall allow  
16 the manufacture of between 50,000 and 150,000 gallons of wine  
17 per year, and the storage and sale of such wine to distributors  
18 in this State and to persons without the State, as may be  
19 permitted by law. A person who, prior to June 1, 2008 (the  
20 effective date of Public Act 95-634), is a holder of a  
21 second-class wine-maker's license and annually produces more  
22 than 25,000 gallons of its own wine and who distributes its  
23 wine to licensed retailers shall cease this practice on or  
24 before July 1, 2008 in compliance with Public Act 95-634.

25           Class 8. A limited wine-manufacturer may make sales and  
26 deliveries not to exceed 40,000 gallons of wine per year to

1 distributors, and to non-licensees in accordance with the  
2 provisions of this Act.

3 Class 9. A craft distiller license, which may only be held  
4 by a class 1 craft distiller licensee or class 2 craft  
5 distiller licensee but not held by both a class 1 craft  
6 distiller licensee and a class 2 craft distiller licensee,  
7 shall grant all rights conveyed by either: (i) a class 1 craft  
8 distiller license if the craft distiller holds a class 1 craft  
9 distiller license; or (ii) a class 2 craft distiller licensee  
10 if the craft distiller holds a class 2 craft distiller license.

11 Class 10 ~~9~~. A class 1 craft distiller license, which may  
12 only be issued to a licensed craft distiller ~~licensed distiller~~  
13 or licensed non-resident dealer, shall allow the manufacture of  
14 up to 50,000 gallons of spirits per year provided that the  
15 class 1 craft distiller licensee does not manufacture more than  
16 a combined 50,000 gallons of spirits per year and is not a  
17 member of or affiliated with, directly or indirectly, a  
18 manufacturer that produces more than 50,000 gallons of spirits  
19 per year or any other alcoholic liquor. A class 1 craft  
20 distiller licensee may make sales and deliveries to importing  
21 distributors and distributors and to retail licensees in  
22 accordance with the conditions set forth in paragraph (19) of  
23 subsection (a) of Section 3-12 of this Act. However, the  
24 aggregate amount of spirits sold to non-licensees and sold or  
25 delivered to retail licensees may not exceed 5,000 gallons per  
26 year.

1           A class 1 craft distiller licensee may sell up to 5,000  
2 gallons of such spirits to non-licensees to the extent  
3 permitted by any exemption approved by the State Commission  
4 pursuant to Section 6-4 of this Act. A class 1 craft distiller  
5 license holder may store such spirits at a non-contiguous  
6 licensed location, but at no time shall a class 1 craft  
7 distiller license holder directly or indirectly produce in the  
8 aggregate more than 50,000 gallons of spirits per year.

9           A class 1 craft distiller licensee may hold more than one  
10 class 1 craft distiller's license. However, a class 1 craft  
11 distiller that holds more than one class 1 craft distiller  
12 license shall not manufacture, in the aggregate, more than  
13 50,000 gallons of spirits by distillation per year and shall  
14 not sell, in the aggregate, more than 5,000 gallons of such  
15 spirits to non-licensees in accordance with an exemption  
16 approved by the State Commission pursuant to Section 6-4 of  
17 this Act.

18           Class 11 ~~10~~. A class 2 craft distiller license, which may  
19 only be issued to a licensed craft distiller ~~licensed distiller~~  
20 or licensed non-resident dealer, shall allow the manufacture of  
21 up to 100,000 gallons of spirits per year provided that the  
22 class 2 craft distiller licensee does not manufacture more than  
23 a combined 100,000 gallons of spirits per year and is not a  
24 member of or affiliated with, directly or indirectly, a  
25 manufacturer that produces more than 100,000 gallons of spirits  
26 per year or any other alcoholic liquor. A class 2 craft

1 distiller licensee may make sales and deliveries to importing  
2 distributors and distributors, but shall not make sales or  
3 deliveries to any other licensee. If the State Commission  
4 provides prior approval, a class 2 craft distiller licensee may  
5 annually transfer up to 100,000 gallons of spirits manufactured  
6 by that class 2 craft distiller licensee to the premises of a  
7 licensed class 2 craft distiller wholly owned and operated by  
8 the same licensee. A class 2 craft distiller may transfer  
9 spirits to a distilling pub wholly owned and operated by the  
10 class 2 craft distiller subject to the following limitations  
11 and restrictions: (i) the transfer shall not annually exceed  
12 more than 5,000 gallons; (ii) the annual amount transferred  
13 shall reduce the distilling pub's annual permitted production  
14 limit; (iii) all spirits transferred shall be subject to  
15 Article VIII of this Act; (iv) a written record shall be  
16 maintained by the distiller and distilling pub specifying the  
17 amount, date of delivery, and receipt of the product by the  
18 distilling pub; and (v) the distilling pub shall be located no  
19 farther than 80 miles from the class 2 craft distiller's  
20 licensed location.

21 A class 2 craft distiller shall, prior to transferring  
22 spirits to a distilling pub wholly owned by the class 2 craft  
23 distiller, furnish a written notice to the State Commission of  
24 intent to transfer spirits setting forth the name and address  
25 of the distilling pub and shall annually submit to the State  
26 Commission a verified report identifying the total gallons of

1 spirits transferred to the distilling pub wholly owned by the  
2 class 2 craft distiller.

3 A class 2 craft distiller license holder may store such  
4 spirits at a non-contiguous licensed location, but at no time  
5 shall a class 2 craft distiller license holder directly or  
6 indirectly produce in the aggregate more than 100,000 gallons  
7 of spirits per year.

8 Class 12 ~~11~~. A class 1 brewer license, which may only be  
9 issued to a licensed brewer or licensed non-resident dealer,  
10 shall allow the manufacture of up to 930,000 gallons of beer  
11 per year provided that the class 1 brewer licensee does not  
12 manufacture more than a combined 930,000 gallons of beer per  
13 year and is not a member of or affiliated with, directly or  
14 indirectly, a manufacturer that produces more than 930,000  
15 gallons of beer per year or any other alcoholic liquor. A class  
16 1 brewer licensee may make sales and deliveries to importing  
17 distributors and distributors and to retail licensees in  
18 accordance with the conditions set forth in paragraph (18) of  
19 subsection (a) of Section 3-12 of this Act. If the State  
20 Commission provides prior approval, a class 1 brewer may  
21 annually transfer up to 930,000 gallons of beer manufactured by  
22 that class 1 brewer to the premises of a licensed class 1  
23 brewer wholly owned and operated by the same licensee.

24 Class 13 ~~12~~. A class 2 brewer license, which may only be  
25 issued to a licensed brewer or licensed non-resident dealer,  
26 shall allow the manufacture of up to 3,720,000 gallons of beer



1 per year provided that the class 2 brewer licensee does not  
2 manufacture more than a combined 3,720,000 gallons of beer per  
3 year and is not a member of or affiliated with, directly or  
4 indirectly, a manufacturer that produces more than 3,720,000  
5 gallons of beer per year or any other alcoholic liquor. A class  
6 2 brewer licensee may make sales and deliveries to importing  
7 distributors and distributors, but shall not make sales or  
8 deliveries to any other licensee. If the State Commission  
9 provides prior approval, a class 2 brewer licensee may annually  
10 transfer up to 3,720,000 gallons of beer manufactured by that  
11 class 2 brewer licensee to the premises of a licensed class 2  
12 brewer wholly owned and operated by the same licensee.

