



## 101ST GENERAL ASSEMBLY

### State of Illinois

### 2019 and 2020

### SB3830

Introduced 2/14/2020, by Sen. Sara Feigenholtz

#### SYNOPSIS AS INTRODUCED:

235 ILCS 5/3-12	
235 ILCS 5/5-1	from Ch. 43, par. 115
235 ILCS 5/5-3	from Ch. 43, par. 118
235 ILCS 5/6-2	from Ch. 43, par. 120
235 ILCS 5/6-29	from Ch. 43, par. 144e
235 ILCS 5/6-29.1	
235 ILCS 5/7-1	from Ch. 43, par. 145
235 ILCS 5/9-13	from Ch. 43, par. 176

Amends the Liquor Control Act of 1934. Creates the wine retail shipper's license. Provides that a wine retail shipper's license shall allow a person licensed to retail wine under the laws of another state to ship wine in that wine retail shipper's inventory directly to a resident of this State who is 21 years of age or older for that resident's personal use and not for resale. Provides that a wine shipper licensee or wine retail shipper licensee (instead of a wine shipper licensee) may ship wine (instead of not more than 12 cases of wine per year), for personal use and not for resale, to any resident of this State who is 21 years of age or older. Establishes licensing fees and eligibility for a license. Contains provisions concerning taxation; recordkeeping; reporting; third-party providers; and discipline. Makes conforming and other changes.

LRB101 20745 RPS 70430 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning liquor.

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

4 Section 5. The Liquor Control Act of 1934 is amended by  
5 changing Sections 3-12, 5-1, 5-3, 6-2, 6-29, 6-29.1, 7-1, and  
6 9-13 as follows:

7 (235 ILCS 5/3-12)

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

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

11 (1) To receive applications and to issue licenses to  
12 manufacturers, foreign importers, importing distributors,  
13 distributors, non-resident dealers, on premise consumption  
14 retailers, off premise sale retailers, special event  
15 retailer licensees, special use permit licenses, auction  
16 liquor licenses, brew pubs, caterer retailers,  
17 non-beverage users, railroads, including owners and  
18 lessees of sleeping, dining and cafe cars, airplanes,  
19 boats, brokers, and wine maker's premises licensees in  
20 accordance with the provisions of this Act, and to suspend  
21 or revoke such licenses upon the State Commission's  
22 determination, upon notice after hearing, that a licensee  
23 has violated any provision of this Act or any rule or

1 regulation issued pursuant thereto and in effect for 30  
2 days prior to such violation. Except in the case of an  
3 action taken pursuant to a violation of Section 6-3, 6-5,  
4 or 6-9, any action by the State Commission to suspend or  
5 revoke a licensee's license may be limited to the license  
6 for the specific premises where the violation occurred. An  
7 action for a violation of this Act shall be commenced by  
8 the State Commission within 2 years after the date the  
9 State Commission becomes aware of the violation.

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

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

23 The fine imposed under this paragraph may not exceed  
24 \$500 for each violation. Each day that the activity, which  
25 gave rise to the original fine, continues is a separate  
26 violation. The maximum fine that may be levied against any

1 licensee, for the period of the license, shall not exceed  
2 \$20,000. The maximum penalty that may be imposed on a  
3 licensee for selling a bottle of alcoholic liquor with a  
4 foreign object in it or serving from a bottle of alcoholic  
5 liquor with a foreign object in it shall be the destruction  
6 of that bottle of alcoholic liquor for the first 10 bottles  
7 so sold or served from by the licensee. For the eleventh  
8 bottle of alcoholic liquor and for each third bottle  
9 thereafter sold or served from by the licensee with a  
10 foreign object in it, the maximum penalty that may be  
11 imposed on the licensee is the destruction of the bottle of  
12 alcoholic liquor and a fine of up to \$50.

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

22 (2) To adopt such rules and regulations consistent with  
23 the provisions of this Act which shall be necessary to  
24 carry on its functions and duties to the end that the  
25 health, safety and welfare of the People of the State of  
26 Illinois shall be protected and temperance in the

1 consumption of alcoholic liquors shall be fostered and  
2 promoted and to distribute copies of such rules and  
3 regulations to all licensees affected thereby.

4 (3) To call upon other administrative departments of  
5 the State, county and municipal governments, county and  
6 city police departments and upon prosecuting officers for  
7 such information and assistance as it deems necessary in  
8 the performance of its duties.

9 (4) To recommend to local commissioners rules and  
10 regulations, not inconsistent with the law, for the  
11 distribution and sale of alcoholic liquors throughout the  
12 State.

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

21 (5.1) Upon receipt of a complaint or upon having  
22 knowledge that any person is engaged in business as a  
23 manufacturer, importing distributor, distributor, or  
24 retailer without a license or valid license, to conduct an  
25 investigation. If, after conducting an investigation, the  
26 State Commission is satisfied that the alleged conduct

1 occurred or is occurring, it may issue a cease and desist  
2 notice as provided in this Act, impose civil penalties as  
3 provided in this Act, notify the local liquor authority, or  
4 file a complaint with the State's Attorney's Office of the  
5 county where the incident occurred or the Attorney General.

6 (5.2) Upon receipt of a complaint or upon having  
7 knowledge that any person is shipping alcoholic liquor into  
8 this State from a point outside of this State if the  
9 shipment is in violation of this Act, to conduct an  
10 investigation. If, after conducting an investigation, the  
11 State Commission is satisfied that the alleged conduct  
12 occurred or is occurring, it may issue a cease and desist  
13 notice as provided in this Act, impose civil penalties as  
14 provided in this Act, notify the foreign jurisdiction, or  
15 file a complaint with the State's Attorney's Office of the  
16 county where the incident occurred or the Attorney General.

17 (5.3) To receive complaints from licensees, local  
18 officials, law enforcement agencies, organizations, and  
19 persons stating that any licensee has been or is violating  
20 any provision of this Act or the rules and regulations  
21 issued pursuant to this Act. Such complaints shall be in  
22 writing, signed and sworn to by the person making the  
23 complaint, and shall state with specificity the facts in  
24 relation to the alleged violation. If the State Commission  
25 has reasonable grounds to believe that the complaint  
26 substantially alleges a violation of this Act or rules and

1 regulations adopted pursuant to this Act, it shall conduct  
2 an investigation. If, after conducting an investigation,  
3 the State Commission is satisfied that the alleged  
4 violation did occur, it shall proceed with disciplinary  
5 action against the licensee as provided in this Act.

6 (5.4) To make arrests and issue notices of civil  
7 violations where necessary for the enforcement of this Act.

8 (5.5) To investigate any and all unlicensed activity.

9 (5.6) To impose civil penalties or fines to any person  
10 who, without holding a valid license, engages in conduct  
11 that requires a license pursuant to this Act, in an amount  
12 not to exceed \$20,000 for each offense as determined by the  
13 State Commission. A civil penalty shall be assessed by the  
14 State Commission after a hearing is held in accordance with  
15 the provisions set forth in this Act regarding the  
16 provision of a hearing for the revocation or suspension of  
17 a license.

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

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

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

23 (8) In the conduct of any hearing authorized to be held  
24 by the State Commission, to appoint, at the commission's  
25 discretion, hearing officers to conduct hearings involving  
26 complex issues or issues that will require a protracted



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

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

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

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

1           (11) To develop industry educational programs related  
2 to responsible serving and selling, particularly in the  
3 areas of overserving consumers and illegal underage  
4 purchasing and consumption of alcoholic beverages.

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

15           (12) To develop and maintain a repository of license  
16 and regulatory information.

17           (13) (Blank).

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

26           (A) The amount of State excise and sales tax

1 revenues generated.

2 (B) The amount of licensing fees received.

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

6 (D) The number of alcohol compliance operations  
7 conducted.

8 (E) The number of winery shipper's licenses  
9 issued.

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

18 (G) The number of wine retail shipper's licenses  
19 issued.

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

1 violation of this Act.

2 (16) The State Commission shall, in addition to  
3 notifying any appropriate law enforcement agency, submit  
4 notices of complaints or violations of Sections 6-29 and  
5 6-29.1 by persons who do not hold a winery shipper's  
6 license or a wine retail shipper's license under this Act  
7 to the Illinois Attorney General and to the U.S. Department  
8 of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

9 (17) (A) A person licensed to make wine under the laws  
10 of another state who has a winery shipper's license under  
11 this Act and annually produces less than 25,000 gallons of  
12 wine or a person who has a first-class or second-class wine  
13 manufacturer's license, a first-class or second-class  
14 wine-maker's license, or a limited wine manufacturer's  
15 license under this Act and annually produces less than  
16 25,000 gallons of wine may make application to the  
17 Commission for a self-distribution exemption to allow the  
18 sale of not more than 5,000 gallons of the exemption  
19 holder's wine to retail licensees per year.

20 (B) In the application, which shall be sworn under  
21 penalty of perjury, such person shall state (1) the date it  
22 was established; (2) its volume of production and sales for  
23 each year since its establishment; (3) its efforts to  
24 establish distributor relationships; (4) that a  
25 self-distribution exemption is necessary to facilitate the  
26 marketing of its wine; and (5) that it will comply with the

1 liquor and revenue laws of the United States, this State,  
2 and any other state where it is licensed.

