



Rep. Michael J. Zalewski

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10100HB2674ham002

LRB101 07837 RPS 58674 a

1 AMENDMENT TO HOUSE BILL 2674

2 AMENDMENT NO. _____. Amend House Bill 2674 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Liquor Control Act of 1934 is amended by
5 changing Sections 1-3.40, 3-12, 5-1, 5-3, 6-4, and 6-31 as
6 follows:

7 (235 ILCS 5/1-3.40)

8 Sec. 1-3.40. Manufacturer class license holder.
9 "Manufacturer class license holder" means any holder of a
10 Manufacturer's license as provided in Section 5-1 of this Act.
11 The Manufacturer's licenses are: a Class 1. Distiller, a Class
12 2. Rectifier, a Class 3. Brewer, a Class 4. First Class Wine
13 Manufacturer, a Class 5. Second Class Wine Manufacturer, a
14 Class 6. First Class Winemaker, a Class 7. Second Class
15 Winemaker, a Class 8. Limited Wine Manufacturer, a Class 9.
16 Class 1 Craft Distiller, a Class 10. Class 2 Craft Distiller,

1 and a Class 11. Class 1 Brewer ~~10. Craft Brewer~~ and any future
2 Manufacturer's licenses established by law.

3 (Source: P.A. 99-282, eff. 8-5-15; 99-642, eff. 7-28-16.)

4 (235 ILCS 5/3-12)

5 Sec. 3-12. Powers and duties of State Commission.

6 (a) The State Commission shall have the following powers,
7 functions, and duties:

8 (1) To receive applications and to issue licenses to
9 manufacturers, foreign importers, importing distributors,
10 distributors, non-resident dealers, on premise consumption
11 retailers, off premise sale retailers, special event
12 retailer licensees, special use permit licenses, auction
13 liquor licenses, brew pubs, caterer retailers,
14 non-beverage users, railroads, including owners and
15 lessees of sleeping, dining and cafe cars, airplanes,
16 boats, brokers, and wine maker's premises licensees in
17 accordance with the provisions of this Act, and to suspend
18 or revoke such licenses upon the State Commission's
19 determination, upon notice after hearing, that a licensee
20 has violated any provision of this Act or any rule or
21 regulation issued pursuant thereto and in effect for 30
22 days prior to such violation. Except in the case of an
23 action taken pursuant to a violation of Section 6-3, 6-5,
24 or 6-9, any action by the State Commission to suspend or
25 revoke a licensee's license may be limited to the license

1 for the specific premises where the violation occurred. An
2 action for a violation of this Act shall be commenced by
3 the State Commission within 2 years after the date the
4 State Commission becomes aware of the violation.

5 In lieu of suspending or revoking a license, the
6 commission may impose a fine, upon the State Commission's
7 determination and notice after hearing, that a licensee has
8 violated any provision of this Act or any rule or
9 regulation issued pursuant thereto and in effect for 30
10 days prior to such violation.

11 For the purpose of this paragraph (1), when determining
12 multiple violations for the sale of alcohol to a person
13 under the age of 21, a second or subsequent violation for
14 the sale of alcohol to a person under the age of 21 shall
15 only be considered if it was committed within 5 years after
16 the date when a prior violation for the sale of alcohol to
17 a person under the age of 21 was committed.

18 The fine imposed under this paragraph may not exceed
19 \$500 for each violation. Each day that the activity, which
20 gave rise to the original fine, continues is a separate
21 violation. The maximum fine that may be levied against any
22 licensee, for the period of the license, shall not exceed
23 \$20,000. The maximum penalty that may be imposed on a
24 licensee for selling a bottle of alcoholic liquor with a
25 foreign object in it or serving from a bottle of alcoholic
26 liquor with a foreign object in it shall be the destruction

1 of that bottle of alcoholic liquor for the first 10 bottles
2 so sold or served from by the licensee. For the eleventh
3 bottle of alcoholic liquor and for each third bottle
4 thereafter sold or served from by the licensee with a
5 foreign object in it, the maximum penalty that may be
6 imposed on the licensee is the destruction of the bottle of
7 alcoholic liquor and a fine of up to \$50.

8 Any notice issued by the State Commission to a licensee
9 for a violation of this Act or any notice with respect to
10 settlement or offer in compromise shall include the field
11 report, photographs, and any other supporting
12 documentation necessary to reasonably inform the licensee
13 of the nature and extent of the violation or the conduct
14 alleged to have occurred. The failure to include such
15 required documentation shall result in the dismissal of the
16 action.

17 (2) To adopt such rules and regulations consistent with
18 the provisions of this Act which shall be necessary to
19 carry on its functions and duties to the end that the
20 health, safety and welfare of the People of the State of
21 Illinois shall be protected and temperance in the
22 consumption of alcoholic liquors shall be fostered and
23 promoted and to distribute copies of such rules and
24 regulations to all licensees affected thereby.

25 (3) To call upon other administrative departments of
26 the State, county and municipal governments, county and

1 city police departments and upon prosecuting officers for
2 such information and assistance as it deems necessary in
3 the performance of its duties.

4 (4) To recommend to local commissioners rules and
5 regulations, not inconsistent with the law, for the
6 distribution and sale of alcoholic liquors throughout the
7 State.

8 (5) To inspect, or cause to be inspected, any premises
9 in this State where alcoholic liquors are manufactured,
10 distributed, warehoused, or sold. Nothing in this Act
11 authorizes an agent of the Commission to inspect private
12 areas within the premises without reasonable suspicion or a
13 warrant during an inspection. "Private areas" include, but
14 are not limited to, safes, personal property, and closed
15 desks.

16 (5.1) Upon receipt of a complaint or upon having
17 knowledge that any person is engaged in business as a
18 manufacturer, importing distributor, distributor, or
19 retailer without a license or valid license, to notify the
20 local liquor authority, file a complaint with the State's
21 Attorney's Office of the county where the incident
22 occurred, or initiate an investigation with the
23 appropriate law enforcement officials.

24 (5.2) To issue a cease and desist notice to persons
25 shipping alcoholic liquor into this State from a point
26 outside of this State if the shipment is in violation of

1 this Act.

2 (5.3) To receive complaints from licensees, local
3 officials, law enforcement agencies, organizations, and
4 persons stating that any licensee has been or is violating
5 any provision of this Act or the rules and regulations
6 issued pursuant to this Act. Such complaints shall be in
7 writing, signed and sworn to by the person making the
8 complaint, and shall state with specificity the facts in
9 relation to the alleged violation. If the Commission has
10 reasonable grounds to believe that the complaint
11 substantially alleges a violation of this Act or rules and
12 regulations adopted pursuant to this Act, it shall conduct
13 an investigation. If, after conducting an investigation,
14 the Commission is satisfied that the alleged violation did
15 occur, it shall proceed with disciplinary action against
16 the licensee as provided in this Act.

17 (6) To hear and determine appeals from orders of a
18 local commission in accordance with the provisions of this
19 Act, as hereinafter set forth. Hearings under this
20 subsection shall be held in Springfield or Chicago, at
21 whichever location is the more convenient for the majority
22 of persons who are parties to the hearing.

