

# HB4078



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

**HB4078**

Introduced 5/11/2021, by Rep. Michael J. Zalewski

#### SYNOPSIS AS INTRODUCED:

235 ILCS 5/6-28.5

Amends the Liquor Control Act of 1934. Provides that a retail licensee may provide a single drink of alcoholic liquor at no charge to a customer as part of a publicly advertised promotion to encourage participation in any COVID-19 vaccination program if the customer provides proof of receiving a COVID-19 vaccine, and that the provision is inoperative on and after 6 months after the effective date of the amendatory Act. Effective immediately.

LRB102 18358 BMS 26173 b

A BILL FOR

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 Section 6-28.5 as follows:

6 (235 ILCS 5/6-28.5)

7 Sec. 6-28.5. Permitted happy hours and meal packages,  
8 party packages, and entertainment packages.

9 (a) As used in this Section:

10 "Dedicated event space" means a room or rooms or other  
11 clearly delineated space within a retail licensee's premises  
12 that is reserved for the exclusive use of party package  
13 invitees during the entirety of a party package. Furniture,  
14 stanchions and ropes, or other room dividers may be used to  
15 clearly delineate a dedicated event space.

16 "Meal package" means a food and beverage package, which  
17 may or may not include entertainment, where the service of  
18 alcoholic liquor is an accompaniment to the food, including,  
19 but not limited to, a meal, tour, tasting, or any combination  
20 thereof for a fixed price by a retail licensee or any other  
21 licensee operating within a sports facility, restaurant,  
22 winery, brewery, or distillery.

23 "Party package" means a private party, function, or event

1 for a specific social or business occasion, either arranged by  
2 invitation or reservation for a defined number of individuals,  
3 that is not open to the general public and where attendees are  
4 served both food and alcohol for a fixed price in a dedicated  
5 event space.

6 (b) A retail licensee may:

7 (1) offer free food or entertainment at any time;

8 (2) include drinks of alcoholic liquor as part of a  
9 meal package;

10 (3) sell or offer for sale a party package only if the  
11 retail licensee:

12 (A) offers food in the dedicated event space;

13 (B) limits the party package to no more than 3  
14 hours;

15 (C) distributes wristbands, lanyards, shirts, or  
16 any other such wearable items to identify party  
17 package attendees so the attendees may be granted  
18 access to the dedicated event space; and

19 (D) excludes individuals not participating in the  
20 party package from the dedicated event space;

21 (4) include drinks of alcoholic liquor as part of a  
22 hotel package;

23 (5) negotiate drinks of alcoholic liquor as part of a  
24 hotel package;

25 (6) provide room service to persons renting rooms at a  
26 hotel;

1           (7) sell pitchers (or the equivalent, including, but  
2           not limited to, buckets of bottled beer), carafes, or  
3           bottles of alcoholic liquor which are customarily sold in  
4           such manner, or sell bottles of spirits;

5           (8) advertise events permitted under this Section;

6           (9) include drinks of alcoholic liquor as part of an  
7           entertainment package where the licensee is separately  
8           licensed by a municipal ordinance that (A) restricts dates  
9           of operation to dates during which there is an event at an  
10          adjacent stadium, (B) restricts hours of serving alcoholic  
11          liquor to 2 hours before the event and one hour after the  
12          event, (C) restricts alcoholic liquor sales to beer and  
13          wine, (D) requires tickets for admission to the  
14          establishment, and (E) prohibits sale of admission tickets  
15          on the day of an event and permits the sale of admission  
16          tickets for single events only; ~~and~~

17          (10) discount any drink of alcoholic liquor during a  
18          specified time period only if:

19                (A) the price of the drink of alcoholic liquor is  
20                not changed during the time that it is discounted;

21                (B) the period of time during which any drink of  
22                alcoholic liquor is discounted does not exceed 4 hours  
23                per day and 15 hours per week; however, this period of  
24                time is not required to be consecutive and may be  
25                divided by the licensee in any manner;

26                (C) the drink of alcoholic liquor is not

1 discounted between the hours of 10:00 p.m. and the  
2 licensed premises' closing hour; and

3 (D) notice of the discount of the drink of  
4 alcoholic liquor during a specified time is posted on  
5 the licensed premises or on the licensee's publicly  
6 available website at least 7 days prior to the  
7 specified time; ~~and-~~

8 (11) provide a single drink of alcoholic liquor at no  
9 charge to a customer as part of a publicly advertised  
10 promotion to encourage participation in any COVID-19  
11 vaccination program if the customer provides proof of  
12 receiving a COVID-19 vaccine; this paragraph is  
13 inoperative on and after 6 months after the effective date  
14 of this amendatory Act of the 102nd General Assembly.

15 (c) A violation of this Section shall be grounds for  
16 suspension or revocation of the retailer's license as provided  
17 by this Act. The State Commission may not enforce any trade  
18 practice policy or other rule that was not adopted in  
19 accordance with the Illinois Administrative Procedure Act.

20 (d) All licensees affected by this Section must also  
21 comply with Sections 6-16, 6-21, and 6-27.1 of this Act.

22 (Source: P.A. 99-46, eff. 7-15-15; 100-201, eff. 8-18-17.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.