3 (C) The State Commission shall approve the application  
4 for a self-distribution exemption if such person: (1) is in  
5 compliance with State revenue and liquor laws; (2) is not a  
6 member of any affiliated group that produces more than  
7 25,000 gallons of wine per annum or produces any other  
8 alcoholic liquor; (3) will not annually produce for sale  
9 more than 25,000 gallons of wine; and (4) will not annually  
10 sell more than 5,000 gallons of its wine to retail  
11 licensees.

12 (D) A self-distribution exemption holder shall  
13 annually certify to the State Commission its production of  
14 wine in the previous 12 months and its anticipated  
15 production and sales for the next 12 months. The State  
16 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 liquor law of Illinois, exceeded production of 25,000  
21 gallons of wine in any calendar year, or become part of an  
22 affiliated group producing more than 25,000 gallons of wine  
23 or any other alcoholic liquor.

24 (E) Except in hearings for violations of this Act or  
25 Public Act 95-634 or a bona fide investigation by duly  
26 sworn law enforcement officials, the State Commission, or

1 its agents, the State Commission shall maintain the  
2 production and sales information of a self-distribution  
3 exemption holder as confidential and shall not release such  
4 information to any person.

5 (F) The State Commission shall issue regulations  
6 governing self-distribution exemptions consistent with  
7 this Section and this Act.

8 (G) Nothing in this paragraph (17) shall prohibit a  
9 self-distribution exemption holder from entering into or  
10 simultaneously having a distribution agreement with a  
11 licensed Illinois distributor.

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

24 (18)(A) A class 1 brewer licensee, who must also be  
25 either a licensed brewer or licensed non-resident dealer  
26 and annually manufacture less than 930,000 gallons of beer,

1           may make application to the State Commission for a  
2           self-distribution exemption to allow the sale of not more  
3           than 232,500 gallons of the exemption holder's beer per  
4           year to retail licensees and to brewers, class 1 brewers,  
5           and class 2 brewers that, pursuant to subsection (e) of  
6           Section 6-4 of this Act, sell beer, cider, or both beer and  
7           cider to non-licensees at their breweries.

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

18          (C) Any application submitted shall be posted on the  
19          State Commission's website at least 45 days prior to action  
20          by the State Commission. The State Commission shall approve  
21          the application for a self-distribution exemption if the  
22          class 1 brewer licensee: (1) is in compliance with the  
23          State, revenue, and alcoholic beverage laws; (2) is not a  
24          member of any affiliated group that manufactures more than  
25          930,000 gallons of beer per annum or produces any other  
26          alcoholic beverages; (3) shall not annually manufacture

1 for sale more than 930,000 gallons of beer; (4) shall not  
2 annually sell more than 232,500 gallons of its beer to  
3 retail licensees or to brewers, class 1 brewers, and class  
4 2 brewers that, pursuant to subsection (e) of Section 6-4  
5 of this Act, sell beer, cider, or both beer and cider to  
6 non-licensees at their breweries; and (5) has relinquished  
7 any brew pub license held by the licensee, including any  
8 ownership interest it held in the licensed brew pub.

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

22 (E) The State Commission shall issue rules and  
23 regulations governing self-distribution exemptions  
24 consistent with this Act.

25 (F) Nothing in this paragraph (18) shall prohibit a  
26 self-distribution exemption holder from entering into or



1 simultaneously having a distribution agreement with a  
2 licensed Illinois importing distributor or a distributor.  
3 If a self-distribution exemption holder enters into a  
4 distribution agreement and has assigned distribution  
5 rights to an importing distributor or distributor, then the  
6 self-distribution exemption holder's distribution rights  
7 in the assigned territories shall cease in a reasonable  
8 time not to exceed 60 days.

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

17 (19)(A) A class 1 craft distiller licensee or a  
18 non-resident dealer who manufactures less than 50,000  
19 gallons of distilled spirits per year may make application  
20 to the State Commission for a self-distribution exemption  
21 to allow the sale of not more than 5,000 gallons of the  
22 exemption holder's spirits to retail licensees per year.

23 (B) In the application, which shall be sworn under  
24 penalty of perjury, the class 1 craft distiller licensee or  
25 non-resident dealer shall state (1) the date it was  
26 established; (2) its volume of spirits manufactured and

1 sold for each year since its establishment; (3) its efforts  
2 to establish distributor relationships; (4) that a  
3 self-distribution exemption is necessary to facilitate the  
4 marketing of its spirits; and (5) that it will comply with  
5 the alcoholic beverage and revenue laws of the United  
6 States, this State, and any other state where it is  
7 licensed.

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

19 (D) A self-distribution exemption holder shall  
20 annually certify to the State Commission its manufacture of  
21 spirits during the previous 12 months and its anticipated  
22 manufacture and sales of spirits for the next 12 months.  
23 The State Commission may fine, suspend, or revoke a  
24 self-distribution exemption after a hearing if it finds  
25 that the exemption holder has made a material  
26 misrepresentation in its application, violated a revenue

1 or alcoholic beverage law of Illinois, exceeded the  
2 manufacture of 50,000 gallons of spirits in any calendar  
3 year, or has become part of an affiliated group  
4 manufacturing more than 50,000 gallons of spirits or any  
5 other alcoholic beverage.

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

8 (F) Nothing in this paragraph (19) shall prohibit a  
9 self-distribution exemption holder from entering into or  
10 simultaneously having a distribution agreement with a  
11 licensed Illinois importing distributor or a distributor.

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

20 (b) On or before April 30, 1999, the Commission shall  
21 present a written report to the Governor and the General  
22 Assembly that shall be based on a study of the impact of Public  
23 Act 90-739 on the business of soliciting, selling, and shipping  
24 alcoholic liquor from outside of this State directly to  
25 residents of this State.

26 As part of its report, the Commission shall provide the

1 following information:

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

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

6 (iii) the number of reported violations, the number of  
7 cease and desist notices issued by the Commission, the  
8 number of notices of violations issued to the Department of  
9 Revenue, and the number of notices and complaints of  
10 violations to law enforcement officials.

11 (Source: P.A. 100-134, eff. 8-18-17; 100-201, eff. 8-18-17;  
12 100-816, eff. 8-13-18; 100-1012, eff. 8-21-18; 100-1050, eff.  
13 8-23-18; 101-37, eff. 7-3-19; 101-81, eff. 7-12-19; 101-482,  
14 eff. 8-23-19; revised 9-20-19.)

15 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

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

25 (b) Distributor's license,

- 1 (c) Importing Distributor's license,  
2 (d) Retailer's license,  
3 (e) Special Event Retailer's license (not-for-profit),  
4 (f) Railroad license,  
5 (g) Boat license,  
6 (h) Non-Beverage User's license,  
7 (i) Wine-maker's premises license,  
8 (j) Airplane license,  
9 (k) Foreign importer's license,  
10 (l) Broker's license,  
11 (m) Non-resident dealer's license,  
12 (n) Brew Pub license,  
13 (o) Auction liquor license,  
14 (p) Caterer retailer license,  
15 (q) Special use permit license,  
16 (r) Winery shipper's license,  
17 (s) Craft distiller tasting permit,  
18 (t) Brewer warehouse permit,  
19 (u) Distilling pub license,  
20 (v) Craft distiller warehouse permit,  
21 (w) Wine retail shipper's license.

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

26 (a) A manufacturer's license shall allow the manufacture,

1 importation in bulk, storage, distribution and sale of  
2 alcoholic liquor to persons without the State, as may be  
3 permitted by law and to licensees in this State as follows:

4 Class 1. A Distiller may make sales and deliveries of  
5 alcoholic liquor to distillers, rectifiers, importing  
6 distributors, distributors and non-beverage users and to no  
7 other licensees.

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

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

15 Class 4. A first class wine-manufacturer may make sales and  
16 deliveries of up to 50,000 gallons of wine to manufacturers,  
17 importing distributors and distributors, and to no other  
18 licensees.

19 Class 5. A second class Wine manufacturer may make sales  
20 and deliveries of more than 50,000 gallons of wine to  
21 manufacturers, importing distributors and distributors and to  
22 no other licensees.

23 Class 6. A first-class wine-maker's license shall allow the  
24 manufacture of up to 50,000 gallons of wine per year, and the  
25 storage and sale of such wine to distributors in the State and  
26 to persons without the State, as may be permitted by law. A

1 person who, prior to June 1, 2008 (the effective date of Public  
2 Act 95-634), is a holder of a first-class wine-maker's license  
3 and annually produces more than 25,000 gallons of its own wine  
4 and who distributes its wine to licensed retailers shall cease  
5 this practice on or before July 1, 2008 in compliance with  
6 Public Act 95-634.

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

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

21 Class 9. A craft distiller license, which may only be held  
22 by a class 1 craft distiller licensee or class 2 craft  
23 distiller licensee but not held by both a class 1 craft  
24 distiller licensee and a class 2 craft distiller licensee,  
25 shall grant all rights conveyed by either: (i) a class 1 craft  
26 distiller license if the craft distiller holds a class 1 craft

1 distiller license; or (ii) a class 2 craft distiller licensee  
2 if the craft distiller holds a class 2 craft distiller license.