23 (7) The commission shall establish uniform systems of
24 accounts to be kept by all retail licensees having more
25 than 4 employees, and for this purpose the commission may
26 classify all retail licensees having more than 4 employees

1 and establish a uniform system of accounts for each class
2 and prescribe the manner in which such accounts shall be
3 kept. The commission may also prescribe the forms of
4 accounts to be kept by all retail licensees having more
5 than 4 employees, including but not limited to accounts of
6 earnings and expenses and any distribution, payment, or
7 other distribution of earnings or assets, and any other
8 forms, records and memoranda which in the judgment of the
9 commission may be necessary or appropriate to carry out any
10 of the provisions of this Act, including but not limited to
11 such forms, records and memoranda as will readily and
12 accurately disclose at all times the beneficial ownership
13 of such retail licensed business. The accounts, forms,
14 records and memoranda shall be available at all reasonable
15 times for inspection by authorized representatives of the
16 State Commission or by any local liquor control
17 commissioner or his or her authorized representative. The
18 commission, may, from time to time, alter, amend or repeal,
19 in whole or in part, any uniform system of accounts, or the
20 form and manner of keeping accounts.

21 (8) In the conduct of any hearing authorized to be held
22 by the commission, to appoint, at the commission's
23 discretion, hearing officers to conduct hearings involving
24 complex issues or issues that will require a protracted
25 period of time to resolve, to examine, or cause to be
26 examined, under oath, any licensee, and to examine or cause

1 to be examined the books and records of such licensee; to
2 hear testimony and take proof material for its information
3 in the discharge of its duties hereunder; to administer or
4 cause to be administered oaths; for any such purpose to
5 issue subpoena or subpoenas to require the attendance of
6 witnesses and the production of books, which shall be
7 effective in any part of this State, and to adopt rules to
8 implement its powers under this paragraph (8).

9 Any circuit court may by order duly entered, require
10 the attendance of witnesses and the production of relevant
11 books subpoenaed by the State Commission and the court may
12 compel obedience to its order by proceedings for contempt.

13 (9) To investigate the administration of laws in
14 relation to alcoholic liquors in this and other states and
15 any foreign countries, and to recommend from time to time
16 to the Governor and through him or her to the legislature
17 of this State, such amendments to this Act, if any, as it
18 may think desirable and as will serve to further the
19 general broad purposes contained in Section 1-2 hereof.

20 (10) To adopt such rules and regulations consistent
21 with the provisions of this Act which shall be necessary
22 for the control, sale or disposition of alcoholic liquor
23 damaged as a result of an accident, wreck, flood, fire or
24 other similar occurrence.

25 (11) To develop industry educational programs related
26 to responsible serving and selling, particularly in the

1 areas of overserving consumers and illegal underage
2 purchasing and consumption of alcoholic beverages.

3 (11.1) To license persons providing education and
4 training to alcohol beverage sellers and servers for
5 mandatory and non-mandatory training under the Beverage
6 Alcohol Sellers and Servers Education and Training
7 (BASSET) programs and to develop and administer a public
8 awareness program in Illinois to reduce or eliminate the
9 illegal purchase and consumption of alcoholic beverage
10 products by persons under the age of 21. Application for a
11 license shall be made on forms provided by the State
12 Commission.

13 (12) To develop and maintain a repository of license
14 and regulatory information.

15 (13) (Blank).

16 (14) On or before April 30, 2008 and every 2 years
17 thereafter, the Commission shall present a written report
18 to the Governor and the General Assembly that shall be
19 based on a study of the impact of Public Act 95-634 on the
20 business of soliciting, selling, and shipping wine from
21 inside and outside of this State directly to residents of
22 this State. As part of its report, the Commission shall
23 provide all of the following information:

24 (A) The amount of State excise and sales tax
25 revenues generated.

26 (B) The amount of licensing fees received.

1 (C) The number of cases of wine shipped from inside
2 and outside of this State directly to residents of this
3 State.

4 (D) The number of alcohol compliance operations
5 conducted.

6 (E) The number of winery shipper's licenses
7 issued.

8 (F) The number of each of the following: reported
9 violations; cease and desist notices issued by the
10 Commission; notices of violations issued by the
11 Commission and to the Department of Revenue; and
12 notices and complaints of violations to law
13 enforcement officials, including, without limitation,
14 the Illinois Attorney General and the U.S. Department
15 of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

16 (15) As a means to reduce the underage consumption of
17 alcoholic liquors, the Commission shall conduct alcohol
18 compliance operations to investigate whether businesses
19 that are soliciting, selling, and shipping wine from inside
20 or outside of this State directly to residents of this
21 State are licensed by this State or are selling or
22 attempting to sell wine to persons under 21 years of age in
23 violation of this Act.

24 (16) The Commission shall, in addition to notifying any
25 appropriate law enforcement agency, submit notices of
26 complaints or violations of Sections 6-29 and 6-29.1 by

1 persons who do not hold a winery shipper's license under
2 this Act to the Illinois Attorney General and to the U.S.
3 Department of Treasury's Alcohol and Tobacco Tax and Trade
4 Bureau.

5 (17) (A) A person licensed to make wine under the laws
6 of another state who has a winery shipper's license under
7 this Act and annually produces less than 25,000 gallons of
8 wine or a person who has a first-class or second-class wine
9 manufacturer's license, a first-class or second-class
10 wine-maker's license, or a limited wine manufacturer's
11 license under this Act and annually produces less than
12 25,000 gallons of wine may make application to the
13 Commission for a self-distribution exemption to allow the
14 sale of not more than 5,000 gallons of the exemption
15 holder's wine to retail licensees per year.

16 (B) In the application, which shall be sworn under
17 penalty of perjury, such person shall state (1) the date it
18 was established; (2) its volume of production and sales for
19 each year since its establishment; (3) its efforts to
20 establish distributor relationships; (4) that a
21 self-distribution exemption is necessary to facilitate the
22 marketing of its wine; and (5) that it will comply with the
23 liquor and revenue laws of the United States, this State,
24 and any other state where it is licensed.

25 (C) The Commission shall approve the application for a
26 self-distribution exemption if such person: (1) is in

1 compliance with State revenue and liquor laws; (2) is not a
2 member of any affiliated group that produces more than
3 25,000 gallons of wine per annum or produces any other
4 alcoholic liquor; (3) will not annually produce for sale
5 more than 25,000 gallons of wine; and (4) will not annually
6 sell more than 5,000 gallons of its wine to retail
7 licensees.

8 (D) A self-distribution exemption holder shall
9 annually certify to the Commission its production of wine
10 in the previous 12 months and its anticipated production
11 and sales for the next 12 months. The Commission may fine,
12 suspend, or revoke a self-distribution exemption after a
13 hearing if it finds that the exemption holder has made a
14 material misrepresentation in its application, violated a
15 revenue or liquor law of Illinois, exceeded production of
16 25,000 gallons of wine in any calendar year, or become part
17 of an affiliated group producing more than 25,000 gallons
18 of wine or any other alcoholic liquor.

