



Rep. Sara Feigenholtz

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LRB101 04781 RPS 60016 a

1 AMENDMENT TO SENATE BILL 54

2 AMENDMENT NO. _____. Amend Senate Bill 54 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Liquor Control Act of 1934 is amended by
5 adding Section 6-29.5 as follows:

6 (235 ILCS 5/6-29.5 new)

7 Sec. 6-29.5. Delivery of alcoholic liquors by a retailer.

8 (a) Entities licensed by the Illinois Liquor Control
9 Commission as 1A retailers may make deliveries of unopened
10 original packaged alcoholic liquors away from their places of
11 business to consumers in the State and within the geographic
12 areas specified in paragraphs (1) and (2), whichever is
13 applicable, for personal consumption only, and not for resale.
14 For the purposes of this subsection and except as otherwise
15 provided in this subsection, sales through electronic, online,
16 telephone, or other means, such as third-party applications or

1 other software connecting recipients and licensed retailers,
2 shall be treated as sales by the retailer if the alcoholic
3 liquors delivered to the recipient are made available from the
4 inventory of the licensed retailer. However, a unit of local
5 government may regulate delivery within its boundaries by 1A
6 retailers that are physically located within the unit of local
7 government's boundaries.

8 (1) 1A retailers that are located in a county or
9 bordering a county with a population of more than 4,500,000
10 may make deliveries of unopened original packaged
11 alcoholic liquors to consumers within a 30-mile radius of
12 the licensed premises.

13 (2) 1A retailers that are located in any other county
14 may make deliveries of unopened original packaged
15 alcoholic liquors to consumers within a 50-mile radius of
16 the licensed premises.

17 (b) A unit of local government shall not prohibit or
18 regulate the ability of a consumer to order or receive unopened
19 original packaged alcoholic liquors under this Section by 1A
20 retailers that are located outside the unit of local
21 government's boundaries.

22 (c) As provided in this Section, 1A retailers may make
23 deliveries of unopened original packaged alcoholic liquors to
24 consumers through the following methods:

25 (1) delivery at retail curbside pickup by the consumer;

26 (2) delivery by an owner, officer, director,

1 shareholder, or employee of the licensed retailer; or

2 (3) delivery by a third-party contractor, independent
3 contractor, or agent with whom the licensed retailer has
4 contracted to make deliveries of alcoholic liquors.

5 (d) Any person making a delivery of alcoholic liquors shall
6 ensure that:

7 (1) the recipient demonstrates, upon delivery, that he
8 or she is at least 21 years of age, and the party making
9 the delivery verifies the age of the recipient by adequate
10 written evidence of age and identity consistent with
11 subsection (a) of Section 6-16 of this Act;

12 (2) deliveries are not made to a consumer who is
13 visibly intoxicated;

14 (3) deliveries are made within the State of Illinois;
15 and

16 (4) if the person making the delivery is a third-party
17 contractor or agent with whom a licensed retailer has
18 contracted to make deliveries, he or she does not warehouse
19 or otherwise maintain an inventory of alcoholic liquors.

20 (e) This Section does not limit the ability of a retailer
21 authorized by a local liquor control commissioner prior to the
22 effective date of this amendatory Act of the 101st General
23 Assembly to sell alcoholic liquor for off-premises consumption
24 solely through the Internet, a mobile application, or a similar
25 computer-based technology platform to transfer, deliver, or
26 ship alcoholic liquor to any purchaser located in this State

1 without geographic restriction.

2 (f) A home rule unit may not regulate (i) the delivery of
3 or (ii) the ordering or receiving for delivery by consumers of
4 alcoholic liquors in a manner inconsistent with this Section.
5 This Section is a limitation under subsection (i) of Section 6
6 of Article VII of the Illinois Constitution on the concurrent
7 exercise by home rule units of powers and functions exercised
8 by the State.

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