3 Class 10. A class 1 craft distiller license, which may only  
4 be issued to a licensed craft distiller or licensed  
5 non-resident dealer, shall allow the manufacture of up to  
6 50,000 gallons of spirits per year provided that the class 1  
7 craft distiller licensee does not manufacture more than a  
8 combined 50,000 gallons of spirits per year and is not a member  
9 of or affiliated with, directly or indirectly, a manufacturer  
10 that produces more than 50,000 gallons of spirits per year or  
11 any other alcoholic liquor. A class 1 craft distiller licensee  
12 may make sales and deliveries to importing distributors and  
13 distributors and to retail licensees in accordance with the  
14 conditions set forth in paragraph (19) of subsection (a) of  
15 Section 3-12 of this Act. However, the aggregate amount of  
16 spirits sold to non-licensees and sold or delivered to retail  
17 licensees may not exceed 5,000 gallons per year.

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

26 A class 1 craft distiller licensee may hold more than one



1 class 1 craft distiller's license. However, a class 1 craft  
2 distiller that holds more than one class 1 craft distiller  
3 license shall not manufacture, in the aggregate, more than  
4 50,000 gallons of spirits by distillation per year and shall  
5 not sell, in the aggregate, more than 5,000 gallons of such  
6 spirits to non-licensees in accordance with an exemption  
7 approved by the State Commission pursuant to Section 6-4 of  
8 this Act.

9 Class 11. A class 2 craft distiller license, which may only  
10 be issued to a licensed craft distiller or licensed  
11 non-resident dealer, shall allow the manufacture of up to  
12 100,000 gallons of spirits per year provided that the class 2  
13 craft distiller licensee does not manufacture more than a  
14 combined 100,000 gallons of spirits per year and is not a  
15 member of or affiliated with, directly or indirectly, a  
16 manufacturer that produces more than 100,000 gallons of spirits  
17 per year or any other alcoholic liquor. A class 2 craft  
18 distiller licensee may make sales and deliveries to importing  
19 distributors and distributors, but shall not make sales or  
20 deliveries to any other licensee. If the State Commission  
21 provides prior approval, a class 2 craft distiller licensee may  
22 annually transfer up to 100,000 gallons of spirits manufactured  
23 by that class 2 craft distiller licensee to the premises of a  
24 licensed class 2 craft distiller wholly owned and operated by  
25 the same licensee. A class 2 craft distiller may transfer  
26 spirits to a distilling pub wholly owned and operated by the

1 class 2 craft distiller subject to the following limitations  
2 and restrictions: (i) the transfer shall not annually exceed  
3 more than 5,000 gallons; (ii) the annual amount transferred  
4 shall reduce the distilling pub's annual permitted production  
5 limit; (iii) all spirits transferred shall be subject to  
6 Article VIII of this Act; (iv) a written record shall be  
7 maintained by the distiller and distilling pub specifying the  
8 amount, date of delivery, and receipt of the product by the  
9 distilling pub; and (v) the distilling pub shall be located no  
10 farther than 80 miles from the class 2 craft distiller's  
11 licensed location.

12 A class 2 craft distiller shall, prior to transferring  
13 spirits to a distilling pub wholly owned by the class 2 craft  
14 distiller, furnish a written notice to the State Commission of  
15 intent to transfer spirits setting forth the name and address  
16 of the distilling pub and shall annually submit to the State  
17 Commission a verified report identifying the total gallons of  
18 spirits transferred to the distilling pub wholly owned by the  
19 class 2 craft distiller.

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

25 Class 12. A class 1 brewer license, which may only be  
26 issued to a licensed brewer or licensed non-resident dealer,

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

15 Class 13. A class 2 brewer license, which may only be  
16 issued to a licensed brewer or licensed non-resident dealer,  
17 shall allow the manufacture of up to 3,720,000 gallons of beer  
18 per year provided that the class 2 brewer licensee does not  
19 manufacture more than a combined 3,720,000 gallons of beer per  
20 year and is not a member of or affiliated with, directly or  
21 indirectly, a manufacturer that produces more than 3,720,000  
22 gallons of beer per year or any other alcoholic liquor. A class  
23 2 brewer licensee may make sales and deliveries to importing  
24 distributors and distributors, but shall not make sales or  
25 deliveries to any other licensee. If the State Commission  
26 provides prior approval, a class 2 brewer licensee may annually

1 transfer up to 3,720,000 gallons of beer manufactured by that  
2 class 2 brewer licensee to the premises of a licensed class 2  
3 brewer wholly owned and operated by the same licensee.

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

15 A class 2 brewer shall, prior to transferring beer to a  
16 brew pub wholly owned by the class 2 brewer, furnish a written  
17 notice to the State Commission of intent to transfer beer  
18 setting forth the name and address of the brew pub and shall  
19 annually submit to the State Commission a verified report  
20 identifying the total gallons of beer transferred to the brew  
21 pub wholly owned by the class 2 brewer.

22 (a-1) A manufacturer which is licensed in this State to  
23 make sales or deliveries of alcoholic liquor to licensed  
24 distributors or importing distributors and which enlists  
25 agents, representatives, or individuals acting on its behalf  
26 who contact licensed retailers on a regular and continual basis

1 in this State must register those agents, representatives, or  
2 persons acting on its behalf with the State Commission.

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

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

7 (c) An importing distributor's license may be issued to and  
8 held by those only who are duly licensed distributors, upon the  
9 filing of an application by a duly licensed distributor, with  
10 the Commission and the Commission shall, without the payment of  
11 any fee, immediately issue such importing distributor's  
12 license to the applicant, which shall allow the importation of  
13 alcoholic liquor by the licensee into this State from any point  
14 in the United States outside this State, and the purchase of  
15 alcoholic liquor in barrels, casks or other bulk containers and  
16 the bottling of such alcoholic liquors before resale thereof,  
17 but all bottles or containers so filled shall be sealed,  
18 labeled, stamped and otherwise made to comply with all  
19 provisions, rules and regulations governing manufacturers in  
20 the preparation and bottling of alcoholic liquors. The  
21 importing distributor's license shall permit such licensee to  
22 purchase alcoholic liquor from Illinois licensed non-resident  
23 dealers and foreign importers only. No person licensed as an  
24 importing distributor shall be granted a non-resident dealer's  
25 license.

26 (d) A retailer's license shall allow the licensee to sell

1 and offer for sale at retail, only in the premises specified in  
2 the license, alcoholic liquor for use or consumption, but not  
3 for resale in any form. Nothing in Public Act 95-634 shall  
4 deny, limit, remove, or restrict the ability of a holder of a  
5 retailer's license to transfer, deliver, or ship alcoholic  
6 liquor to the purchaser for use or consumption subject to any  
7 applicable local law or ordinance or to Section 6-29. Any  
8 retail license issued to a manufacturer shall only permit the  
9 manufacturer to sell beer at retail on the premises actually  
10 occupied by the manufacturer. For the purpose of further  
11 describing the type of business conducted at a retail licensed  
12 premises, a retailer's licensee may be designated by the State  
13 Commission as (i) an on premise consumption retailer, (ii) an  
14 off premise sale retailer, or (iii) a combined on premise  
15 consumption and off premise sale retailer.

16 Notwithstanding any other provision of this subsection  
17 (d), a retail licensee may sell alcoholic liquors to a special  
18 event retailer licensee for resale to the extent permitted  
19 under subsection (e).

20 (e) A special event retailer's license (not-for-profit)  
21 shall permit the licensee to purchase alcoholic liquors from an  
22 Illinois licensed distributor (unless the licensee purchases  
23 less than \$500 of alcoholic liquors for the special event, in  
24 which case the licensee may purchase the alcoholic liquors from  
25 a licensed retailer) and shall allow the licensee to sell and  
26 offer for sale, at retail, alcoholic liquors for use or

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

23 Nothing in this Act prohibits an Illinois licensed  
24 distributor from offering credit or a refund for unused,  
25 salable alcoholic liquors to a holder of a special event  
26 retailer's license or the special event retailer's licensee



1 from accepting the credit or refund of alcoholic liquors at the  
2 conclusion of the event specified in the license.

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

24 (g) A boat license shall allow the sale of alcoholic liquor  
25 in individual drinks, on any passenger boat regularly operated  
26 as a common carrier on navigable waters in this State or on any

1 riverboat operated under the Illinois Gambling Act, which boat  
2 or riverboat maintains a public dining room or restaurant  
3 thereon.

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

- 14 Class 1, not to exceed ..... 500 gallons
- 15 Class 2, not to exceed ..... 1,000 gallons
- 16 Class 3, not to exceed ..... 5,000 gallons
- 17 Class 4, not to exceed ..... 10,000 gallons
- 18 Class 5, not to exceed ..... 50,000 gallons

19 (i) A wine-maker's premises license shall allow a licensee  
20 that concurrently holds a first-class wine-maker's license to  
21 sell and offer for sale at retail in the premises specified in  
22 such license not more than 50,000 gallons of the first-class  
23 wine-maker's wine that is made at the first-class wine-maker's  
24 licensed premises per year for use or consumption, but not for  
25 resale in any form. A wine-maker's premises license shall allow  
26 a licensee who concurrently holds a second-class wine-maker's

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

21 (j) An airplane license shall permit the licensee to import  
22 alcoholic liquors into this State from any point in the United  
23 States outside this State and to store such alcoholic liquors  
24 in this State; to make wholesale purchases of alcoholic liquors  
25 directly from manufacturers, foreign importers, distributors  
26 and importing distributors from within or outside this State;

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

15 (k) A foreign importer's license shall permit such licensee  
16 to purchase alcoholic liquor from Illinois licensed  
17 non-resident dealers only, and to import alcoholic liquor other  
18 than in bulk from any point outside the United States and to  
19 sell such alcoholic liquor to Illinois licensed importing  
20 distributors and to no one else in Illinois; provided that (i)  
21 the foreign importer registers with the State Commission every  
22 brand of alcoholic liquor that it proposes to sell to Illinois  
23 licensees during the license period, (ii) the foreign importer  
24 complies with all of the provisions of Section 6-9 of this Act  
25 with respect to registration of such Illinois licensees as may  
26 be granted the right to sell such brands at wholesale, and

1 (iii) the foreign importer complies with the provisions of  
2 Sections 6-5 and 6-6 of this Act to the same extent that these  
3 provisions apply to manufacturers.