19 (E) Except in hearings for violations of this Act or
20 Public Act 95-634 or a bona fide investigation by duly
21 sworn law enforcement officials, the Commission, or its
22 agents, the Commission shall maintain the production and
23 sales information of a self-distribution exemption holder
24 as confidential and shall not release such information to
25 any person.

26 (F) The Commission shall issue regulations governing

1 self-distribution exemptions consistent with this Section
2 and this Act.

3 (G) Nothing in this paragraph ~~subsection~~ (17) shall
4 prohibit a self-distribution exemption holder from
5 entering into or simultaneously having a distribution
6 agreement with a licensed Illinois distributor.

7 (H) It is the intent of this paragraph ~~subsection~~ (17)
8 to promote and continue orderly markets. The General
9 Assembly finds that in order to preserve Illinois'
10 regulatory distribution system it is necessary to create an
11 exception for smaller makers of wine as their wines are
12 frequently adjusted in varietals, mixes, vintages, and
13 taste to find and create market niches sometimes too small
14 for distributor or importing distributor business
15 strategies. Limited self-distribution rights will afford
16 and allow smaller makers of wine access to the marketplace
17 in order to develop a customer base without impairing the
18 integrity of the 3-tier system.

19 (18)(A) A class 1 brewer licensee, who must also be
20 either a licensed brewer or licensed non-resident dealer
21 and annually manufacture less than 930,000 gallons of beer,
22 may make application to the State Commission for a
23 self-distribution exemption to allow the sale of not more
24 than 232,500 gallons of the exemption holder's beer per
25 year to retail licensees and to brewers, class 1 brewers,
26 and class 2 brewers that, pursuant to subsection (e) of

1 Section 6-4 of this Act, sell beer, cider, or both beer and
2 cider to non-licensees at their breweries.

3 (B) In the application, which shall be sworn under
4 penalty of perjury, the class 1 brewer licensee shall state
5 (1) the date it was established; (2) its volume of beer
6 manufactured and sold for each year since its
7 establishment; (3) its efforts to establish distributor
8 relationships; (4) that a self-distribution exemption is
9 necessary to facilitate the marketing of its beer; and (5)
10 that it will comply with the alcoholic beverage and revenue
11 laws of the United States, this State, and any other state
12 where it is licensed.

13 (C) Any application submitted shall be posted on the
14 State Commission's website at least 45 days prior to action
15 by the State Commission. The State Commission shall approve
16 the application for a self-distribution exemption if the
17 class 1 brewer licensee: (1) is in compliance with the
18 State, revenue, and alcoholic beverage laws; (2) is not a
19 member of any affiliated group that manufactures more than
20 930,000 gallons of beer per annum or produces any other
21 alcoholic beverages; (3) shall not annually manufacture
22 for sale more than 930,000 gallons of beer; (4) shall not
23 annually sell more than 232,500 gallons of its beer to
24 retail licensees or to brewers, class 1 brewers, and class
25 2 brewers that, pursuant to subsection (e) of Section 6-4
26 of this Act, sell beer, cider, or both beer and cider to

1 non-licensees at their breweries; and (5) has relinquished
2 any brew pub license held by the licensee, including any
3 ownership interest it held in the licensed brew pub.

4 (D) A self-distribution exemption holder shall
5 annually certify to the State Commission its manufacture of
6 beer during the previous 12 months and its anticipated
7 manufacture and sales of beer for the next 12 months. The
8 State Commission may fine, suspend, or revoke a
9 self-distribution exemption after a hearing if it finds
10 that the exemption holder has made a material
11 misrepresentation in its application, violated a revenue
12 or alcoholic beverage law of Illinois, exceeded the
13 manufacture of 930,000 gallons of beer in any calendar year
14 or became part of an affiliated group manufacturing more
15 than 930,000 gallons of beer or any other alcoholic
16 beverage.

17 (E) The State Commission shall issue rules and
18 regulations governing self-distribution exemptions
19 consistent with this Act.

20 (F) Nothing in this paragraph (18) shall prohibit a
21 self-distribution exemption holder from entering into or
22 simultaneously having a distribution agreement with a
23 licensed Illinois importing distributor or a distributor.
24 If a self-distribution exemption holder enters into a
25 distribution agreement and has assigned distribution
26 rights to an importing distributor or distributor, then the

1 self-distribution exemption holder's distribution rights
2 in the assigned territories shall cease in a reasonable
3 time not to exceed 60 days.

4 (G) It is the intent of this paragraph (18) to promote
5 and continue orderly markets. The General Assembly finds
6 that in order to preserve Illinois' regulatory
7 distribution system, it is necessary to create an exception
8 for smaller manufacturers in order to afford and allow such
9 smaller manufacturers of beer access to the marketplace in
10 order to develop a customer base without impairing the
11 integrity of the 3-tier system.

12 (19) (A) A class 1 craft distiller licensee may make
13 application to the State Commission for a
14 self-distribution exemption to allow the sale of not more
15 than 5,000 gallons of the exemption holder's spirits to
16 retail licensees per year.

17 (B) In the application, which shall be sworn under
18 penalty of perjury, the class 1 craft distiller licensee
19 shall state (1) the date it was established; (2) its volume
20 of spirits manufactured and sold for each year since its
21 establishment; (3) its efforts to establish distributor
22 relationships; (4) that a self-distribution exemption is
23 necessary to facilitate the marketing of its spirits; and
24 (5) that it will comply with the alcoholic beverage and
25 revenue laws of the United States, this State, and any
26 other state where it is licensed.

1 (C) Any application submitted shall be posted on the
2 State Commission's website at least 45 days prior to action
3 by the State Commission. The State Commission shall approve
4 the application for a self-distribution exemption if the
5 applicant: (1) is in compliance with State revenue and
6 alcoholic beverage laws; (2) is not a member of any
7 affiliated group that produces more than 50,000 gallons of
8 spirits per annum or produces any other alcoholic liquor;
9 (3) does not annually manufacture for sale more than 50,000
10 gallons of spirits; and (4) does not annually sell more
11 than 5,000 gallons of its spirits to retail licensees.

12 (D) A self-distribution exemption holder shall
13 annually certify to the State Commission its manufacture of
14 spirits during the previous 12 months and its anticipated
15 manufacture and sales of spirits for the next 12 months.
16 The State Commission may fine, suspend, or revoke a
17 self-distribution exemption after a hearing if it finds
18 that the exemption holder has made a material
19 misrepresentation in its application, violated a revenue
20 or alcoholic beverage law of Illinois, exceeded the
21 manufacture of 50,000 gallons of spirits in any calendar
22 year, or has become part of an affiliated group
23 manufacturing more than 50,000 gallons of spirits or any
24 other alcoholic beverage.

25 (E) The State Commission shall adopt rules governing
26 self-distribution exemptions consistent with this Act.

1 (F) Nothing in this paragraph (19) shall prohibit a
2 self-distribution exemption holder from entering into or
3 simultaneously having a distribution agreement with a
4 licensed Illinois importing distributor or a distributor.