13 A class 2 brewer may transfer beer to a brew pub wholly  
14 owned and operated by the class 2 brewer subject to the  
15 following limitations and restrictions: (i) the transfer shall  
16 not annually exceed more than 31,000 gallons; (ii) the annual  
17 amount transferred shall reduce the brew pub's annual permitted  
18 production limit; (iii) all beer transferred shall be subject  
19 to Article VIII of this Act; (iv) a written record shall be  
20 maintained by the brewer and brew pub specifying the amount,  
21 date of delivery, and receipt of the product by the brew pub;  
22 and (v) the brew pub shall be located no farther than 80 miles  
23 from the class 2 brewer's licensed location.

24 A class 2 brewer shall, prior to transferring beer to a  
25 brew pub wholly owned by the class 2 brewer, furnish a written  
26 notice to the State Commission of intent to transfer beer

1 setting forth the name and address of the brew pub and shall  
2 annually submit to the State Commission a verified report  
3 identifying the total gallons of beer transferred to the brew  
4 pub wholly owned by the class 2 brewer.

5 (a-1) A manufacturer which is licensed in this State to  
6 make sales or deliveries of alcoholic liquor to licensed  
7 distributors or importing distributors and which enlists  
8 agents, representatives, or individuals acting on its behalf  
9 who contact licensed retailers on a regular and continual basis  
10 in this State must register those agents, representatives, or  
11 persons acting on its behalf with the State Commission.

12 Registration of agents, representatives, or persons acting  
13 on behalf of a manufacturer is fulfilled by submitting a form  
14 to the Commission. The form shall be developed by the  
15 Commission and shall include the name and address of the  
16 applicant, the name and address of the manufacturer he or she  
17 represents, the territory or areas assigned to sell to or  
18 discuss pricing terms of alcoholic liquor, and any other  
19 questions deemed appropriate and necessary. All statements in  
20 the forms required to be made by law or by rule shall be deemed  
21 material, and any person who knowingly misstates any material  
22 fact under oath in an application is guilty of a Class B  
23 misdemeanor. Fraud, misrepresentation, false statements,  
24 misleading statements, evasions, or suppression of material  
25 facts in the securing of a registration are grounds for  
26 suspension or revocation of the registration. The State

1 Commission shall post a list of registered agents on the  
2 Commission's website.

3 (b) A distributor's license shall allow (i) the wholesale  
4 purchase and storage of alcoholic liquors and sale of alcoholic  
5 liquors to licensees in this State and to persons without the  
6 State, as may be permitted by law; (ii) the sale of beer,  
7 cider, or both beer and cider to brewers, class 1 brewers, and  
8 class 2 brewers that, pursuant to subsection (e) of Section 6-4  
9 of this Act, sell beer, cider, or both beer and cider to  
10 non-licensees at their breweries; and (iii) the sale of  
11 vermouth to class 1 craft distillers and class 2 craft  
12 distillers that, pursuant to subsection (e) of Section 6-4 of  
13 this Act, sell spirits, vermouth, or both spirits and vermouth  
14 to non-licensees at their distilleries. No person licensed as a  
15 distributor shall be granted a non-resident dealer's license.

16 (c) An importing distributor's license may be issued to and  
17 held by those only who are duly licensed distributors, upon the  
18 filing of an application by a duly licensed distributor, with  
19 the Commission and the Commission shall, without the payment of  
20 any fee, immediately issue such importing distributor's  
21 license to the applicant, which shall allow the importation of  
22 alcoholic liquor by the licensee into this State from any point  
23 in the United States outside this State, and the purchase of  
24 alcoholic liquor in barrels, casks or other bulk containers and  
25 the bottling of such alcoholic liquors before resale thereof,  
26 but all bottles or containers so filled shall be sealed,

1 labeled, stamped and otherwise made to comply with all  
2 provisions, rules and regulations governing manufacturers in  
3 the preparation and bottling of alcoholic liquors. The  
4 importing distributor's license shall permit such licensee to  
5 purchase alcoholic liquor from Illinois licensed non-resident  
6 dealers and foreign importers only. No person licensed as an  
7 importing distributor shall be granted a non-resident dealer's  
8 license.

9 (d) A retailer's license shall allow the licensee to sell  
10 and offer for sale at retail, only in the premises specified in  
11 the license, alcoholic liquor for use or consumption, but not  
12 for resale in any form. Nothing in Public Act 95-634 shall  
13 deny, limit, remove, or restrict the ability of a holder of a  
14 retailer's license to transfer, deliver, or ship alcoholic  
15 liquor to the purchaser for use or consumption subject to any  
16 applicable local law or ordinance. Any retail license issued to  
17 a manufacturer shall only permit the manufacturer to sell beer  
18 at retail on the premises actually occupied by the  
19 manufacturer. For the purpose of further describing the type of  
20 business conducted at a retail licensed premises, a retailer's  
21 licensee may be designated by the State Commission as (i) an on  
22 premise consumption retailer, (ii) an off premise sale  
23 retailer, or (iii) a combined on premise consumption and off  
24 premise sale retailer.

25 Notwithstanding any other provision of this subsection  
26 (d), a retail licensee may sell alcoholic liquors to a special

1 event retailer licensee for resale to the extent permitted  
2 under subsection (e).

3 (e) A special event retailer's license (not-for-profit)  
4 shall permit the licensee to purchase alcoholic liquors from an  
5 Illinois licensed distributor (unless the licensee purchases  
6 less than \$500 of alcoholic liquors for the special event, in  
7 which case the licensee may purchase the alcoholic liquors from  
8 a licensed retailer) and shall allow the licensee to sell and  
9 offer for sale, at retail, alcoholic liquors for use or  
10 consumption, but not for resale in any form and only at the  
11 location and on the specific dates designated for the special  
12 event in the license. An applicant for a special event retailer  
13 license must (i) furnish with the application: (A) a resale  
14 number issued under Section 2c of the Retailers' Occupation Tax  
15 Act or evidence that the applicant is registered under Section  
16 2a of the Retailers' Occupation Tax Act, (B) a current, valid  
17 exemption identification number issued under Section 1g of the  
18 Retailers' Occupation Tax Act, and a certification to the  
19 Commission that the purchase of alcoholic liquors will be a  
20 tax-exempt purchase, or (C) a statement that the applicant is  
21 not registered under Section 2a of the Retailers' Occupation  
22 Tax Act, does not hold a resale number under Section 2c of the  
23 Retailers' Occupation Tax Act, and does not hold an exemption  
24 number under Section 1g of the Retailers' Occupation Tax Act,  
25 in which event the Commission shall set forth on the special  
26 event retailer's license a statement to that effect; (ii)

1 submit with the application proof satisfactory to the State  
2 Commission that the applicant will provide dram shop liability  
3 insurance in the maximum limits; and (iii) show proof  
4 satisfactory to the State Commission that the applicant has  
5 obtained local authority approval.