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

14 No holder of a retailer's license issued by the Illinois  
15 Liquor Control Commission shall purchase or receive any  
16 alcoholic liquor, the order for which was solicited or offered  
17 for sale to such retailer by a broker unless the broker is the  
18 holder of a valid broker's license.

19 The broker shall, upon the acceptance by a retailer of the  
20 broker's solicitation of an order or offer to sell or supply or  
21 deliver or have delivered alcoholic liquors, promptly forward  
22 to the Illinois Liquor Control Commission a notification of  
23 said transaction in such form as the Commission may by  
24 regulations prescribe.

25 (ii) A broker's license shall be required of a person  
26 within this State, other than a retail licensee, who, for a fee

1 or commission, promotes, solicits, or accepts orders for  
2 alcoholic liquor, for use or consumption and not for resale, to  
3 be shipped from this State and delivered to residents outside  
4 of this State by an express company, common carrier, or  
5 contract carrier. This Section does not apply to any person who  
6 promotes, solicits, or accepts orders for wine as specifically  
7 authorized in Section 6-29 of this Act.

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

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

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

21 (m) A non-resident dealer's license shall permit such  
22 licensee to ship into and warehouse alcoholic liquor into this  
23 State from any point outside of this State, and to sell such  
24 alcoholic liquor to Illinois licensed foreign importers and  
25 importing distributors and to no one else in this State;  
26 provided that (i) said non-resident dealer shall register with

1 the Illinois Liquor Control Commission each and every brand of  
2 alcoholic liquor which it proposes to sell to Illinois  
3 licensees during the license period, (ii) it shall comply with  
4 all of the provisions of Section 6-9 hereof with respect to  
5 registration of such Illinois licensees as may be granted the  
6 right to sell such brands at wholesale by duly filing such  
7 registration statement, thereby authorizing the non-resident  
8 dealer to proceed to sell such brands at wholesale, and (iii)  
9 the non-resident dealer shall comply with the provisions of  
10 Sections 6-5 and 6-6 of this Act to the same extent that these  
11 provisions apply to manufacturers. No person licensed as a  
12 non-resident dealer shall be granted a distributor's or  
13 importing distributor's license.

14 (n) A brew pub license shall allow the licensee to only (i)  
15 manufacture up to 155,000 gallons of beer per year only on the  
16 premises specified in the license, (ii) make sales of the beer  
17 manufactured on the premises or, with the approval of the  
18 Commission, beer manufactured on another brew pub licensed  
19 premises that is wholly owned and operated by the same licensee  
20 to importing distributors, distributors, and to non-licensees  
21 for use and consumption, (iii) store the beer upon the  
22 premises, (iv) sell and offer for sale at retail from the  
23 licensed premises for off-premises consumption no more than  
24 155,000 gallons per year so long as such sales are only made  
25 in-person, (v) sell and offer for sale at retail for use and  
26 consumption on the premises specified in the license any form

1 of alcoholic liquor purchased from a licensed distributor or  
2 importing distributor, (vi) with the prior approval of the  
3 Commission, annually transfer no more than 155,000 gallons of  
4 beer manufactured on the premises to a licensed brew pub wholly  
5 owned and operated by the same licensee, and (vii)  
6 notwithstanding item (i) of this subsection, brew pubs wholly  
7 owned and operated by the same licensee may combine each  
8 location's production limit of 155,000 gallons of beer per year  
9 and allocate the aggregate total between the wholly owned,  
10 operated, and licensed locations.

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. A caterer retailer license shall allow the holder,  
17 a distributor, or an importing distributor to transfer any  
18 inventory to and from the holder's retail premises and shall  
19 allow the holder to purchase alcoholic liquor from a  
20 distributor or importing distributor to be delivered directly  
21 to an off-site event.

22 Nothing in this Act prohibits a distributor or importing  
23 distributor from offering credit or a refund for unused,  
24 salable beer to a holder of a caterer retailer license or a  
25 caterer retailer licensee from accepting a credit or refund for  
26 unused, salable beer, in the event an act of God is the sole

1 reason an off-site event is cancelled and if: (i) the holder of  
2 a caterer retailer license has not transferred alcoholic liquor  
3 from its caterer retailer premises to an off-site location;  
4 (ii) the distributor or importing distributor offers the credit  
5 or refund for the unused, salable beer that it delivered to the  
6 off-site premises and not for any unused, salable beer that the  
7 distributor or importing distributor delivered to the caterer  
8 retailer's premises; and (iii) the unused, salable beer would  
9 likely spoil if transferred to the caterer retailer's premises.  
10 A caterer retailer license shall allow the holder to transfer  
11 any inventory from any off-site location to its caterer  
12 retailer premises at the conclusion of an off-site event or  
13 engage a distributor or importing distributor to transfer any  
14 inventory from any off-site location to its caterer retailer  
15 premises at the conclusion of an off-site event, provided that  
16 the distributor or importing distributor issues bona fide  
17 charges to the caterer retailer licensee for fuel, labor, and  
18 delivery and the distributor or importing distributor collects  
19 payment from the caterer retailer licensee prior to the  
20 distributor or importing distributor transferring inventory to  
21 the caterer retailer premises.

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

26 (p) An auction liquor license shall allow the licensee to

1 sell and offer for sale at auction wine and spirits for use or  
2 consumption, or for resale by an Illinois liquor licensee in  
3 accordance with provisions of this Act. An auction liquor  
4 license will be issued to a person and it will permit the  
5 auction liquor licensee to hold the auction anywhere in the  
6 State. An auction liquor license must be obtained for each  
7 auction at least 14 days in advance of the auction date.

8 (q) A special use permit license shall allow an Illinois  
9 licensed retailer to transfer a portion of its alcoholic liquor  
10 inventory from its retail licensed premises to the premises  
11 specified in the license hereby created; to purchase alcoholic  
12 liquor from a distributor or importing distributor to be  
13 delivered directly to the location specified in the license  
14 hereby created; and to sell or offer for sale at retail, only  
15 in the premises specified in the license hereby created, the  
16 transferred or delivered alcoholic liquor for use or  
17 consumption, but not for resale in any form. A special use  
18 permit license may be granted for the following time periods:  
19 one day or less; 2 or more days to a maximum of 15 days per  
20 location in any 12-month period. An applicant for the special  
21 use permit license must also submit with the application proof  
22 satisfactory to the State Commission that the applicant will  
23 provide dram shop liability insurance to the maximum limits and  
24 have local authority approval.

25 A special use permit license shall allow the holder to  
26 transfer any inventory from the holder's special use premises

1 to its retail premises at the conclusion of the special use  
2 event or engage a distributor or importing distributor to  
3 transfer any inventory from the holder's special use premises  
4 to its retail premises at the conclusion of an off-site event,  
5 provided that the distributor or importing distributor issues  
6 bona fide charges to the special use permit licensee for fuel,  
7 labor, and delivery and the distributor or importing  
8 distributor collects payment from the retail licensee prior to  
9 the distributor or importing distributor transferring  
10 inventory to the retail premises.

11 Nothing in this Act prohibits a distributor or importing  
12 distributor from offering credit or a refund for unused,  
13 salable beer to a special use permit licensee or a special use  
14 permit licensee from accepting a credit or refund for unused,  
15 salable beer at the conclusion of the event specified in the  
16 license if: (i) the holder of the special use permit license  
17 has not transferred alcoholic liquor from its retail licensed  
18 premises to the premises specified in the special use permit  
19 license; (ii) the distributor or importing distributor offers  
20 the credit or refund for the unused, salable beer that it  
21 delivered to the premises specified in the special use permit  
22 license and not for any unused, salable beer that the  
23 distributor or importing distributor delivered to the  
24 retailer's premises; and (iii) the unused, salable beer would  
25 likely spoil if transferred to the retailer premises.