5 (G) It is the intent of this paragraph (19) to promote
6 and continue orderly markets. The General Assembly finds
7 that in order to preserve Illinois' regulatory
8 distribution system, it is necessary to create an exception
9 for smaller manufacturers in order to afford and allow such
10 smaller manufacturers of spirits access to the marketplace
11 in order to develop a customer base without impairing the
12 integrity of the 3-tier system.

13 (b) On or before April 30, 1999, the Commission shall
14 present a written report to the Governor and the General
15 Assembly that shall be based on a study of the impact of Public
16 Act 90-739 on the business of soliciting, selling, and shipping
17 alcoholic liquor from outside of this State directly to
18 residents of this State.

19 As part of its report, the Commission shall provide the
20 following information:

21 (i) the amount of State excise and sales tax revenues
22 generated as a result of Public Act 90-739;

23 (ii) the amount of licensing fees received as a result
24 of Public Act 90-739;

25 (iii) the number of reported violations, the number of
26 cease and desist notices issued by the Commission, the

1 number of notices of violations issued to the Department of
2 Revenue, and the number of notices and complaints of
3 violations to law enforcement officials.

4 (Source: P.A. 99-78, eff. 7-20-15; 99-448, eff. 8-24-15;
5 100-134, eff. 8-18-17; 100-201, eff. 8-18-17; 100-816, eff.
6 8-13-18; 100-1012, eff. 8-21-18; 100-1050, eff. 8-23-18;
7 revised 10-24-18.)

8 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

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

18 (b) Distributor's license,

19 (c) Importing Distributor's license,

20 (d) Retailer's license,

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

22 (f) Railroad license,

23 (g) Boat license,

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

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

- 1 (j) Airplane license,
2 (k) Foreign importer's license,
3 (l) Broker's license,
4 (m) Non-resident dealer's license,
5 (n) Brew Pub license,
6 (o) Auction liquor license,
7 (p) Caterer retailer license,
8 (q) Special use permit license,
9 (r) Winery shipper's license,
10 (s) Craft distiller premises ~~tasting~~ permit,
11 (t) Brewer warehouse permit, ~~-~~
12 (u) Distilling pub license,
13 (v) Craft distiller warehouse permit.

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

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

22 Class 1. A Distiller may make sales and deliveries of
23 alcoholic liquor to distillers, rectifiers, importing
24 distributors, distributors and non-beverage users and to no
25 other licensees.

26 Class 2. A Rectifier, who is not a distiller, as defined

1 herein, may make sales and deliveries of alcoholic liquor to
2 rectifiers, importing distributors, distributors, retailers
3 and non-beverage users and to no other licensees.

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

7 Class 4. A first class wine-manufacturer may make sales and
8 deliveries of up to 50,000 gallons of wine to manufacturers,
9 importing distributors and distributors, and to no other
10 licensees.

11 Class 5. A second class Wine manufacturer may make sales
12 and deliveries of more than 50,000 gallons of wine to
13 manufacturers, importing distributors and distributors and to
14 no other licensees.

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

25 Class 7. A second-class wine-maker's license shall allow
26 the manufacture of between 50,000 and 150,000 gallons of wine

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

9 Class 8. A limited wine-manufacturer may make sales and
10 deliveries not to exceed 40,000 gallons of wine per year to
11 distributors, and to non-licensees in accordance with the
12 provisions of this Act.

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

26 A class 1 craft distiller licensee may sell up to 5,000

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

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

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

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

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

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

6 ~~A craft distiller license shall allow the manufacture of up to~~
7 ~~100,000 gallons of spirits by distillation per year and the~~
8 ~~storage of such spirits. If a craft distiller licensee,~~
9 ~~including a craft distiller licensee who holds more than one~~
10 ~~craft distiller license, is not affiliated with any other~~
11 ~~manufacturer of spirits, then the craft distiller licensee may~~
12 ~~sell such spirits to distributors in this State and up to 2,500~~
13 ~~gallons of such spirits to non-licensees to the extent~~
14 ~~permitted by any exemption approved by the Commission pursuant~~
15 ~~to Section 6 4 of this Act. A craft distiller license holder~~
16 ~~may store such spirits at a non contiguous licensed location,~~
17 ~~but at no time shall a craft distiller license holder directly~~
18 ~~or indirectly produce in the aggregate more than 100,000~~
19 ~~gallons of spirits per year.~~

20 ~~A craft distiller licensee may hold more than one craft~~
21 ~~distiller's license. However, a craft distiller that holds more~~
22 ~~than one craft distiller license shall not manufacture, in the~~
23 ~~aggregate, more than 100,000 gallons of spirits by distillation~~
24 ~~per year and shall not sell, in the aggregate, more than 2,500~~
25 ~~gallons of such spirits to non licensees in accordance with an~~
26 ~~exemption approved by the State Commission pursuant to Section~~

1 ~~6-4 of this Act.~~

2 ~~Any craft distiller licensed under this Act who on July 28,~~
3 ~~2010 (the effective date of Public Act 96-1367) was licensed as~~
4 ~~a distiller and manufactured no more spirits than permitted by~~
5 ~~this Section shall not be required to pay the initial licensing~~
6 ~~fee.~~

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

23 Class 12 ~~11~~. A class 2 brewer license, which may only be
24 issued to a licensed brewer or licensed non-resident dealer,
25 shall allow the manufacture of up to 3,720,000 gallons of beer
26 per year provided that the class 2 brewer licensee does not

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

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

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

1 annually submit to the State Commission a verified report
2 identifying the total gallons of beer transferred to the brew
3 pub wholly owned by the class 2 brewer.

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

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

1 Commission's website.

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

11 (c) An importing distributor's license may be issued to and
12 held by those only who are duly licensed distributors, upon the
13 filing of an application by a duly licensed distributor, with
14 the Commission and the Commission shall, without the payment of
15 any fee, immediately issue such importing distributor's
16 license to the applicant, which shall allow the importation of
17 alcoholic liquor by the licensee into this State from any point
18 in the United States outside this State, and the purchase of
19 alcoholic liquor in barrels, casks or other bulk containers and
20 the bottling of such alcoholic liquors before resale thereof,
21 but all bottles or containers so filled shall be sealed,
22 labeled, stamped and otherwise made to comply with all
23 provisions, rules and regulations governing manufacturers in
24 the preparation and bottling of alcoholic liquors. The
25 importing distributor's license shall permit such licensee to
26 purchase alcoholic liquor from Illinois licensed non-resident

1 dealers and foreign importers only. No person licensed as an
2 importing distributor shall be granted a non-resident dealer's
3 license.

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

20 Notwithstanding any other provision of this subsection
21 (d), a retail licensee may sell alcoholic liquors to a special
22 event retailer licensee for resale to the extent permitted
23 under subsection (e).