6 Nothing in this Act prohibits an Illinois licensed  
7 distributor from offering credit or a refund for unused,  
8 salable alcoholic liquors to a holder of a special event  
9 retailer's license or the special event retailer's licensee  
10 from accepting the credit or refund of alcoholic liquors at the  
11 conclusion of the event specified in the license.

12 (f) A railroad license shall permit the licensee to import  
13 alcoholic liquors into this State from any point in the United  
14 States outside this State and to store such alcoholic liquors  
15 in this State; to make wholesale purchases of alcoholic liquors  
16 directly from manufacturers, foreign importers, distributors  
17 and importing distributors from within or outside this State;  
18 and to store such alcoholic liquors in this State; provided  
19 that the above powers may be exercised only in connection with  
20 the importation, purchase or storage of alcoholic liquors to be  
21 sold or dispensed on a club, buffet, lounge or dining car  
22 operated on an electric, gas or steam railway in this State;  
23 and provided further, that railroad licensees exercising the  
24 above powers shall be subject to all provisions of Article VIII  
25 of this Act as applied to importing distributors. A railroad  
26 license shall also permit the licensee to sell or dispense

1 alcoholic liquors on any club, buffet, lounge or dining car  
 2 operated on an electric, gas or steam railway regularly  
 3 operated by a common carrier in this State, but shall not  
 4 permit the sale for resale of any alcoholic liquors to any  
 5 licensee within this State. A license shall be obtained for  
 6 each car in which such sales are made.

7 (g) A boat license shall allow the sale of alcoholic liquor  
 8 in individual drinks, on any passenger boat regularly operated  
 9 as a common carrier on navigable waters in this State or on any  
 10 riverboat operated under the Illinois Gambling Act, which boat  
 11 or riverboat maintains a public dining room or restaurant  
 12 thereon.

13 (h) A non-beverage user's license shall allow the licensee  
 14 to purchase alcoholic liquor from a licensed manufacturer or  
 15 importing distributor, without the imposition of any tax upon  
 16 the business of such licensed manufacturer or importing  
 17 distributor as to such alcoholic liquor to be used by such  
 18 licensee solely for the non-beverage purposes set forth in  
 19 subsection (a) of Section 8-1 of this Act, and such licenses  
 20 shall be divided and classified and shall permit the purchase,  
 21 possession and use of limited and stated quantities of  
 22 alcoholic liquor as follows:

- 23 Class 1, not to exceed ..... 500 gallons
- 24 Class 2, not to exceed ..... 1,000 gallons
- 25 Class 3, not to exceed ..... 5,000 gallons
- 26 Class 4, not to exceed ..... 10,000 gallons

1 Class 5, not to exceed ..... 50,000 gallons

2 (i) A wine-maker's premises license shall allow a licensee  
3 that concurrently holds a first-class wine-maker's license to  
4 sell and offer for sale at retail in the premises specified in  
5 such license not more than 50,000 gallons of the first-class  
6 wine-maker's wine that is made at the first-class wine-maker's  
7 licensed premises per year for use or consumption, but not for  
8 resale in any form. A wine-maker's premises license shall allow  
9 a licensee who concurrently holds a second-class wine-maker's  
10 license to sell and offer for sale at retail in the premises  
11 specified in such license up to 100,000 gallons of the  
12 second-class wine-maker's wine that is made at the second-class  
13 wine-maker's licensed premises per year for use or consumption  
14 but not for resale in any form. A wine-maker's premises license  
15 shall allow a licensee that concurrently holds a first-class  
16 wine-maker's license or a second-class wine-maker's license to  
17 sell and offer for sale at retail at the premises specified in  
18 the wine-maker's premises license, for use or consumption but  
19 not for resale in any form, any beer, wine, and spirits  
20 purchased from a licensed distributor. Upon approval from the  
21 State Commission, a wine-maker's premises license shall allow  
22 the licensee to sell and offer for sale at (i) the wine-maker's  
23 licensed premises and (ii) at up to 2 additional locations for  
24 use and consumption and not for resale. Each location shall  
25 require additional licensing per location as specified in  
26 Section 5-3 of this Act. A wine-maker's premises licensee shall



1 secure liquor liability insurance coverage in an amount at  
2 least equal to the maximum liability amounts set forth in  
3 subsection (a) of Section 6-21 of this Act.

4 (j) An airplane license shall permit the licensee to import  
5 alcoholic liquors into this State from any point in the United  
6 States outside this State and to store such alcoholic liquors  
7 in this State; to make wholesale purchases of alcoholic liquors  
8 directly from manufacturers, foreign importers, distributors  
9 and importing distributors from within or outside this State;  
10 and to store such alcoholic liquors in this State; provided  
11 that the above powers may be exercised only in connection with  
12 the importation, purchase or storage of alcoholic liquors to be  
13 sold or dispensed on an airplane; and provided further, that  
14 airplane licensees exercising the above powers shall be subject  
15 to all provisions of Article VIII of this Act as applied to  
16 importing distributors. An airplane licensee shall also permit  
17 the sale or dispensing of alcoholic liquors on any passenger  
18 airplane regularly operated by a common carrier in this State,  
19 but shall not permit the sale for resale of any alcoholic  
20 liquors to any licensee within this State. A single airplane  
21 license shall be required of an airline company if liquor  
22 service is provided on board aircraft in this State. The annual  
23 fee for such license shall be as determined in Section 5-3.

24 (k) A foreign importer's license shall permit such licensee  
25 to purchase alcoholic liquor from Illinois licensed  
26 non-resident dealers only, and to import alcoholic liquor other

1 than in bulk from any point outside the United States and to  
2 sell such alcoholic liquor to Illinois licensed importing  
3 distributors and to no one else in Illinois; provided that (i)  
4 the foreign importer registers with the State Commission every  
5 brand of alcoholic liquor that it proposes to sell to Illinois  
6 licensees during the license period, (ii) the foreign importer  
7 complies with all of the provisions of Section 6-9 of this Act  
8 with respect to registration of such Illinois licensees as may  
9 be granted the right to sell such brands at wholesale, and  
10 (iii) the foreign importer complies with the provisions of  
11 Sections 6-5 and 6-6 of this Act to the same extent that these  
12 provisions apply to manufacturers.

13 (1) (i) A broker's license shall be required of all persons  
14 who solicit orders for, offer to sell or offer to supply  
15 alcoholic liquor to retailers in the State of Illinois, or who  
16 offer to retailers to ship or cause to be shipped or to make  
17 contact with distillers, craft distillers, rectifiers, brewers  
18 or manufacturers or any other party within or without the State  
19 of Illinois in order that alcoholic liquors be shipped to a  
20 distributor, importing distributor or foreign importer,  
21 whether such solicitation or offer is consummated within or  
22 without the State of Illinois.

23 No holder of a retailer's license issued by the Illinois  
24 Liquor Control Commission shall purchase or receive any  
25 alcoholic liquor, the order for which was solicited or offered  
26 for sale to such retailer by a broker unless the broker is the

1 holder of a valid broker's license.

2 The broker shall, upon the acceptance by a retailer of the  
3 broker's solicitation of an order or offer to sell or supply or  
4 deliver or have delivered alcoholic liquors, promptly forward  
5 to the Illinois Liquor Control Commission a notification of  
6 said transaction in such form as the Commission may by  
7 regulations prescribe.