26 (r) A winery shipper's license shall allow a person with a

1 first-class or second-class wine manufacturer's license, a  
2 first-class or second-class wine-maker's license, or a limited  
3 wine manufacturer's license or who is licensed to make wine  
4 under the laws of another state to ship wine made by that  
5 licensee directly to a resident of this State who is 21 years  
6 of age or older for that resident's personal use and not for  
7 resale. Prior to receiving a winery shipper's license, an  
8 applicant for the license must provide the Commission with a  
9 true copy of its current license in any state in which it is  
10 licensed as a manufacturer of wine. An applicant for a winery  
11 shipper's license must also complete an application form that  
12 provides any other information the Commission deems necessary.  
13 The application form shall include all addresses from which the  
14 applicant for a winery shipper's license intends to ship wine,  
15 including the name and address of any third party, except for a  
16 common carrier, authorized to ship wine on behalf of the  
17 manufacturer. The application form shall include an  
18 acknowledgement consenting to the jurisdiction of the  
19 Commission, the Illinois Department of Revenue, and the courts  
20 of this State concerning the enforcement of this Act and any  
21 related laws, rules, and regulations, including authorizing  
22 the Department of Revenue and the Commission to conduct audits  
23 for the purpose of ensuring compliance with Public Act 95-634,  
24 and an acknowledgement that the wine manufacturer is in  
25 compliance with Section 6-2 of this Act. Any third party,  
26 except for a common carrier, authorized to ship wine on behalf

1 of a first-class or second-class wine manufacturer's licensee,  
2 a first-class or second-class wine-maker's licensee, a limited  
3 wine manufacturer's licensee, or a person who is licensed to  
4 make wine under the laws of another state shall also be  
5 disclosed by the winery shipper's licensee, and a copy of the  
6 written appointment of the third-party wine provider, except  
7 for a common carrier, to the wine manufacturer shall be filed  
8 with the State Commission as a supplement to the winery  
9 shipper's license application or any renewal thereof. The  
10 winery shipper's license holder shall affirm under penalty of  
11 perjury, as part of the winery shipper's license application or  
12 renewal, that he or she only ships wine, either directly or  
13 indirectly through a third-party provider, from the licensee's  
14 own production.

15 Except for a common carrier, a third-party provider  
16 shipping wine on behalf of a winery shipper's license holder is  
17 the agent of the winery shipper's license holder and, as such,  
18 a winery shipper's license holder is responsible for the acts  
19 and omissions of the third-party provider acting on behalf of  
20 the license holder. A third-party provider, except for a common  
21 carrier, that engages in shipping wine into Illinois on behalf  
22 of a winery shipper's license holder shall consent to the  
23 jurisdiction of the State Commission and the State. Any  
24 third-party, except for a common carrier, holding such an  
25 appointment shall, by February 1 of each calendar year and upon  
26 request by the State Commission or the Department of Revenue,

1 file with the State Commission a statement detailing each  
2 shipment made to an Illinois resident. The statement shall  
3 include the name and address of the third-party provider filing  
4 the statement, the time period covered by the statement, and  
5 the following information:

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

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

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

10 If the Department of Revenue or the State Commission requests a  
11 statement under this paragraph, the third-party provider must  
12 provide that statement no later than 30 days after the request  
13 is made. Any books, records, supporting papers, and documents  
14 containing information and data relating to a statement under  
15 this paragraph shall be kept and preserved for a period of 3  
16 years, unless their destruction sooner is authorized, in  
17 writing, by the Director of Revenue, and shall be open and  
18 available to inspection by the Director of Revenue or the State  
19 Commission or any duly authorized officer, agent, or employee  
20 of the State Commission or the Department of Revenue, at all  
21 times during business hours of the day. Any person who violates  
22 any provision of this paragraph or any rule of the State  
23 Commission for the administration and enforcement of the  
24 provisions of this paragraph is guilty of a Class C  
25 misdemeanor. In case of a continuing violation, each day's  
26 continuance thereof shall be a separate and distinct offense.

1           The State Commission shall adopt rules as soon as  
2           practicable to implement the requirements of Public Act 99-904  
3           and shall adopt rules prohibiting any such third-party  
4           appointment of a third-party provider, except for a common  
5           carrier, that has been deemed by the State Commission to have  
6           violated the provisions of this Act with regard to any winery  
7           shipper licensee.

8           A winery shipper licensee must pay to the Department of  
9           Revenue the State liquor gallonage tax under Section 8-1 for  
10          all wine that is sold by the licensee and shipped to a person  
11          in this State. For the purposes of Section 8-1, a winery  
12          shipper licensee shall be taxed in the same manner as a  
13          manufacturer of wine. A licensee who is not otherwise required  
14          to register under the Retailers' Occupation Tax Act must  
15          register under the Use Tax Act to collect and remit use tax to  
16          the Department of Revenue for all gallons of wine that are sold  
17          by the licensee and shipped to persons in this State. If a  
18          licensee fails to remit the tax imposed under this Act in  
19          accordance with the provisions of Article VIII of this Act, the  
20          winery shipper's license shall be revoked in accordance with  
21          the provisions of Article VII of this Act. If a licensee fails  
22          to properly register and remit tax under the Use Tax Act or the  
23          Retailers' Occupation Tax Act for all wine that is sold by the  
24          winery shipper and shipped to persons in this State, the winery  
25          shipper's license shall be revoked in accordance with the  
26          provisions of Article VII of this Act.



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

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

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

15          (s) A craft distiller tasting permit license shall allow an  
16 Illinois licensed class 1 craft distiller or class 2 craft  
17 distiller to transfer a portion of its alcoholic liquor  
18 inventory from its class 1 craft distiller or class 2 craft  
19 distiller licensed premises to the premises specified in the  
20 license hereby created and to conduct a sampling, only in the  
21 premises specified in the license hereby created, of the  
22 transferred alcoholic liquor in accordance with subsection (c)  
23 of Section 6-31 of this Act. The transferred alcoholic liquor  
24 may not be sold or resold in any form. An applicant for the  
25 craft distiller tasting permit license must also submit with  
26 the application proof satisfactory to the State Commission that

1 the applicant will provide dram shop liability insurance to the  
2 maximum limits and 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 class 1 craft distiller or class 2 craft distiller  
24 license. The craft distiller warehouse permit shall allow the  
25 holder to store or warehouse up to 500,000 gallons of spirits  
26 manufactured by the holder of the permit at the premises

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

4 (w) A wine retail shipper's license shall allow a person  
5 licensed to retail wine under the laws of another state to ship  
6 wine in that retailer's inventory directly to a resident of  
7 this State who is 21 years of age or older for that resident's  
8 personal use and not for resale. Prior to receiving a wine  
9 retail shipper's license, an applicant for the license must  
10 provide the State Commission with a true copy of its current  
11 license in any state in which it is licensed as a retailer. An  
12 applicant for a wine retail shipper's license must also  
13 complete an application form that provides any other  
14 information the State Commission deems necessary. The  
15 application form shall include all addresses from which the  
16 applicant for a wine retail shipper's license intends to ship  
17 wine, including the name and address of any third party, except  
18 for a common carrier, authorized to ship wine on behalf of the  
19 wine retail shipper. The application form shall include an  
20 acknowledgment consenting to the jurisdiction of the State  
21 Commission, the Department of Revenue, and the courts of this  
22 State concerning the enforcement of this Act and any related  
23 laws, rules, and regulations, including authorizing the  
24 Department of Revenue and the State Commission to conduct  
25 audits for the purpose of ensuring compliance with Public Act  
26 95-634, and an acknowledgment that the wine retail shipper is

1 in compliance with Section 6-2 of this Act. Any third party,  
2 except for a common carrier, authorized to ship wine on behalf  
3 of a person who is licensed to retail wine under the laws of  
4 another state shall also be disclosed by the wine retail  
5 shipper's licensee, and a copy of the written appointment of  
6 the third-party wine provider, except for a common carrier, to  
7 the wine retail shipper shall be filed with the State  
8 Commission as a supplement to the wine retail shipper's license  
9 application or any renewal thereof. The wine retail shipper's  
10 license holder shall affirm under penalty of perjury, as part  
11 of the wine retail shipper's license application or renewal,  
12 that he or she only ships wine, either directly or indirectly  
13 through a third-party provider, from the licensee's own  
14 inventory.

15 Except for a common carrier, a third-party provider  
16 shipping wine on behalf of a wine retail shipper's license  
17 holder is the agent of the wine retail shipper's license holder  
18 and, as such, a wine retail shipper's license holder is  
19 responsible for the acts and omissions of the third-party  
20 provider acting on behalf of the license holder. A third-party  
21 provider, except for a common carrier, that engages in shipping  
22 wine into Illinois on behalf of a wine retail shipper's license  
23 holder shall consent to the jurisdiction of the State  
24 Commission and the State. Any third party, except for a common  
25 carrier, holding such an appointment shall, by February 1 of  
26 each calendar year and upon request by the State Commission or

1 the Department of Revenue, file with the State Commission a  
2 statement detailing each shipment made to an Illinois resident.  
3 The statement shall include the name and address of the  
4 third-party provider filing the statement, the time period  
5 covered by the statement, and the following information:

6 (1) the name, address, and license number of the wine  
7 retail shipper on whose behalf the shipment was made;

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

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

10 If the Department of Revenue or the State Commission requests a  
11 statement under this paragraph, the third-party provider must  
12 provide that statement no later than 30 days after the request  
13 is made. Any books, records, supporting papers, and documents  
14 containing information and data relating to a statement under  
15 this paragraph shall be kept and preserved for a period of 3  
16 years, unless their destruction sooner is authorized, in  
17 writing, by the Director of Revenue, and shall be open and  
18 available to inspection by the Director of Revenue or the State  
19 Commission or any duly authorized officer, agent, or employee  
20 of the State Commission or the Department of Revenue, at all  
21 times during business hours of the day. Any person who violates  
22 any provision of this paragraph or any rule of the State  
23 Commission for the administration and enforcement of the  
24 provisions of this paragraph is guilty of a Class C  
25 misdemeanor. In case of a continuing violation, each day's  
26 continuance thereof shall be a separate and distinct offense.