24 (e) A special event retailer's license (not-for-profit)
25 shall permit the licensee to purchase alcoholic liquors from an
26 Illinois licensed distributor (unless the licensee purchases

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

1 Nothing in this Act prohibits an Illinois licensed
2 distributor from offering credit or a refund for unused,
3 salable alcoholic liquors to a holder of a special event
4 retailer's license or ~~from~~ the special event retailer's
5 licensee from accepting the credit or refund of alcoholic
6 liquors at the conclusion of the event specified in the
7 license.

8 (f) A railroad license shall permit the licensee to import
9 alcoholic liquors into this State from any point in the United
10 States outside this State and to store such alcoholic liquors
11 in this State; to make wholesale purchases of alcoholic liquors
12 directly from manufacturers, foreign importers, distributors
13 and importing distributors from within or outside this State;
14 and to store such alcoholic liquors in this State; provided
15 that the above powers may be exercised only in connection with
16 the importation, purchase or storage of alcoholic liquors to be
17 sold or dispensed on a club, buffet, lounge or dining car
18 operated on an electric, gas or steam railway in this State;
19 and provided further, that railroad licensees exercising the
20 above powers shall be subject to all provisions of Article VIII
21 of this Act as applied to importing distributors. A railroad
22 license shall also permit the licensee to sell or dispense
23 alcoholic liquors on any club, buffet, lounge or dining car
24 operated on an electric, gas or steam railway regularly
25 operated by a common carrier in this State, but shall not
26 permit the sale for resale of any alcoholic liquors to any

1 licensee within this State. A license shall be obtained for
2 each car in which such sales are made.

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

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

- 19 Class 1, not to exceed 500 gallons
- 20 Class 2, not to exceed 1,000 gallons
- 21 Class 3, not to exceed 5,000 gallons
- 22 Class 4, not to exceed 10,000 gallons
- 23 Class 5, not to exceed 50,000 gallons

24 (i) A wine-maker's premises license shall allow a licensee
25 that concurrently holds a first-class wine-maker's license to
26 sell and offer for sale at retail in the premises specified in

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

26 (j) An airplane license shall permit the licensee to import

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

20 (k) A foreign importer's license shall permit such licensee
21 to purchase alcoholic liquor from Illinois licensed
22 non-resident dealers only, and to import alcoholic liquor other
23 than in bulk from any point outside the United States and to
24 sell such alcoholic liquor to Illinois licensed importing
25 distributors and to no one else in Illinois; provided that (i)
26 the foreign importer registers with the State Commission every

1 brand of alcoholic liquor that it proposes to sell to Illinois
2 licensees during the license period, (ii) the foreign importer
3 complies with all of the provisions of Section 6-9 of this Act
4 with respect to registration of such Illinois licensees as may
5 be granted the right to sell such brands at wholesale, and
6 (iii) the foreign importer complies with the provisions of
7 Sections 6-5 and 6-6 of this Act to the same extent that these
8 provisions apply to manufacturers.

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

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

24 The broker shall, upon the acceptance by a retailer of the
25 broker's solicitation of an order or offer to sell or supply or
26 deliver or have delivered alcoholic liquors, promptly forward

1 to the Illinois Liquor Control Commission a notification of
2 said transaction in such form as the Commission may by
3 regulations prescribe.

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

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

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

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

26 (m) A non-resident dealer's license shall permit such

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

19 (n) A brew pub license shall allow the licensee to only (i)
20 manufacture up to 155,000 gallons of beer per year only on the
21 premises specified in the license, (ii) make sales of the beer
22 manufactured on the premises or, with the approval of the
23 Commission, beer manufactured on another brew pub licensed
24 premises that is wholly owned and operated by the same licensee
25 to importing distributors, distributors, and to non-licensees
26 for use and consumption, (iii) store the beer upon the

1 premises, (iv) sell and offer for sale at retail from the
2 licensed premises for off-premises consumption no more than
3 155,000 gallons per year so long as such sales are only made
4 in-person, (v) sell and offer for sale at retail for use and
5 consumption on the premises specified in the license any form
6 of alcoholic liquor purchased from a licensed distributor or
7 importing distributor, and (vi) with the prior approval of the
8 Commission, annually transfer no more than 155,000 gallons of
9 beer manufactured on the premises to a licensed brew pub wholly
10 owned and operated by the same licensee.

11 A brew pub licensee shall not under any circumstance sell
12 or offer for sale beer manufactured by the brew pub licensee to
13 retail licensees.

14 A person who holds a class 2 brewer license may
15 simultaneously hold a brew pub license if the class 2 brewer
16 (i) does not, under any circumstance, sell or offer for sale
17 beer manufactured by the class 2 brewer to retail licensees;
18 (ii) does not hold more than 3 brew pub licenses in this State;
19 (iii) does not manufacture more than a combined 3,720,000
20 gallons of beer per year, including the beer manufactured at
21 the brew pub; and (iv) is not a member of or affiliated with,
22 directly or indirectly, a manufacturer that produces more than
23 3,720,000 gallons of beer per year or any other alcoholic
24 liquor.

25 Notwithstanding any other provision of this Act, a licensed
26 brewer, class 2 brewer, or non-resident dealer who before July

1 1, 2015 manufactured less than 3,720,000 gallons of beer per
2 year and held a brew pub license on or before July 1, 2015 may
3 (i) continue to qualify for and hold that brew pub license for
4 the licensed premises and (ii) manufacture more than 3,720,000
5 gallons of beer per year and continue to qualify for and hold
6 that brew pub license if that brewer, class 2 brewer, or
7 non-resident dealer does not simultaneously hold a class 1
8 brewer license and is not a member of or affiliated with,
9 directly or indirectly, a manufacturer that produces more than
10 3,720,000 gallons of beer per year or that produces any other
11 alcoholic liquor.

12 (o) A caterer retailer license shall allow the holder to
13 serve alcoholic liquors as an incidental part of a food service
14 that serves prepared meals which excludes the serving of snacks
15 as the primary meal, either on or off-site whether licensed or
16 unlicensed.

17 (p) An auction liquor license shall allow the licensee to
18 sell and offer for sale at auction wine and spirits for use or
19 consumption, or for resale by an Illinois liquor licensee in
20 accordance with provisions of this Act. An auction liquor
21 license will be issued to a person and it will permit the
22 auction liquor licensee to hold the auction anywhere in the
23 State. An auction liquor license must be obtained for each
24 auction at least 14 days in advance of the auction date.

25 (q) A special use permit license shall allow an Illinois
26 licensed retailer to transfer a portion of its alcoholic liquor

1 inventory from its retail licensed premises to the premises
2 specified in the license hereby created, and to sell or offer
3 for sale at retail, only in the premises specified in the
4 license hereby created, the transferred alcoholic liquor for
5 use or consumption, but not for resale in any form. A special
6 use permit license may be granted for the following time
7 periods: one day or less; 2 or more days to a maximum of 15 days
8 per location in any 12-month period. An applicant for the
9 special use permit license must also submit with the
10 application proof satisfactory to the State Commission that the
11 applicant will provide dram shop liability insurance to the
12 maximum limits and have local authority approval.

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

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

1 own production.