8 (ii) A broker's license shall be required of a person  
9 within this State, other than a retail licensee, who, for a fee  
10 or commission, promotes, solicits, or accepts orders for  
11 alcoholic liquor, for use or consumption and not for resale, to  
12 be shipped from this State and delivered to residents outside  
13 of this State by an express company, common carrier, or  
14 contract carrier. This Section does not apply to any person who  
15 promotes, solicits, or accepts orders for wine as specifically  
16 authorized in Section 6-29 of this Act.

17 A broker's license under this subsection (1) shall not  
18 entitle the holder to buy or sell any alcoholic liquors for his  
19 own account or to take or deliver title to such alcoholic  
20 liquors.

21 This subsection (1) shall not apply to distributors,  
22 employees of distributors, or employees of a manufacturer who  
23 has registered the trademark, brand or name of the alcoholic  
24 liquor pursuant to Section 6-9 of this Act, and who regularly  
25 sells such alcoholic liquor in the State of Illinois only to  
26 its registrants thereunder.

1 Any agent, representative, or person subject to  
2 registration pursuant to subsection (a-1) of this Section shall  
3 not be eligible to receive a broker's license.

4 (m) A non-resident dealer's license shall permit such  
5 licensee to ship into and warehouse alcoholic liquor into this  
6 State from any point outside of this State, and to sell such  
7 alcoholic liquor to Illinois licensed foreign importers and  
8 importing distributors and to no one else in this State;  
9 provided that (i) said non-resident dealer shall register with  
10 the Illinois Liquor Control Commission each and every brand of  
11 alcoholic liquor which it proposes to sell to Illinois  
12 licensees during the license period, (ii) it shall comply with  
13 all of the provisions of Section 6-9 hereof with respect to  
14 registration of such Illinois licensees as may be granted the  
15 right to sell such brands at wholesale by duly filing such  
16 registration statement, thereby authorizing the non-resident  
17 dealer to proceed to sell such brands at wholesale, and (iii)  
18 the non-resident dealer shall comply with the provisions of  
19 Sections 6-5 and 6-6 of this Act to the same extent that these  
20 provisions apply to manufacturers. No person licensed as a  
21 non-resident dealer shall be granted a distributor's or  
22 importing distributor's license.

23 (n) A brew pub license shall allow the licensee to only (i)  
24 manufacture up to 155,000 gallons of beer per year only on the  
25 premises specified in the license, (ii) make sales of the beer  
26 manufactured on the premises or, with the approval of the

1 Commission, beer manufactured on another brew pub licensed  
2 premises that is wholly owned and operated by the same licensee  
3 to importing distributors, distributors, and to non-licensees  
4 for use and consumption, (iii) store the beer upon the  
5 premises, (iv) sell and offer for sale at retail from the  
6 licensed premises for off-premises consumption no more than  
7 155,000 gallons per year so long as such sales are only made  
8 in-person, (v) sell and offer for sale at retail for use and  
9 consumption on the premises specified in the license any form  
10 of alcoholic liquor purchased from a licensed distributor or  
11 importing distributor, (vi) with the prior approval of the  
12 Commission, annually transfer no more than 155,000 gallons of  
13 beer manufactured on the premises to a licensed brew pub wholly  
14 owned and operated by the same licensee, and (vii)  
15 notwithstanding item (i) of this subsection, brew pubs wholly  
16 owned and operated by the same licensee may combine each  
17 location's production limit of 155,000 gallons of beer per year  
18 and allocate the aggregate total between the wholly owned,  
19 operated, and licensed locations.

20 A brew pub licensee shall not under any circumstance sell  
21 or offer for sale beer manufactured by the brew pub licensee to  
22 retail licensees.

23 A person who holds a class 2 brewer license may  
24 simultaneously hold a brew pub license if the class 2 brewer  
25 (i) does not, under any circumstance, sell or offer for sale  
26 beer manufactured by the class 2 brewer to retail licensees;

1 (ii) does not hold more than 3 brew pub licenses in this State;  
2 (iii) does not manufacture more than a combined 3,720,000  
3 gallons of beer per year, including the beer manufactured at  
4 the brew pub; and (iv) is not a member of or affiliated with,  
5 directly or indirectly, a manufacturer that produces more than  
6 3,720,000 gallons of beer per year or any other alcoholic  
7 liquor.

8 Notwithstanding any other provision of this Act, a licensed  
9 brewer, class 2 brewer, or non-resident dealer who before July  
10 1, 2015 manufactured less than 3,720,000 gallons of beer per  
11 year and held a brew pub license on or before July 1, 2015 may  
12 (i) continue to qualify for and hold that brew pub license for  
13 the licensed premises and (ii) manufacture more than 3,720,000  
14 gallons of beer per year and continue to qualify for and hold  
15 that brew pub license if that brewer, class 2 brewer, or  
16 non-resident dealer does not simultaneously hold a class 1  
17 brewer license and is not a member of or affiliated with,  
18 directly or indirectly, a manufacturer that produces more than  
19 3,720,000 gallons of beer per year or that produces any other  
20 alcoholic liquor.

21 (o) A caterer retailer license shall allow the holder to  
22 serve alcoholic liquors as an incidental part of a food service  
23 that serves prepared meals which excludes the serving of snacks  
24 as the primary meal, either on or off-site whether licensed or  
25 unlicensed. A caterer retailer license shall allow the holder,  
26 a distributor, or an importing distributor to transfer any

1 inventory to and from the holder's retail premises and shall  
2 allow the holder to purchase alcoholic liquor from a  
3 distributor or importing distributor to be delivered directly  
4 to an off-site event.

5 Nothing in this Act prohibits a distributor or importing  
6 distributor from offering credit or a refund for unused,  
7 salable beer to a holder of a caterer retailer license or a  
8 caterer retailer licensee from accepting a credit or refund for  
9 unused, salable beer, in the event an act of God is the sole  
10 reason an off-site event is cancelled and if: (i) the holder of  
11 a caterer retailer license has not transferred alcoholic liquor  
12 from its caterer retailer premises to an off-site location;  
13 (ii) the distributor or importing distributor offers the credit  
14 or refund for the unused, salable beer that it delivered to the  
15 off-site premises and not for any unused, salable beer that the  
16 distributor or importing distributor delivered to the caterer  
17 retailer's premises; and (iii) the unused, salable beer would  
18 likely spoil if transferred to the caterer retailer's premises.  
19 A caterer retailer license shall allow the holder to transfer  
20 any inventory from any off-site location to its caterer  
21 retailer premises at the conclusion of an off-site event or  
22 engage a distributor or importing distributor to transfer any  
23 inventory from any off-site location to its caterer retailer  
24 premises at the conclusion of an off-site event, provided that  
25 the distributor or importing distributor issues bona fide  
26 charges to the caterer retailer licensee for fuel, labor, and

1 delivery and the distributor or importing distributor collects  
2 payment from the caterer retailer licensee prior to the  
3 distributor or importing distributor transferring inventory to  
4 the caterer retailer premises.