1       The State Commission shall adopt rules as soon as  
2 practicable to implement the requirements of this amendatory  
3 Act of the 101st General Assembly and shall adopt rules  
4 prohibiting any such third-party appointment of a third-party  
5 provider, except for a common carrier, that has been deemed by  
6 the State Commission to have violated the provisions of this  
7 Act with regard to any wine retail shipper's licensee.

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

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

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

23       (Source: P.A. 100-17, eff. 6-30-17; 100-201, eff. 8-18-17;  
24 100-816, eff. 8-13-18; 100-885, eff. 8-14-18; 100-1050, eff.  
25 8-23-18; 101-16, eff. 6-14-19; 101-31, eff. 6-28-19; 101-81,  
26 eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff. 8-23-19;

1 101-615, eff. 12-20-19.)

2 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

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

8 The fee for licenses issued by the State Commission shall  
9 be as follows:

	Online renewal	Initial license or non-online renewal
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15 For a manufacturer's license:

16 Class 1. Distiller .....	\$4,000	\$5,000
17 Class 2. Rectifier .....	4,000	5,000
18 Class 3. Brewer .....	1,200	1,500
19 Class 4. First-class Wine		
20     Manufacturer .....	750	900
21 Class 5. Second-class		
22     Wine Manufacturer.....	1,500	1,750
23 Class 6. First-class wine-maker ....	750	900
24 Class 7. Second-class wine-maker ..	1,500	1,750
25 Class 8. Limited Wine		



1	Manufacturer .....	250	350
2	Class 9. Craft Distiller .....	\$2,000	\$2,500
3	Class 10. Class 1 Craft Distiller ..	50	75
4	Class 11. Class 2 Craft Distiller ..	75	100
5	Class 12. Class 1 Brewer .....	50	75
6	Class 13. Class 2 Brewer .....	75	100
7	For a Brew Pub License .....	1,200	1,500
8	For a Distilling Pub License .....	1,200	1,500
9	For a caterer retailer's license ..	350	500
10	For a foreign importer's license ..	25	25
11	For an importing distributor's		
12	license.....	25	25
13	For a distributor's license		
14	(11,250,000 gallons		
15	or over) .....	1,450	2,200
16	For a distributor's license		
17	(over 4,500,000 gallons, but		
18	under 11,250,000 gallons) .....	950	1,450
19	For a distributor's license		
20	(4,500,000 gallons or under) ..	300	450
21	For a non-resident dealer's license		
22	(500,000 gallons or over) .....	1,200	1,500
23	<u>For a wine retail shipper's</u>		
24	<u>license.....</u>	<u>600</u>	<u>750</u>
25	For a non-resident dealer's license		
26	(under 500,000 gallons) .....	250	350

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

1	originate, terminate, or make		
2	an intermediate stop in		
3	the State .....	100	150
4	For a non-beverage user's license:		
5	Class 1 .....	24	24
6	Class 2 .....	60	60
7	Class 3 .....	120	120
8	Class 4 .....	240	240
9	Class 5 .....	600	600
10	For a broker's license .....	750	1,000
11	For an auction liquor license .....	100	150
12	For a homebrewer special		
13	event permit .....	25	25
14	For a craft distiller		
15	tasting permit .....	25	25
16	For a BASSET trainer license .....	300	350
17	For a tasting representative		
18	license.....	200	300
19	For a brewer warehouse permit .....	25	25
20	For a craft distiller		
21	warehouse permit .....	25	25

22 Fees collected under this Section shall be paid into the  
 23 Dram Shop Fund. On and after July 1, 2003 and until June 30,  
 24 2016, of the funds received for a retailer's license, in  
 25 addition to the first \$175, an additional \$75 shall be paid  
 26 into the Dram Shop Fund, and \$250 shall be paid into the

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

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

17 (a) Hospitals, sanitariums, or clinics when their use  
18 of alcoholic liquor is exclusively medicinal, mechanical  
19 or scientific.

20 (b) Universities, colleges of learning or schools when  
21 their use of alcoholic liquor is exclusively medicinal,  
22 mechanical or scientific.

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

25 (Source: P.A. 100-201, eff. 8-18-17; 100-816, eff. 8-13-18;  
26 101-482, eff. 8-23-19; 101-615, eff. 12-20-19.)

1 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

2 Sec. 6-2. Issuance of licenses to certain persons  
3 prohibited.

4 (a) Except as otherwise provided in subsection (b) of this  
5 Section and in paragraph (1) of subsection (a) of Section 3-12,  
6 no license of any kind issued by the State Commission or any  
7 local commission shall be issued to:

8 (1) A person who is not a resident of any city, village  
9 or county in which the premises covered by the license are  
10 located; except in case of railroad or boat licenses or  
11 wine retail shipper's licenses.

12 (2) A person who is not of good character and  
13 reputation in the community in which he resides.

14 (3) (Blank).

15 (4) A person who has been convicted of a felony under  
16 any Federal or State law, unless the Commission determines  
17 that such person will not be impaired by the conviction in  
18 engaging in the licensed practice after considering  
19 matters set forth in such person's application in  
20 accordance with Section 6-2.5 of this Act and the  
21 Commission's investigation.

22 (5) A person who has been convicted of keeping a place  
23 of prostitution or keeping a place of juvenile  
24 prostitution, promoting prostitution that involves keeping  
25 a place of prostitution, or promoting juvenile

1 prostitution that involves keeping a place of juvenile  
2 prostitution.

3 (6) A person who has been convicted of pandering.

4 (7) A person whose license issued under this Act has  
5 been revoked for cause.

6 (8) A person who at the time of application for renewal  
7 of any license issued hereunder would not be eligible for  
8 such license upon a first application.

9 (9) A copartnership, if any general partnership  
10 thereof, or any limited partnership thereof, owning more  
11 than 5% of the aggregate limited partner interest in such  
12 copartnership would not be eligible to receive a license  
13 hereunder for any reason other than residence within the  
14 political subdivision, unless residency is required by  
15 local ordinance.

16 (10) A corporation or limited liability company, if any  
17 member, officer, manager or director thereof, or any  
18 stockholder or stockholders owning in the aggregate more  
19 than 5% of the stock of such corporation, would not be  
20 eligible to receive a license hereunder for any reason  
21 other than residence within the political subdivision.

22 (10a) A corporation or limited liability company  
23 unless it is incorporated or organized in Illinois, or  
24 unless it is a foreign corporation or foreign limited  
25 liability company which is qualified under the Business  
26 Corporation Act of 1983 or the Limited Liability Company

1 Act to transact business in Illinois. The Commission shall  
2 permit and accept from an applicant for a license under  
3 this Act proof prepared from the Secretary of State's  
4 website that the corporation or limited liability company  
5 is in good standing and is qualified under the Business  
6 Corporation Act of 1983 or the Limited Liability Company  
7 Act to transact business in Illinois.

8 (11) A person whose place of business is conducted by a  
9 manager or agent unless the manager or agent possesses the  
10 same qualifications required by the licensee.

11 (12) A person who has been convicted of a violation of  
12 any Federal or State law concerning the manufacture,  
13 possession or sale of alcoholic liquor, subsequent to the  
14 passage of this Act or has forfeited his bond to appear in  
15 court to answer charges for any such violation, unless the  
16 Commission determines, in accordance with Section 6-2.5 of  
17 this Act, that the person will not be impaired by the  
18 conviction in engaging in the licensed practice.

19 (13) A person who does not beneficially own the  
20 premises for which a license is sought, or does not have a  
21 lease thereon for the full period for which the license is  
22 to be issued.

23 (14) Any law enforcing public official, including  
24 members of local liquor control commissions, any mayor,  
25 alderman, or member of the city council or commission, any  
26 president of the village board of trustees, any member of a

1 village board of trustees, or any president or member of a  
2 county board; and no such official shall have a direct  
3 interest in the manufacture, sale, or distribution of  
4 alcoholic liquor, except that a license may be granted to  
5 such official in relation to premises that are not located  
6 within the territory subject to the jurisdiction of that  
7 official if the issuance of such license is approved by the  
8 State Liquor Control Commission and except that a license  
9 may be granted, in a city or village with a population of  
10 55,000 or less, to any alderman, member of a city council,  
11 or member of a village board of trustees in relation to  
12 premises that are located within the territory subject to  
13 the jurisdiction of that official if (i) the sale of  
14 alcoholic liquor pursuant to the license is incidental to  
15 the selling of food, (ii) the issuance of the license is  
16 approved by the State Commission, (iii) the issuance of the  
17 license is in accordance with all applicable local  
18 ordinances in effect where the premises are located, and  
19 (iv) the official granted a license does not vote on  
20 alcoholic liquor issues pending before the board or council  
21 to which the license holder is elected. Notwithstanding any  
22 provision of this paragraph (14) to the contrary, an  
23 alderman or member of a city council or commission, a  
24 member of a village board of trustees other than the  
25 president of the village board of trustees, or a member of  
26 a county board other than the president of a county board



1           may have a direct interest in the manufacture, sale, or  
2           distribution of alcoholic liquor as long as he or she is  
3           not a law enforcing public official, a mayor, a village  
4           board president, or president of a county board. To prevent  
5           any conflict of interest, the elected official with the  
6           direct interest in the manufacture, sale, or distribution  
7           of alcoholic liquor shall not participate in any meetings,  
8           hearings, or decisions on matters impacting the  
9           manufacture, sale, or distribution of alcoholic liquor.  
10          Furthermore, the mayor of a city with a population of  
11          55,000 or less or the president of a village with a  
12          population of 55,000 or less may have an interest in the  
13          manufacture, sale, or distribution of alcoholic liquor as  
14          long as the council or board over which he or she presides  
15          has made a local liquor control commissioner appointment  
16          that complies with the requirements of Section 4-2 of this  
17          Act.