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

19 (1) the name, address, and license number of the winery
20 shipper on whose behalf the shipment was made;

21 (2) the quantity of the products delivered; and

22 (3) the date and address of the shipment.

23 If the Department of Revenue or the State Commission requests a
24 statement under this paragraph, the third-party provider must
25 provide that statement no later than 30 days after the request
26 is made. Any books, records, supporting papers, and documents

1 containing information and data relating to a statement under
2 this paragraph shall be kept and preserved for a period of 3
3 years, unless their destruction sooner is authorized, in
4 writing, by the Director of Revenue, and shall be open and
5 available to inspection by the Director of Revenue or the State
6 Commission or any duly authorized officer, agent, or employee
7 of the State Commission or the Department of Revenue, at all
8 times during business hours of the day. Any person who violates
9 any provision of this paragraph or any rule of the State
10 Commission for the administration and enforcement of the
11 provisions of this paragraph is guilty of a Class C
12 misdemeanor. In case of a continuing violation, each day's
13 continuance thereof shall be a separate and distinct offense.

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

21 A winery shipper licensee must pay to the Department of
22 Revenue the State liquor gallonage tax under Section 8-1 for
23 all wine that is sold by the licensee and shipped to a person
24 in this State. For the purposes of Section 8-1, a winery
25 shipper licensee shall be taxed in the same manner as a
26 manufacturer of wine. A licensee who is not otherwise required

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

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

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

23 As used in this subsection, "third-party provider" means
24 any entity that provides fulfillment house services, including
25 warehousing, packaging, distribution, order processing, or
26 shipment of wine, but not the sale of wine, on behalf of a

1 licensed winery shipper.

2 (s) A craft distiller premises ~~tasting~~ permit license shall
3 allow an Illinois licensed class 1 craft distiller (i) to
4 transfer a portion of its alcoholic liquor inventory from its
5 craft distiller licensed premises to the premises specified in
6 the license hereby created, (ii) to sell and offer for sale at
7 retail, but not for resale in any form, up to 5,000 gallons of
8 the transferred alcoholic liquor to the extent permitted by any
9 exemption approved by the State Commission pursuant to Section
10 6-4, and (iii) to sell and offer for sale at retail for use and
11 consumption on the premises specified in the license vermouth
12 liquor purchased from a licensed distributor or importing
13 distributor. Upon approval from the State Commission, a class 1
14 craft distiller premises permit license shall allow the
15 licensee to sell and offer for sale at (i) the class 1 craft
16 distiller's licensed premises and (ii) up to one additional
17 location for use and consumption on the premises and not for
18 resale. Each location shall require additional licensing per
19 location as specified in Section 5-3 of this Act. and to
20 ~~conduct a sampling, only in the premises specified in the~~
21 ~~license hereby created, of the transferred alcoholic liquor in~~
22 ~~accordance with subsection (c) of Section 6-31 of this Act. The~~
23 ~~transferred alcoholic liquor may not be sold or resold in any~~
24 ~~form.~~ An applicant for the craft distiller premises ~~tasting~~
25 permit license must also submit with the application proof
26 satisfactory to the State Commission that the applicant will

1 provide dram shop liability insurance to the maximum limits and
2 have local authority approval.

3 (t) A brewer warehouse permit may be issued to the holder
4 of a class 1 brewer license or a class 2 brewer license. If the
5 holder of the permit is a class 1 brewer licensee, the brewer
6 warehouse permit shall allow the holder to store or warehouse
7 up to 930,000 gallons of tax-determined beer manufactured by
8 the holder of the permit at the premises specified on the
9 permit. If the holder of the permit is a class 2 brewer
10 licensee, the brewer warehouse permit shall allow the holder to
11 store or warehouse up to 3,720,000 gallons of tax-determined
12 beer manufactured by the holder of the permit at the premises
13 specified on the permit. Sales to non-licensees are prohibited
14 at the premises specified in the brewer warehouse permit.

15 (u) A distilling pub license shall allow the licensee to
16 only (i) manufacture up to 5,000 gallons of spirits per year
17 only on the premises specified in the license, (ii) make sales
18 of the spirits manufactured on the premises or, with the
19 approval of the State Commission, spirits manufactured on
20 another distilling pub licensed premises that is wholly owned
21 and operated by the same licensee to importing distributors and
22 distributors and to non-licensees for use and consumption,
23 (iii) store the spirits upon the premises, (iv) sell and offer
24 for sale at retail from the licensed premises for off-premises
25 consumption no more than 5,000 gallons per year so long as such
26 sales are only made in-person, (v) sell and offer for sale at

1 retail for use and consumption on the premises specified in the
2 license any form of alcoholic liquor purchased from a licensed
3 distributor or importing distributor, and (vi) with the prior
4 approval of the State Commission, annually transfer no more
5 than 5,000 gallons of spirits manufactured on the premises to a
6 licensed distilling pub wholly owned and operated by the same
7 licensee.

8 A distilling pub licensee shall not under any circumstance
9 sell or offer for sale spirits manufactured by the distilling
10 pub licensee to retail licensees.

11 A person who holds a class 2 craft distiller license may
12 simultaneously hold a distilling pub license if the class 2
13 craft distiller (i) does not, under any circumstance, sell or
14 offer for sale spirits manufactured by the class 2 craft
15 distiller to retail licensees; (ii) does not hold more than 3
16 distilling pub licenses in this State; (iii) does not
17 manufacture more than a combined 100,000 gallons of spirits per
18 year, including the spirits manufactured at the distilling pub;
19 and (iv) is not a member of or affiliated with, directly or
20 indirectly, a manufacturer that produces more than 100,000
21 gallons of spirits per year or any other alcoholic liquor.

22 (v) A craft distiller warehouse permit may be issued to the
23 holder of a craft distiller premises license. The craft
24 distiller warehouse permit shall allow the holder to store or
25 warehouse up to 500,000 gallons of spirits manufactured by the
26 holder of the permit at the premises specified on the permit.

1 Sales to non-licensees are prohibited at the premises specified
2 in the craft distiller warehouse permit.

3 (Source: P.A. 99-448, eff. 8-24-15; 99-642, eff. 7-28-16;
4 99-800, eff. 8-12-16; 99-902, eff. 8-26-16; 99-904, eff.
5 1-1-17; 100-17, eff. 6-30-17; 100-201, eff. 8-18-17; 100-816,
6 eff. 8-13-18; 100-885, eff. 8-14-18; 100-1050, eff. 8-23-18;
7 revised 10-2-18.)

8 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

9 Sec. 5-3. License fees. Except as otherwise provided
10 herein, at the time application is made to the State Commission
11 for a license of any class, the applicant shall pay to the
12 State Commission the fee hereinafter provided for the kind of
13 license applied for.