5 For purposes of this subsection (o), an "act of God" means  
6 an unforeseeable event, such as a rain or snow storm, hail, a  
7 flood, or a similar event, that is the sole cause of the  
8 cancellation of an off-site, outdoor event.

9 (p) An auction liquor license shall allow the licensee to  
10 sell and offer for sale at auction wine and spirits for use or  
11 consumption, or for resale by an Illinois liquor licensee in  
12 accordance with provisions of this Act. An auction liquor  
13 license will be issued to a person and it will permit the  
14 auction liquor licensee to hold the auction anywhere in the  
15 State. An auction liquor license must be obtained for each  
16 auction at least 14 days in advance of the auction date.

17 (q) A special use permit license shall allow an Illinois  
18 licensed retailer to transfer a portion of its alcoholic liquor  
19 inventory from its retail licensed premises to the premises  
20 specified in the license hereby created; to purchase alcoholic  
21 liquor from a distributor or importing distributor to be  
22 delivered directly to the location specified in the license  
23 hereby created; and to sell or offer for sale at retail, only  
24 in the premises specified in the license hereby created, the  
25 transferred or delivered alcoholic liquor for use or  
26 consumption, but not for resale in any form. A special use



1 permit license may be granted for the following time periods:  
2 one day or less; 2 or more days to a maximum of 15 days per  
3 location in any 12-month period. An applicant for the special  
4 use permit license must also submit with the application proof  
5 satisfactory to the State Commission that the applicant will  
6 provide dram shop liability insurance to the maximum limits and  
7 have local authority approval.

8 A special use permit license shall allow the holder to  
9 transfer any inventory from the holder's special use premises  
10 to its retail premises at the conclusion of the special use  
11 event or engage a distributor or importing distributor to  
12 transfer any inventory from the holder's special use premises  
13 to its retail premises at the conclusion of an off-site event,  
14 provided that the distributor or importing distributor issues  
15 bona fide charges to the special use permit licensee for fuel,  
16 labor, and delivery and the distributor or importing  
17 distributor collects payment from the retail licensee prior to  
18 the distributor or importing distributor transferring  
19 inventory to the retail premises.

20 Nothing in this Act prohibits a distributor or importing  
21 distributor from offering credit or a refund for unused,  
22 salable beer to a special use permit licensee or a special use  
23 permit licensee from accepting a credit or refund for unused,  
24 salable beer at the conclusion of the event specified in the  
25 license if: (i) the holder of the special use permit license  
26 has not transferred alcoholic liquor from its retail licensed

1 premises to the premises specified in the special use permit  
2 license; (ii) the distributor or importing distributor offers  
3 the credit or refund for the unused, salable beer that it  
4 delivered to the premises specified in the special use permit  
5 license and not for any unused, salable beer that the  
6 distributor or importing distributor delivered to the  
7 retailer's premises; and (iii) the unused, salable beer would  
8 likely spoil if transferred to the retailer premises.

9 (r) A winery shipper's license shall allow a person with a  
10 first-class or second-class wine manufacturer's license, a  
11 first-class or second-class wine-maker's license, or a limited  
12 wine manufacturer's license or who is licensed to make wine  
13 under the laws of another state to ship wine made by that  
14 licensee directly to a resident of this State who is 21 years  
15 of age or older for that resident's personal use and not for  
16 resale. Prior to receiving a winery shipper's license, an  
17 applicant for the license must provide the Commission with a  
18 true copy of its current license in any state in which it is  
19 licensed as a manufacturer of wine. An applicant for a winery  
20 shipper's license must also complete an application form that  
21 provides any other information the Commission deems necessary.  
22 The application form shall include all addresses from which the  
23 applicant for a winery shipper's license intends to ship wine,  
24 including the name and address of any third party, except for a  
25 common carrier, authorized to ship wine on behalf of the  
26 manufacturer. The application form shall include an

1 acknowledgement consenting to the jurisdiction of the  
2 Commission, the Illinois Department of Revenue, and the courts  
3 of this State concerning the enforcement of this Act and any  
4 related laws, rules, and regulations, including authorizing  
5 the Department of Revenue and the Commission to conduct audits  
6 for the purpose of ensuring compliance with Public Act 95-634,  
7 and an acknowledgement that the wine manufacturer is in  
8 compliance with Section 6-2 of this Act. Any third party,  
9 except for a common carrier, authorized to ship wine on behalf  
10 of a first-class or second-class wine manufacturer's licensee,  
11 a first-class or second-class wine-maker's licensee, a limited  
12 wine manufacturer's licensee, or a person who is licensed to  
13 make wine under the laws of another state shall also be  
14 disclosed by the winery shipper's licensee, and a copy of the  
15 written appointment of the third-party wine provider, except  
16 for a common carrier, to the wine manufacturer shall be filed  
17 with the State Commission as a supplement to the winery  
18 shipper's license application or any renewal thereof. The  
19 winery shipper's license holder shall affirm under penalty of  
20 perjury, as part of the winery shipper's license application or  
21 renewal, that he or she only ships wine, either directly or  
22 indirectly through a third-party provider, from the licensee's  
23 own production.

24 Except for a common carrier, a third-party provider  
25 shipping wine on behalf of a winery shipper's license holder is  
26 the agent of the winery shipper's license holder and, as such,

1 a winery shipper's license holder is responsible for the acts  
2 and omissions of the third-party provider acting on behalf of  
3 the license holder. A third-party provider, except for a common  
4 carrier, that engages in shipping wine into Illinois on behalf  
5 of a winery shipper's license holder shall consent to the  
6 jurisdiction of the State Commission and the State. Any  
7 third-party, except for a common carrier, holding such an  
8 appointment shall, by February 1 of each calendar year and upon  
9 request by the State Commission or the Department of Revenue,  
10 file with the State Commission a statement detailing each  
11 shipment made to an Illinois resident. The statement shall  
12 include the name and address of the third-party provider filing  
13 the statement, the time period covered by the statement, and  
14 the following information:

- 15 (1) the name, address, and license number of the winery  
16 shipper on whose behalf the shipment was made;  
17 (2) the quantity of the products delivered; and  
18 (3) the date and address of the shipment.

19 If the Department of Revenue or the State Commission requests a  
20 statement under this paragraph, the third-party provider must  
21 provide that statement no later than 30 days after the request  
22 is made. Any books, records, supporting papers, and documents  
23 containing information and data relating to a statement under  
24 this paragraph shall be kept and preserved for a period of 3  
25 years, unless their destruction sooner is authorized, in  
26 writing, by the Director of Revenue, and shall be open and

1 available to inspection by the Director of Revenue or the State  
2 Commission or any duly authorized officer, agent, or employee  
3 of the State Commission or the Department of Revenue, at all  
4 times during business hours of the day. Any person who violates  
5 any provision of this paragraph or any rule of the State  
6 Commission for the administration and enforcement of the  
7 provisions of this paragraph is guilty of a Class C  
8 misdemeanor. In case of a continuing violation, each day's  
9 continuance thereof shall be a separate and distinct offense.

10 The State Commission shall adopt rules as soon as  
11 practicable to implement the requirements of Public Act 99-904  
12 and shall adopt rules prohibiting any such third-party  
13 appointment of a third-party provider, except for a common  
14 carrier, that has been deemed by the State Commission to have  
15 violated the provisions of this Act with regard to any winery  
16 shipper licensee.