18                 (15) A person who is not a beneficial owner of the  
19                 business to be operated by the licensee.

20                 (16) A person who has been convicted of a gambling  
21                 offense as proscribed by any of subsections (a) (3) through  
22                 (a) (11) of Section 28-1 of, or as proscribed by Section  
23                 28-1.1 or 28-3 of, the Criminal Code of 1961 or the  
24                 Criminal Code of 2012, or as proscribed by a statute  
25                 replaced by any of the aforesaid statutory provisions.

26                 (17) A person or entity to whom a federal wagering

1 stamp has been issued by the federal government, unless the  
2 person or entity is eligible to be issued a license under  
3 the Raffles and Poker Runs Act or the Illinois Pull Tabs  
4 and Jar Games Act.

5 (18) A person who intends to sell alcoholic liquors for  
6 use or consumption on his or her licensed retail premises  
7 who does not have liquor liability insurance coverage for  
8 that premises in an amount that is at least equal to the  
9 maximum liability amounts set out in subsection (a) of  
10 Section 6-21.

11 (19) A person who is licensed by any licensing  
12 authority as a manufacturer of beer, or any partnership,  
13 corporation, limited liability company, or trust or any  
14 subsidiary, affiliate, or agent thereof, or any other form  
15 of business enterprise licensed as a manufacturer of beer,  
16 having any legal, equitable, or beneficial interest,  
17 directly or indirectly, in a person licensed in this State  
18 as a distributor or importing distributor. For purposes of  
19 this paragraph (19), a person who is licensed by any  
20 licensing authority as a "manufacturer of beer" shall also  
21 mean a brewer and a non-resident dealer who is also a  
22 manufacturer of beer, including a partnership,  
23 corporation, limited liability company, or trust or any  
24 subsidiary, affiliate, or agent thereof, or any other form  
25 of business enterprise licensed as a manufacturer of beer.

26 (20) A person who is licensed in this State as a

1 distributor or importing distributor, or any partnership,  
2 corporation, limited liability company, or trust or any  
3 subsidiary, affiliate, or agent thereof, or any other form  
4 of business enterprise licensed in this State as a  
5 distributor or importing distributor having any legal,  
6 equitable, or beneficial interest, directly or indirectly,  
7 in a person licensed as a manufacturer of beer by any  
8 licensing authority, or any partnership, corporation,  
9 limited liability company, or trust or any subsidiary,  
10 affiliate, or agent thereof, or any other form of business  
11 enterprise, except for a person who owns, on or after the  
12 effective date of this amendatory Act of the 98th General  
13 Assembly, no more than 5% of the outstanding shares of a  
14 manufacturer of beer whose shares are publicly traded on an  
15 exchange within the meaning of the Securities Exchange Act  
16 of 1934. For the purposes of this paragraph (20), a person  
17 who is licensed by any licensing authority as a  
18 "manufacturer of beer" shall also mean a brewer and a  
19 non-resident dealer who is also a manufacturer of beer,  
20 including a partnership, corporation, limited liability  
21 company, or trust or any subsidiary, affiliate, or agent  
22 thereof, or any other form of business enterprise licensed  
23 as a manufacturer of beer.

24 (b) A criminal conviction of a corporation is not grounds  
25 for the denial, suspension, or revocation of a license applied  
26 for or held by the corporation if the criminal conviction was

1 not the result of a violation of any federal or State law  
2 concerning the manufacture, possession or sale of alcoholic  
3 liquor, the offense that led to the conviction did not result  
4 in any financial gain to the corporation and the corporation  
5 has terminated its relationship with each director, officer,  
6 employee, or controlling shareholder whose actions directly  
7 contributed to the conviction of the corporation. The  
8 Commission shall determine if all provisions of this subsection  
9 (b) have been met before any action on the corporation's  
10 license is initiated.

11 (Source: P.A. 100-286, eff. 1-1-18; 101-541, eff. 8-23-19.)

12 (235 ILCS 5/6-29) (from Ch. 43, par. 144e)

13 Sec. 6-29. Winery shipper's license and wine retail shipper  
14 license.

15 (a) The General Assembly declares that the following is the  
16 intent of this Section:

17 (1) To authorize direct shipment of wine by an  
18 out-of-state maker of wine or out-of-state retailer of wine  
19 on the same basis permitted an in-state maker or retailer  
20 of wine pursuant to the authority of the State under the  
21 provisions of Section 2 of the Twenty-First Amendment to  
22 the United States Constitution and in conformance with the  
23 United States Supreme Court decisions ~~decision~~ decided on  
24 May 16, 2005 in Granholm v. Heald and Tennessee Wine and  
25 Spirits Retailers Association v. Thomas decided on June 26,

1           2019.

2           (2) To reaffirm that the General Assembly's findings  
3           and declarations that selling alcoholic liquor through  
4           various direct marketing means such as catalogs,  
5           newspapers, mailings, and the Internet directly to  
6           consumers of this State poses a serious threat to the  
7           State's efforts to further temperance and prevent youth  
8           from accessing alcoholic liquor and the expansion of youth  
9           access to additional types of alcoholic liquors.

10          (3) To maintain the State's broad powers granted by  
11          Section 2 of the Twenty-First Amendment to the United  
12          States Constitution to control the importation or sale of  
13          alcoholic liquor and its right to structure its alcoholic  
14          liquor distribution system.

15          (4) To ensure that the General Assembly, by authorizing  
16          limited direct shipment of wine to meet the directives of  
17          the United States Supreme Court, does not intend to impair  
18          or modify the State's distribution of wine through  
19          distributors or importing distributors, but only to permit  
20          limited shipment of wine for personal use.

21          (5) To provide that, in the event that a court of  
22          competent jurisdiction declares or finds that this  
23          Section, which is enacted to conform Illinois law to the  
24          United States Supreme Court decision, is invalid or  
25          unconstitutional, the Illinois General Assembly at its  
26          earliest general session shall conduct hearings and study

1 methods to conform to any directive or order of the court  
2 consistent with the temperance and revenue collection  
3 purposes of this Act.

4 (b) Notwithstanding any other provision of law, a wine  
5 shipper licensee or wine retail shipper licensee may ship wine,  
6 for personal use and not for resale, ~~not more than 12 cases of~~  
7 ~~wine per year~~ to any resident of this State who is 21 years of  
8 age or older.

9 (b-3) Notwithstanding any other provision of law, sale and  
10 shipment by a winery shipper licensee or wine retail shipper  
11 licensee pursuant to this Section shall be deemed to constitute  
12 a sale in this State.

13 (b-5) The shipping container of any wine shipped under this  
14 Section shall be clearly labeled with the following words:  
15 "CONTAINS ALCOHOL. SIGNATURE OF A PERSON 21 YEARS OF AGE OR  
16 OLDER REQUIRED FOR DELIVERY. PROOF OF AGE AND IDENTITY MUST BE  
17 SHOWN BEFORE DELIVERY.". This warning must be prominently  
18 displayed on the packaging. A licensee shall require the  
19 transporter or common carrier that delivers the wine to obtain  
20 the signature of a person 21 years of age or older at the  
21 delivery address at the time of delivery. At the expense of the  
22 licensee, the licensee shall receive a delivery confirmation  
23 from the express company, common carrier, or contract carrier  
24 indicating the location of the delivery, time of delivery, and  
25 the name and signature of the individual 21 years of age or  
26 older who accepts delivery. The Commission shall design and

1 create a label or approve a label that must be affixed to the  
2 shipping container by the licensee.

3 (c) No broker within this State shall solicit consumers to  
4 engage in direct wine shipments under this Section.

5 (d) It is not the intent of this Section to impair the  
6 distribution of wine through distributors or importing  
7 distributors, but only to permit shipments of wine for personal  
8 use.

9 (Source: P.A. 95-634, eff. 6-1-08.)

10 (235 ILCS 5/6-29.1)

11 Sec. 6-29.1. Direct shipments of alcoholic liquor.

12 (a) The General Assembly makes the following findings:

13 (1) The General Assembly of Illinois, having reviewed  
14 this Act in light of the United States Supreme Court's 2005  
15 decision in Granholm v. Heald and 2019 decision in  
16 Tennessee Wine and Spirits Retailers Association v.  
17 Thomas, has determined to conform that law to the  
18 constitutional principles enunciated by the Court in a  
19 manner that best preserves the temperance, revenue, and  
20 orderly distribution values of this Act.

21 (2) Minimizing automobile accidents and fatalities,  
22 domestic violence, health problems, loss of productivity,  
23 unemployment, and other social problems associated with  
24 dependency and improvident use of alcoholic beverages  
25 remains the policy of Illinois.

1           (3) To the maximum extent constitutionally feasible,  
2 Illinois desires to collect sufficient revenue from excise  
3 and use taxes on alcoholic beverages for the purpose of  
4 responding to such social problems.

5           (4) Combined with family education and individual  
6 discipline, retail validation of age, and assessment of the  
7 capacity of the consumer remains the best pre-sale social  
8 protection against the problems associated with the abuse  
9 of alcoholic liquor.