14 The fee for licenses issued by the State Commission shall
15 be as follows:

	Online	Initial
	renewal	license
		or
		non-online
		renewal

21 For a manufacturer's license:

22	Class 1. Distiller	\$4,000	\$5,000
23	Class 2. Rectifier	4,000	5,000
24	Class 3. Brewer	1,200	1,500
25	Class 4. First-class Wine		

1	Manufacturer	750	900
2	Class 5. Second-class		
3	Wine Manufacturer.....	1,500	1,750
4	Class 6. First-class wine-maker	750	900
5	Class 7. Second-class wine-maker ..	1,500	1,750
6	Class 8. Limited Wine		
7	Manufacturer	250	350
8	Class 9. <u>Class 1</u> Craft Distiller ..	<u>50</u>	<u>75</u>
9	<u>Class 10. Class 2</u> Craft Distiller ..	<u>75</u>	<u>100</u>
10	Class <u>11</u> 10 . Class 1 Brewer	50	75
11	Class <u>12</u> 11 . Class 2 Brewer	75	100
12	For a Brew Pub License	1,200	1,500
13	<u>For a Distilling Pub License</u>	<u>1,200</u>	<u>1,500</u>
14	For a caterer retailer's license ..	350	500
15	For a foreign importer's license ..	25	25
16	For an importing distributor's		
17	license.....	25	25
18	For a distributor's license		
19	(11,250,000 gallons		
20	or over)	1,450	2,200
21	For a distributor's license		
22	(over 4,500,000 gallons, but		
23	under 11,250,000 gallons)	950	1,450
24	For a distributor's license		
25	(4,500,000 gallons or under) ..	300	450
26	For a non-resident dealer's license		

1	(500,000 gallons or over)	1,200	1,500
2	For a non-resident dealer's license		
3	(under 500,000 gallons)	250	350
4	For a wine-maker's premises		
5	license.....	250	500
6	For a winery shipper's license		
7	(under 250,000 gallons)	200	350
8	For a winery shipper's license		
9	(250,000 or over, but		
10	under 500,000 gallons)	750	1,000
11	For a winery shipper's license		
12	(500,000 gallons or over)	1,200	1,500
13	For a wine-maker's premises license,		
14	second location.....	500	1,000
15	For a wine-maker's premises license,		
16	third location	500	1,000
17	For a retailer's license	600	750
18	For a special event retailer's		
19	license, (not-for-profit).....	25	25
20	For a special use permit license,		
21	one day only	100	150
22	2 days or more	150	250
23	For a railroad license	100	150
24	For a boat license	500	1,000
25	For an airplane license, times the		
26	licensee's maximum number of		

1	aircraft in flight, serving		
2	liquor over the State at any		
3	given time, which either		
4	originate, terminate, or make		
5	an intermediate stop in		
6	the State	100	150
7	For a non-beverage user's license:		
8	Class 1	24	24
9	Class 2	60	60
10	Class 3	120	120
11	Class 4	240	240
12	Class 5	600	600
13	For a broker's license	750	1,000
14	For an auction liquor license	100	150
15	For a homebrewer special		
16	event permit	25	25
17	For a craft distiller		
18	<u>premises</u> tasting permit	25	25
19	<u>For a craft distiller premises</u>		
20	<u>permit, second location</u>	<u>500</u>	<u>1,000</u>
21	For a BASSET trainer license	300	350
22	For a tasting representative		
23	license.....	200	300
24	For a brewer warehouse permit	25	25
25	<u>For a craft distiller</u>		
26	<u>warehouse permit</u>	<u>25</u>	<u>25</u>

1 Fees collected under this Section shall be paid into the
2 Dram Shop Fund. On and after July 1, 2003 and until June 30,
3 2016, of the funds received for a retailer's license, in
4 addition to the first \$175, an additional \$75 shall be paid
5 into the Dram Shop Fund, and \$250 shall be paid into the
6 General Revenue Fund. On and after June 30, 2016, one-half of
7 the funds received for a retailer's license shall be paid into
8 the Dram Shop Fund and one-half of the funds received for a
9 retailer's license shall be paid into the General Revenue Fund.
10 Beginning June 30, 1990 and on June 30 of each subsequent year
11 through June 29, 2003, any balance over \$5,000,000 remaining in
12 the Dram Shop Fund shall be credited to State liquor licensees
13 and applied against their fees for State liquor licenses for
14 the following year. The amount credited to each licensee shall
15 be a proportion of the balance in the Dram Fund that is the
16 same as the proportion of the license fee paid by the licensee
17 under this Section for the period in which the balance was
18 accumulated to the aggregate fees paid by all licensees during
19 that period.

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

22 (a) Hospitals, sanitariums, or clinics when their use
23 of alcoholic liquor is exclusively medicinal, mechanical
24 or scientific.

25 (b) Universities, colleges of learning or schools when
26 their use of alcoholic liquor is exclusively medicinal,

1 mechanical or scientific.

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

4 (Source: P.A. 99-448, eff. 8-24-15; 99-902, eff. 8-26-16;
5 99-904, eff. 8-26-16; 100-201, eff. 8-18-17; 100-816, eff.
6 8-13-18.)

7 (235 ILCS 5/6-4) (from Ch. 43, par. 121)

8 Sec. 6-4. (a) No person licensed by any licensing authority
9 as a distiller, or a wine manufacturer, 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 such person shall be
13 issued an importing distributor's or distributor's license,
14 nor shall any person licensed by any licensing authority as an
15 importing distributor, distributor or retailer, or any
16 subsidiary or affiliate thereof, or any officer or associate,
17 member, partner, representative, employee, agent or
18 shareholder owning more than 5% of the outstanding shares of
19 such person be issued a distiller's license, a craft
20 distiller's license, or a wine manufacturer's license; and no
21 person or persons licensed as a distiller, ~~or~~ class 1 craft
22 distiller, or class 2 craft distiller by any licensing
23 authority shall have any interest, directly or indirectly, with
24 such distributor or importing distributor.

25 However, an importing distributor or distributor, which on

1 January 1, 1985 is owned by a brewer, or any subsidiary or
2 affiliate thereof or any officer, associate, member, partner,
3 representative, employee, agent or shareholder owning more
4 than 5% of the outstanding shares of the importing distributor
5 or distributor referred to in this paragraph, may own or
6 acquire an ownership interest of more than 5% of the
7 outstanding shares of a wine manufacturer and be issued a wine
8 manufacturer's license by any licensing authority.

9 (b) The foregoing provisions shall not apply to any person
10 licensed by any licensing authority as a distiller or wine
11 manufacturer, or to any subsidiary or affiliate of any
12 distiller or wine manufacturer who shall have been heretofore
13 licensed by the State Commission as either an importing
14 distributor or distributor during the annual licensing period
15 expiring June 30, 1947, and shall actually have made sales
16 regularly to retailers.