17 A winery shipper licensee must pay to the Department of  
18 Revenue the State liquor gallonage tax under Section 8-1 for  
19 all wine that is sold by the licensee and shipped to a person  
20 in this State. For the purposes of Section 8-1, a winery  
21 shipper licensee shall be taxed in the same manner as a  
22 manufacturer of wine. A licensee who is not otherwise required  
23 to register under the Retailers' Occupation Tax Act must  
24 register under the Use Tax Act to collect and remit use tax to  
25 the Department of Revenue for all gallons of wine that are sold  
26 by the licensee and shipped to persons in this State. If a

1 licensee fails to remit the tax imposed under this Act in  
2 accordance with the provisions of Article VIII of this Act, the  
3 winery shipper's license shall be revoked in accordance with  
4 the provisions of Article VII of this Act. If a licensee fails  
5 to properly register and remit tax under the Use Tax Act or the  
6 Retailers' Occupation Tax Act for all wine that is sold by the  
7 winery shipper and shipped to persons in this State, the winery  
8 shipper's license shall be revoked in accordance with the  
9 provisions of Article VII of this Act.

10 A winery shipper licensee must collect, maintain, and  
11 submit to the Commission on a semi-annual basis the total  
12 number of cases per resident of wine shipped to residents of  
13 this State. A winery shipper licensed under this subsection (r)  
14 must comply with the requirements of Section 6-29 of this Act.

15 Pursuant to paragraph (5.1) or (5.3) of subsection (a) of  
16 Section 3-12, the State Commission may receive, respond to, and  
17 investigate any complaint and impose any of the remedies  
18 specified in paragraph (1) of subsection (a) of Section 3-12.

19 As used in this subsection, "third-party provider" means  
20 any entity that provides fulfillment house services, including  
21 warehousing, packaging, distribution, order processing, or  
22 shipment of wine, but not the sale of wine, on behalf of a  
23 licensed winery shipper.

24 (s) A craft distiller tasting permit license shall allow an  
25 Illinois licensed class 1 craft distiller or class 2 craft  
26 distiller to transfer a portion of its alcoholic liquor

1 inventory from its class 1 craft distiller or class 2 craft  
2 distiller licensed premises to the premises specified in the  
3 license hereby created and to conduct a sampling, only in the  
4 premises specified in the license hereby created, of the  
5 transferred alcoholic liquor in accordance with subsection (c)  
6 of Section 6-31 of this Act. The transferred alcoholic liquor  
7 may not be sold or resold in any form. An applicant for the  
8 craft distiller tasting permit license must also submit with  
9 the application proof satisfactory to the State Commission that  
10 the applicant will provide dram shop liability insurance to the  
11 maximum limits and have local authority approval.

12 (t) A brewer warehouse permit may be issued to the holder  
13 of a class 1 brewer license or a class 2 brewer license. If the  
14 holder of the permit is a class 1 brewer licensee, the brewer  
15 warehouse permit shall allow the holder to store or warehouse  
16 up to 930,000 gallons of tax-determined beer manufactured by  
17 the holder of the permit at the premises specified on the  
18 permit. If the holder of the permit is a class 2 brewer  
19 licensee, the brewer warehouse permit shall allow the holder to  
20 store or warehouse up to 3,720,000 gallons of tax-determined  
21 beer manufactured by the holder of the permit at the premises  
22 specified on the permit. Sales to non-licensees are prohibited  
23 at the premises specified in the brewer warehouse permit.

24 (u) A distilling pub license shall allow the licensee to  
25 only (i) manufacture up to 5,000 gallons of spirits per year  
26 only on the premises specified in the license, (ii) make sales

1 of the spirits manufactured on the premises or, with the  
2 approval of the State Commission, spirits manufactured on  
3 another distilling pub licensed premises that is wholly owned  
4 and operated by the same licensee to importing distributors and  
5 distributors and to non-licensees for use and consumption,  
6 (iii) store the spirits upon the premises, (iv) sell and offer  
7 for sale at retail from the licensed premises for off-premises  
8 consumption no more than 5,000 gallons per year so long as such  
9 sales are only made in-person, (v) sell and offer for sale at  
10 retail for use and consumption on the premises specified in the  
11 license any form of alcoholic liquor purchased from a licensed  
12 distributor or importing distributor, and (vi) with the prior  
13 approval of the State Commission, annually transfer no more  
14 than 5,000 gallons of spirits manufactured on the premises to a  
15 licensed distilling pub wholly owned and operated by the same  
16 licensee.

17 A distilling pub licensee shall not under any circumstance  
18 sell or offer for sale spirits manufactured by the distilling  
19 pub licensee to retail licensees.

20 A person who holds a class 2 craft distiller license may  
21 simultaneously hold a distilling pub license if the class 2  
22 craft distiller (i) does not, under any circumstance, sell or  
23 offer for sale spirits manufactured by the class 2 craft  
24 distiller to retail licensees; (ii) does not hold more than 3  
25 distilling pub licenses in this State; (iii) does not  
26 manufacture more than a combined 100,000 gallons of spirits per



1 year, including the spirits manufactured at the distilling pub;  
2 and (iv) is not a member of or affiliated with, directly or  
3 indirectly, a manufacturer that produces more than 100,000  
4 gallons of spirits per year or any other alcoholic liquor.

5 (v) A craft distiller warehouse permit may be issued to the  
6 holder of a class 1 craft distiller or class 2 craft distiller  
7 license. The craft distiller warehouse permit shall allow the  
8 holder to store or warehouse up to 500,000 gallons of spirits  
9 manufactured by the holder of the permit at the premises  
10 specified on the permit. Sales to non-licensees are prohibited  
11 at the premises specified in the craft distiller warehouse  
12 permit.

13 (Source: P.A. 100-17, eff. 6-30-17; 100-201, eff. 8-18-17;  
14 100-816, eff. 8-13-18; 100-885, eff. 8-14-18; 100-1050, eff.  
15 8-23-18; 101-16, eff. 6-14-19; 101-31, eff. 6-28-19; 101-81,  
16 eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff. 8-23-19;  
17 revised 9-19-19.)

18 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

19 Sec. 5-3. License fees. Except as otherwise provided  
20 herein, at the time application is made to the State Commission  
21 for a license of any class, the applicant shall pay to the  
22 State Commission the fee hereinafter provided for the kind of  
23 license applied for.