10           (5) Therefore, the paramount purpose of Public Act  
11 95-634 and this amendatory Act of the 101st General  
12 Assembly ~~this amendatory Act~~ is to continue to carefully  
13 limit direct shipment sales of wine by retailers of wine  
14 and produced by makers of wine and to continue to prohibit  
15 such direct shipment sales for spirits and beer.

16           For these reasons, the Commission shall establish a system  
17 to notify the out-of-state trade of this prohibition and to  
18 detect violations. The Commission shall request the Attorney  
19 General to extradite any offender.

20           (b) Pursuant to the Twenty-First Amendment of the United  
21 States Constitution allowing states to regulate the  
22 distribution and sale of alcoholic liquor and pursuant to the  
23 federal Webb-Kenyon Act declaring that alcoholic liquor  
24 shipped in interstate commerce must comply with state laws, the  
25 General Assembly hereby finds and declares that selling  
26 alcoholic liquor from a point outside this State through



1 various direct marketing means, such as catalogs, newspapers,  
2 mailers, and the Internet, directly to residents of this State  
3 poses a serious threat to the State's efforts to prevent youths  
4 from accessing alcoholic liquor; to State revenue collections;  
5 and to the economy of this State.

6 Any person manufacturing, distributing, retailing, or  
7 selling alcoholic liquor who knowingly ships or transports or  
8 causes the shipping or transportation of any alcoholic liquor  
9 from a point outside this State to a person in this State who  
10 does not hold a manufacturer's, distributor's, importing  
11 distributor's, retailer's, or non-resident dealer's license  
12 issued by the Liquor Control Commission, other than a shipment  
13 of sacramental wine to a bona fide religious organization, a  
14 shipment authorized by Section 6-29, subparagraph (17) of  
15 Section 3-12, or any other shipment authorized by this Act, is  
16 in violation of this Act.

17 The Commission, upon determining, after investigation,  
18 that a person has violated this Section, shall give notice to  
19 the person by certified mail to cease and desist all shipments  
20 of alcoholic liquor into this State and to withdraw from this  
21 State within 5 working days after receipt of the notice all  
22 shipments of alcoholic liquor then in transit. A person who  
23 violates the cease and desist notice is subject to the  
24 applicable penalties in subsection (a) of Section 10-1 of this  
25 Act.

26 (Source: P.A. 99-904, eff. 1-1-17.)

1 (235 ILCS 5/7-1) (from Ch. 43, par. 145)

2 Sec. 7-1. An applicant for a retail license, except for a  
3 wine retail shipper's license, from the State Commission shall  
4 submit to the State Commission an application in writing under  
5 oath stating:

6 (1) The applicant's name and mailing address;

7 (2) The name and address of the applicant's business;

8 (3) If applicable, the date of the filing of the  
9 "assumed name" of the business with the County Clerk;

10 (4) In case of a copartnership, the date of the  
11 formation of the partnership; in the case of an Illinois  
12 corporation, the date of its incorporation; or in the case  
13 of a foreign corporation, the State where it was  
14 incorporated and the date of its becoming qualified under  
15 the Business Corporation Act of 1983 to transact business  
16 in the State of Illinois;

17 (5) The number, the date of issuance and the date of  
18 expiration of the applicant's current local retail liquor  
19 license;

20 (6) The name of the city, village, or county that  
21 issued the local retail liquor license;

22 (7) The name and address of the landlord if the  
23 premises are leased;

24 (8) The date of the applicant's first request for a  
25 State liquor license and whether it was granted, denied or

1           withdrawn;

2           (9) The address of the applicant when the first  
3 application for a State liquor license was made;

4           (10) The applicant's current State liquor license  
5 number;

6           (11) The date the applicant began liquor sales at his  
7 place of business;

8           (12) The address of the applicant's warehouse if he  
9 warehouses liquor;

10           (13) The applicant's Retailers' Occupation Tax (ROT)  
11 Registration Number;

12           (14) The applicant's document locator number on his  
13 Federal Special Tax Stamp;

14           (15) Whether the applicant is delinquent in the payment  
15 of the Retailers' Occupation Tax (Sales Tax), and if so,  
16 the reasons therefor;

17           (16) Whether the applicant is delinquent under the cash  
18 beer law, and if so, the reasons therefor;

19           (17) In the case of a retailer, whether he is  
20 delinquent under the 30-day credit law, and if so, the  
21 reasons therefor;

22           (18) In the case of a distributor, whether he is  
23 delinquent under the 15-day credit law, and if so, the  
24 reasons therefor;

25           (19) Whether the applicant has made an application for  
26 a liquor license which has been denied, and if so, the

1 reasons therefor;

2 (20) Whether the applicant has ever had any previous  
3 liquor license suspended or revoked, and if so, the reasons  
4 therefor;

5 (21) Whether the applicant has ever been convicted of a  
6 gambling offense or felony, and if so, the particulars  
7 thereof;

8 (22) Whether the applicant possesses a current Federal  
9 Wagering Stamp, and if so, the reasons therefor;

10 (23) Whether the applicant, or any other person,  
11 directly in his place of business is a public official, and  
12 if so, the particulars thereof;

13 (24) The applicant's name, sex, date of birth, social  
14 security number, position and percentage of ownership in  
15 the business; and the name, sex, date of birth, social  
16 security number, position and percentage of ownership in  
17 the business of every sole owner, partner, corporate  
18 officer, director, manager and any person who owns 5% or  
19 more of the shares of the applicant business entity or  
20 parent corporations of the applicant business entity; and

21 (25) That he has not received or borrowed money or  
22 anything else of value, and that he will not receive or  
23 borrow money or anything else of value (other than  
24 merchandising credit in the ordinary course of business for  
25 a period not to exceed 90 days as herein expressly  
26 permitted under Section 6-5 hereof), directly or

1 indirectly, from any manufacturer, importing distributor  
2 or distributor or from any representative of any such  
3 manufacturer, importing distributor or distributor, nor be  
4 a party in any way, directly or indirectly, to any  
5 violation by a manufacturer, distributor or importing  
6 distributor of Section 6-6 of this Act.

7 In addition to any other requirement of this Section, an  
8 applicant for a special use permit license and a special event  
9 retailer's license shall also submit (A) proof satisfactory to  
10 the Commission that the applicant has a resale number issued  
11 under Section 2c of the Retailers' Occupation Tax Act or that  
12 the applicant is registered under Section 2a of the Retailers'  
13 Occupation Tax Act, (B) proof satisfactory to the Commission  
14 that the applicant has a current, valid exemption  
15 identification number issued under Section 1g of the Retailers'  
16 Occupation Tax Act and a certification to the Commission that  
17 the purchase of alcoholic liquors will be a tax-exempt  
18 purchase, or (C) a statement that the applicant is not  
19 registered under Section 2a of the Retailers' Occupation Tax  
20 Act, does not hold a resale number under Section 2c of the  
21 Retailers' Occupation Tax Act, and does not hold an exemption  
22 number under Section 1g of the Retailers' Occupation Tax Act.  
23 The applicant shall also submit proof of adequate dram shop  
24 insurance for the special event prior to being issued a  
25 license.

26 In addition to the foregoing information, such application

1 shall contain such other and further information as the State  
2 Commission and the local commission may, by rule or regulation  
3 not inconsistent with law, prescribe.

4 If the applicant reports a felony conviction as required  
5 under paragraph (21) of this Section, such conviction may be  
6 considered by the Commission in accordance with Section 6-2.5  
7 of this Act in determining qualifications for licensing, but  
8 shall not operate as a bar to licensing.

9 If said application is made in behalf of a partnership,  
10 firm, association, club or corporation, then the same shall be  
11 signed by one member of such partnership or the president or  
12 secretary of such corporation or an authorized agent of said  
13 partnership or corporation.

14 All other applications shall be on forms prescribed by the  
15 State Commission, and which may exclude any of the above  
16 requirements which the State Commission rules to be  
17 inapplicable.

18 (Source: P.A. 100-286, eff. 1-1-18.)

19 (235 ILCS 5/9-13) (from Ch. 43, par. 176)

20 Sec. 9-13. It is unlawful to sell alcoholic liquor at  
21 retail or to grant or issue, or cause to be granted or issued,  
22 any license to sell alcoholic liquor at retail within the  
23 limits of any political subdivision or precinct or at any  
24 premises while the prohibition against such sales is in effect,  
25 or to sell at retail alcoholic liquor other than beer

1 containing not more than 4% of alcohol by weight, or to grant  
2 or issue or cause to be granted any license to sell such  
3 alcoholic liquor at retail within the limits of such political  
4 subdivision or precinct while the prohibition against such  
5 sales is in effect, or to sell at retail alcoholic liquor  
6 containing more than 4% of alcohol by weight except in the  
7 original package and not for consumption on the premises, or to  
8 grant or issue or cause to be granted or issued any license to  
9 sell such alcoholic liquor at retail within the limits of such  
10 political subdivision or precinct while the prohibition  
11 against such sales is in effect. If any such license be granted  
12 or issued in violation of this section, the license shall be  
13 void. This section shall not prohibit the issuance of and  
14 operation under a manufacturer's or distributor's or importing  
15 distributor's license in accordance with law. This Section does  
16 not prohibit the retail sale of wine by a licensee under  
17 subsection (w) of Section 5-1.

18 (Source: P.A. 86-861.)