17 (c) Provided, however, that in such instances where a
18 distributor's or importing distributor's license has been
19 issued to any distiller or wine manufacturer or to any
20 subsidiary or affiliate of any distiller or wine manufacturer
21 who has, during the licensing period ending June 30, 1947, sold
22 or distributed as such licensed distributor or importing
23 distributor alcoholic liquors and wines to retailers, such
24 distiller or wine manufacturer or any subsidiary or affiliate
25 of any distiller or wine manufacturer holding such
26 distributor's or importing distributor's license may continue

1 to sell or distribute to retailers such alcoholic liquors and
2 wines which are manufactured, distilled, processed or marketed
3 by distillers and wine manufacturers whose products it sold or
4 distributed to retailers during the whole or any part of its
5 licensing periods; and such additional brands and additional
6 products may be added to the line of such distributor or
7 importing distributor, provided, that such brands and such
8 products were not sold or distributed by any distributor or
9 importing distributor licensed by the State Commission during
10 the licensing period ending June 30, 1947, but can not sell or
11 distribute to retailers any other alcoholic liquors or wines.

12 (d) It shall be unlawful for any distiller licensed
13 anywhere to have any stock ownership or interest in any
14 distributor's or importing distributor's license wherein any
15 other person has an interest therein who is not a distiller and
16 does not own more than 5% of any stock in any distillery.
17 Nothing herein contained shall apply to such distillers or
18 their subsidiaries or affiliates, who had a distributor's or
19 importing distributor's license during the licensing period
20 ending June 30, 1947, which license was owned in whole by such
21 distiller, or subsidiaries or affiliates of such distiller.

22 (e) Any person licensed as a brewer, class 1 brewer, or
23 class 2 brewer shall be permitted to sell on the licensed
24 premises to non-licensees for on or off-premises consumption
25 for the premises in which he or she actually conducts such
26 business: (i) beer manufactured by the brewer, class 1 brewer,

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

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

21 A person who holds a class 1 or class 2 brewer license and
22 is authorized by this Section to sell beer to non-licensees
23 shall not sell beer to non-licensees from more than 3 total
24 brewer or commonly owned brew pub licensed locations in this
25 State. The class 1 or class 2 brewer shall designate to the
26 State Commission the brewer or brew pub locations from which it

1 will sell beer to non-licensees.

2 A person licensed as a class 1 craft distiller or a class 2
3 craft distiller, including a person who holds more than one
4 class 1 craft distiller or class 2 craft distiller license, not
5 affiliated with any other person manufacturing spirits shall be
6 permitted ~~may be authorized by the Commission~~ to sell up to
7 5,000 ~~2,500~~ gallons of spirits produced by the person to
8 non-licensees on the licensed premises for on-premises ~~on~~ or
9 off-premises consumption for the premises in which he or she
10 actually conducts business permitting only the retail sale of
11 spirits manufactured at such premises. A person licensed as a
12 class 1 craft distiller shall also be permitted to sell
13 vermouth on the licensed premises for on-premises consumption
14 for the premises in which he or she actually conducts business
15 permitting only the retail sale of spirits manufactured at the
16 premises. Such sales shall be limited to on-premises, in-person
17 sales only, for lawful consumption on or off premises, and such
18 authorization shall be considered a privilege granted by the
19 class 1 craft distiller or class 2 craft distiller license. ~~A~~
20 ~~craft distiller licensed for retail sale shall secure liquor~~
21 ~~liability insurance coverage in an amount at least equal to the~~
22 ~~maximum liability amounts set forth in subsection (a) of~~
23 ~~Section 6-21 of this Act.~~

24 A class 1 or class 2 craft distiller license holder shall
25 not deliver any alcoholic liquor to any non-licensee off the
26 licensed premises. A class 1 craft distiller or class 2 craft

1 distiller shall affirm in its annual ~~craft distiller's~~ license
2 application that it does not produce more than 100,000 gallons
3 of distilled spirits or 50,000 gallons of distilled spirits,
4 whichever is applicable, annually and that the craft distiller
5 does not sell more than 5,000 ~~2,500~~ gallons of spirits to
6 non-licensees for on or off-premises consumption. In the
7 application, which shall be sworn under penalty of perjury, the
8 class 1 craft distiller or class 2 craft distiller shall state
9 the volume of production and sales for each year since the
10 class 1 craft distiller's or class 2 craft distiller's
11 establishment.

12 (f) (Blank).

13 (g) Notwithstanding any of the foregoing prohibitions, a
14 limited wine manufacturer may sell at retail at its
15 manufacturing site for on or off premises consumption and may
16 sell to distributors. A limited wine manufacturer licensee
17 shall secure liquor liability insurance coverage in an amount
18 at least equal to the maximum liability amounts set forth in
19 subsection (a) of Section 6-21 of this Act.

20 (h) The changes made to this Section by Public Act 99-47
21 shall not diminish or impair the rights of any person, whether
22 a distiller, wine manufacturer, agent, or affiliate thereof,
23 who requested in writing and submitted documentation to the
24 State Commission on or before February 18, 2015 to be approved
25 for a retail license pursuant to what has heretofore been
26 subsection (f); provided that, on or before that date, the

1 State Commission considered the intent of that person to apply
2 for the retail license under that subsection and, by recorded
3 vote, the State Commission approved a resolution indicating
4 that such a license application could be lawfully approved upon
5 that person duly filing a formal application for a retail
6 license and if that person, within 90 days of the State
7 Commission appearance and recorded vote, first filed an
8 application with the appropriate local commission, which
9 application was subsequently approved by the appropriate local
10 commission prior to consideration by the State Commission of
11 that person's application for a retail license. It is further
12 provided that the State Commission may approve the person's
13 application for a retail license or renewals of such license if
14 such person continues to diligently adhere to all
15 representations made in writing to the State Commission on or
16 before February 18, 2015, or thereafter, or in the affidavit
17 filed by that person with the State Commission to support the
18 issuance of a retail license and to abide by all applicable
19 laws and duly adopted rules.

20 (Source: P.A. 99-47, eff. 7-15-15; 99-448, eff. 8-24-15;
21 99-642, eff. 7-28-16; 99-902, eff. 8-26-16; 100-201, eff.
22 8-18-17; 100-816, eff. 8-13-18; 100-885, eff. 8-14-18; revised
23 10-24-18.)

24 (235 ILCS 5/6-31)

25 Sec. 6-31. Product sampling.

1 (a) Retailer, distributor, importing distributor,
2 manufacturer and nonresident dealer licensees may conduct
3 product sampling for consumption at a licensed retail location.
4 Up to 3 samples, consisting of no more than (i) 1/4 ounce of
5 distilled spirits, (ii) one ounce of wine, or (iii) 2 ounces of
6 beer may be served to a consumer in one day.

7 (b) Notwithstanding the provisions of subsection (a), an
8 on-premises retail licensee may offer for sale and serve more
9 than one drink per person for sampling purposes. In any event,
10 all provisions of Section 6-28 shall apply to an on-premises
11 retail licensee that conducts product sampling.

12 (c) (Blank). ~~A craft distiller tasting permit licensee may~~
13 ~~conduct product sampling of distilled spirits for consumption~~
14 ~~at the location specified in the craft distiller tasting permit~~
15 ~~license. Up to 3 samples, consisting of no more than 1/4 ounce~~
16 ~~of distilled spirits, may be served to a consumer in one day.~~

17 (Source: P.A. 99-46, eff. 7-15-15; 99-902, eff. 8-26-16.)".