24 The fee for licenses issued by the State Commission shall  
25 be as follows:

1		Online	Initial
2		renewal	license
3			or
4			non-online
5			renewal
6	For a manufacturer's license:		
7	Class 1. Distiller .....	\$4,000	\$5,000
8	Class 2. Rectifier .....	4,000	5,000
9	Class 3. Brewer .....	1,200	1,500
10	Class 4. First-class Wine		
11	Manufacturer .....	750	900
12	Class 5. Second-class		
13	Wine Manufacturer.....	1,500	1,750
14	Class 6. First-class wine-maker ....	750	900
15	Class 7. Second-class wine-maker ..	1,500	1,750
16	Class 8. Limited Wine		
17	Manufacturer .....	250	350
18	<u>Class 9. Craft Distiller .....</u>	<u>\$2,000</u>	<u>\$2,500</u>
19	Class <u>10</u> <del>9</del> . Class 1 Craft Distiller	50	75
20	Class <u>11</u> <del>10</del> . Class 2 Craft Distiller	75	100
21	Class <u>12</u> <del>11</del> . Class 1 Brewer .....	50	75
22	Class <u>13</u> <del>12</del> . Class 2 Brewer .....	75	100
23	For a Brew Pub License .....	1,200	1,500
24	For a Distilling Pub License .....	1,200	1,500
25	For a caterer retailer's license ..	350	500
26	For a foreign importer's license ..	25	25

1	For an importing distributor's		
2	license.....	25	25
3	For a distributor's license		
4	(11,250,000 gallons		
5	or over) .....	1,450	2,200
6	For a distributor's license		
7	(over 4,500,000 gallons, but		
8	under 11,250,000 gallons) .....	950	1,450
9	For a distributor's license		
10	(4,500,000 gallons or under) ..	300	450
11	For a non-resident dealer's license		
12	(500,000 gallons or over) .....	1,200	1,500
13	For a non-resident dealer's license		
14	(under 500,000 gallons) .....	250	350
15	For a wine-maker's premises		
16	license.....	250	500
17	For a winery shipper's license		
18	(under 250,000 gallons) .....	200	350
19	For a winery shipper's license		
20	(250,000 or over, but		
21	under 500,000 gallons) .....	750	1,000
22	For a winery shipper's license		
23	(500,000 gallons or over) .....	1,200	1,500
24	For a wine-maker's premises license,		
25	second location.....	500	1,000
26	For a wine-maker's premises license,		

1	third location .....	500	1,000
2	For a retailer's license .....	600	750
3	For a special event retailer's		
4	license, (not-for-profit).....	25	25
5	For a special use permit license,		
6	one day only .....	100	150
7	2 days or more .....	150	250
8	For a railroad license .....	100	150
9	For a boat license .....	500	1,000
10	For an airplane license, times the		
11	licensee's maximum number of		
12	aircraft in flight, serving		
13	liquor over the State at any		
14	given time, which either		
15	originate, terminate, or make		
16	an intermediate stop in		
17	the State .....	100	150
18	For a non-beverage user's license:		
19	Class 1 .....	24	24
20	Class 2 .....	60	60
21	Class 3 .....	120	120
22	Class 4 .....	240	240
23	Class 5 .....	600	600
24	For a broker's license .....	750	1,000
25	For an auction liquor license .....	100	150
26	For a homebrewer special		

1	event permit .....	25	25
2	For a craft distiller		
3	tasting permit .....	25	25
4	For a BASSET trainer license .....	300	350
5	For a tasting representative		
6	license.....	200	300
7	For a brewer warehouse permit .....	25	25
8	For a craft distiller		
9	warehouse permit .....	25	25

10 Fees collected under this Section shall be paid into the  
 11 Dram Shop Fund. On and after July 1, 2003 and until June 30,  
 12 2016, of the funds received for a retailer's license, in  
 13 addition to the first \$175, an additional \$75 shall be paid  
 14 into the Dram Shop Fund, and \$250 shall be paid into the  
 15 General Revenue Fund. On and after June 30, 2016, one-half of  
 16 the funds received for a retailer's license shall be paid into  
 17 the Dram Shop Fund and one-half of the funds received for a  
 18 retailer's license shall be paid into the General Revenue Fund.  
 19 Beginning June 30, 1990 and on June 30 of each subsequent year  
 20 through June 29, 2003, any balance over \$5,000,000 remaining in  
 21 the Dram Shop Fund shall be credited to State liquor licensees  
 22 and applied against their fees for State liquor licenses for  
 23 the following year. The amount credited to each licensee shall  
 24 be a proportion of the balance in the Dram Fund that is the  
 25 same as the proportion of the license fee paid by the licensee  
 26 under this Section for the period in which the balance was

1 accumulated to the aggregate fees paid by all licensees during  
2 that period.

3 No fee shall be paid for licenses issued by the State  
4 Commission to the following non-beverage users:

5 (a) Hospitals, sanitariums, or clinics when their use  
6 of alcoholic liquor is exclusively medicinal, mechanical  
7 or scientific.

8 (b) Universities, colleges of learning or schools when  
9 their use of alcoholic liquor is exclusively medicinal,  
10 mechanical or scientific.

11 (c) Laboratories when their use is exclusively for the  
12 purpose of scientific research.

13 (Source: P.A. 100-201, eff. 8-18-17; 100-816, eff. 8-13-18;  
14 101-482, eff. 8-23-19.)

15 (235 ILCS 5/6-4) (from Ch. 43, par. 121)

16 Sec. 6-4. (a) No person licensed by any licensing authority  
17 as a distiller, or a wine manufacturer, or any subsidiary or  
18 affiliate thereof, or any officer, associate, member, partner,  
19 representative, employee, agent or shareholder owning more  
20 than 5% of the outstanding shares of such person shall be  
21 issued an importing distributor's or distributor's license,  
22 nor shall any person licensed by any licensing authority as an  
23 importing distributor, distributor or retailer, or any  
24 subsidiary or affiliate thereof, or any officer or associate,  
25 member, partner, representative, employee, agent or

1 shareholder owning more than 5% of the outstanding shares of  
2 such person be issued a distiller's license, a craft  
3 distiller's license, or a wine manufacturer's license; and no  
4 person or persons licensed as a distiller, craft distiller,  
5 class 1 craft distiller, or class 2 craft distiller by any  
6 licensing authority shall have any interest, directly or  
7 indirectly, with such distributor or importing distributor.

8 However, an importing distributor or distributor, which on  
9 January 1, 1985 is owned by a brewer, or any subsidiary or  
10 affiliate thereof or any officer, associate, member, partner,  
11 representative, employee, agent or shareholder owning more  
12 than 5% of the outstanding shares of the importing distributor  
13 or distributor referred to in this paragraph, may own or  
14 acquire an ownership interest of more than 5% of the  
15 outstanding shares of a wine manufacturer and be issued a wine  
16 manufacturer's license by any licensing authority.

17 (b) The foregoing provisions shall not apply to any person  
18 licensed by any licensing authority as a distiller or wine  
19 manufacturer, or to any subsidiary or affiliate of any  
20 distiller or wine manufacturer who shall have been heretofore  
21 licensed by the State Commission as either an importing  
22 distributor or distributor during the annual licensing period  
23 expiring June 30, 1947, and shall actually have made sales  
24 regularly to retailers.

25 (c) Provided, however, that in such instances where a  
26 distributor's or importing distributor's license has been

1 issued to any distiller or wine manufacturer or to any  
2 subsidiary or affiliate of any distiller or wine manufacturer  
3 who has, during the licensing period ending June 30, 1947, sold  
4 or distributed as such licensed distributor or importing  
5 distributor alcoholic liquors and wines to retailers, such  
6 distiller or wine manufacturer or any subsidiary or affiliate  
7 of any distiller or wine manufacturer holding such  
8 distributor's or importing distributor's license may continue  
9 to sell or distribute to retailers such alcoholic liquors and  
10 wines which are manufactured, distilled, processed or marketed  
11 by distillers and wine manufacturers whose products it sold or  
12 distributed to retailers during the whole or any part of its  
13 licensing periods; and such additional brands and additional  
14 products may be added to the line of such distributor or  
15 importing distributor, provided, that such brands and such  
16 products were not sold or distributed by any distributor or  
17 importing distributor licensed by the State Commission during  
18 the licensing period ending June 30, 1947, but can not sell or  
19 distribute to retailers any other alcoholic liquors or wines.

20 (d) It shall be unlawful for any distiller licensed  
21 anywhere to have any stock ownership or interest in any  
22 distributor's or importing distributor's license wherein any  
23 other person has an interest therein who is not a distiller and  
24 does not own more than 5% of any stock in any distillery.  
25 Nothing herein contained shall apply to such distillers or  
26 their subsidiaries or affiliates, who had a distributor's or



1 importing distributor's license during the licensing period  
2 ending June 30, 1947, which license was owned in whole by such  
3 distiller, or subsidiaries or affiliates of such distiller.

4 (e) Any person licensed as a brewer, class 1 brewer, or  
5 class 2 brewer shall be permitted to sell on the licensed  
6 premises to non-licensees for on or off-premises consumption  
7 for the premises in which he or she actually conducts such  
8 business: (i) beer manufactured by the brewer, class 1 brewer,  
9 or class 2 brewer; (ii) beer manufactured by any other brewer,  
10 class 1 brewer, or class 2 brewer; and (iii) cider. Such sales  
11 shall be limited to on-premises, in-person sales only, for  
12 lawful consumption on or off premises. Such authorization shall  
13 be considered a privilege granted by the brewer license and,  
14 other than a manufacturer of beer as stated above, no  
15 manufacturer or distributor or importing distributor,  
16 excluding airplane licensees exercising powers provided in  
17 paragraph (i) of Section 5-1 of this Act, or any subsidiary or  
18 affiliate thereof, or any officer, associate, member, partner,  
19 representative, employee or agent, or shareholder shall be  
20 issued a retailer's license, nor shall any person having a  
21 retailer's license, excluding airplane licensees exercising  
22 powers provided in paragraph (i) of Section 5-1 of this Act, or  
23 any subsidiary or affiliate thereof, or any officer, associate,  
24 member, partner, representative or agent, or shareholder be  
25 issued a manufacturer's license or importing distributor's  
26 license.

1           A manufacturer of beer that imports or transfers beer into  
2 this State must comply with Sections 6-8 and 8-1 of this Act.

3           A person who holds a class 1 or class 2 brewer license and  
4 is authorized by this Section to sell beer to non-licensees  
5 shall not sell beer to non-licensees from more than 3 total  
6 brewer or commonly owned brew pub licensed locations in this  
7 State. The class 1 or class 2 brewer shall designate to the  
8 State Commission the brewer or brew pub locations from which it  
9 will sell beer to non-licensees.

10           A person licensed as a class 1 craft distiller or a class 2  
11 craft distiller, including a person who holds more than one  
12 class 1 craft distiller or class 2 craft distiller license, not  
13 affiliated with any other person manufacturing spirits may be  
14 authorized by the State Commission to sell (1) up to 5,000  
15 gallons of spirits produced by the person to non-licensees for  
16 on or off-premises consumption for the premises in which he or  
17 she actually conducts business permitting only the retail sale  
18 of spirits manufactured at such premises and (2) vermouth  
19 purchased through a licensed distributor for on-premises  
20 consumption. Such sales shall be limited to on-premises,  
21 in-person sales only, for lawful consumption on or off  
22 premises, and such authorization shall be considered a  
23 privilege granted by the class 1 craft distiller or class 2  
24 craft distiller license. A class 1 craft distiller or class 2  
25 craft distiller licensed for retail sale shall secure liquor  
26 liability insurance coverage in an amount at least equal to the

1 maximum liability amounts set forth in subsection (a) of  
2 Section 6-21 of this Act.

3 A class 1 craft distiller or class 2 craft distiller  
4 license holder shall not deliver any alcoholic liquor to any  
5 non-licensee off the licensed premises. A class 1 craft  
6 distiller or class 2 craft distiller shall affirm in its annual  
7 license application that it does not produce more than 50,000  
8 or 100,000 gallons of distilled spirits annually, whichever is  
9 applicable, and that the craft distiller does not sell more  
10 than 5,000 gallons of spirits to non-licensees for on or  
11 off-premises consumption. In the application, which shall be  
12 sworn under penalty of perjury, the class 1 craft distiller or  
13 class 2 craft distiller shall state the volume of production  
14 and sales for each year since the class 1 craft distiller's or  
15 class 2 craft distiller's establishment.

16 A person who holds a class 1 craft distiller or class 2  
17 craft distiller license and is authorized by this Section to  
18 sell spirits to non-licensees shall not sell spirits to  
19 non-licensees from more than 3 total distillery or commonly  
20 owned distilling pub licensed locations in this State. The  
21 class 1 craft distiller or class 2 craft distiller shall  
22 designate to the State Commission the distillery or distilling  
23 pub locations from which it will sell spirits to non-licensees.

24 (f) (Blank).

25 (g) Notwithstanding any of the foregoing prohibitions, a  
26 limited wine manufacturer may sell at retail at its

1 manufacturing site for on or off premises consumption and may  
2 sell to distributors. A limited wine manufacturer licensee  
3 shall secure liquor liability insurance coverage in an amount  
4 at least equal to the maximum liability amounts set forth in  
5 subsection (a) of Section 6-21 of this Act.

6 (h) The changes made to this Section by Public Act 99-47  
7 shall not diminish or impair the rights of any person, whether  
8 a distiller, wine manufacturer, agent, or affiliate thereof,  
9 who requested in writing and submitted documentation to the  
10 State Commission on or before February 18, 2015 to be approved  
11 for a retail license pursuant to what has heretofore been  
12 subsection (f); provided that, on or before that date, the  
13 State Commission considered the intent of that person to apply  
14 for the retail license under that subsection and, by recorded  
15 vote, the State Commission approved a resolution indicating  
16 that such a license application could be lawfully approved upon  
17 that person duly filing a formal application for a retail  
18 license and if that person, within 90 days of the State  
19 Commission appearance and recorded vote, first filed an  
20 application with the appropriate local commission, which  
21 application was subsequently approved by the appropriate local  
22 commission prior to consideration by the State Commission of  
23 that person's application for a retail license. It is further  
24 provided that the State Commission may approve the person's  
25 application for a retail license or renewals of such license if  
26 such person continues to diligently adhere to all

1 representations made in writing to the State Commission on or  
2 before February 18, 2015, or thereafter, or in the affidavit  
3 filed by that person with the State Commission to support the  
4 issuance of a retail license and to abide by all applicable  
5 laws and duly adopted rules.

6 (Source: P.A. 100-201, eff. 8-18-17; 100-816, eff. 8-13-18;  
7 100-885, eff. 8-14-18; 101-81, eff. 7-12-19; 101-482, eff.  
8 8-23-19.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.