

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 1-3.03, 3-12, 5-1, and 6-4 as follows:

6 (235 ILCS 5/1-3.03) (from Ch. 43, par. 95.03)

7 Sec. 1-3.03. "Wine" means any alcoholic beverage obtained  
8 by the fermentation of the natural contents of fruits, ~~or~~  
9 vegetables, or honey, containing sugar, including mead and  
10 such beverages when fortified by the addition of alcohol or  
11 spirits, as above defined.

12 (Source: P.A. 82-783.)

13 (235 ILCS 5/3-12)

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

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

17 (1) To receive applications and to issue licenses to  
18 manufacturers, foreign importers, importing distributors,  
19 distributors, non-resident dealers, on premise consumption  
20 retailers, off premise sale retailers, special event  
21 retailer licensees, special use permit licenses, auction  
22 liquor licenses, brew pubs, caterer retailers,

1 non-beverage users, railroads, including owners and  
2 lessees of sleeping, dining and cafe cars, airplanes,  
3 boats, brokers, and wine maker's premises licensees in  
4 accordance with the provisions of this Act, and to suspend  
5 or revoke such licenses upon the State Commission's  
6 determination, upon notice after hearing, that a licensee  
7 has violated any provision of this Act or any rule or  
8 regulation issued pursuant thereto and in effect for 30  
9 days prior to such violation. Except in the case of an  
10 action taken pursuant to a violation of Section 6-3, 6-5,  
11 or 6-9, any action by the State Commission to suspend or  
12 revoke a licensee's license may be limited to the license  
13 for the specific premises where the violation occurred. An  
14 action for a violation of this Act shall be commenced by  
15 the State Commission within 2 years after the date the  
16 State Commission becomes aware of the violation.

17 In lieu of suspending or revoking a license, the  
18 commission may impose a fine, upon the State Commission's  
19 determination and notice after hearing, that a licensee  
20 has violated any provision of this Act or any rule or  
21 regulation issued pursuant thereto and in effect for 30  
22 days prior to such violation.

23 For the purpose of this paragraph (1), when  
24 determining multiple violations for the sale of alcohol to  
25 a person under the age of 21, a second or subsequent  
26 violation for the sale of alcohol to a person under the age

1 of 21 shall only be considered if it was committed within 5  
2 years after the date when a prior violation for the sale of  
3 alcohol to a person under the age of 21 was committed.

4 The fine imposed under this paragraph may not exceed  
5 \$500 for each violation. Each day that the activity, which  
6 gave rise to the original fine, continues is a separate  
7 violation. The maximum fine that may be levied against any  
8 licensee, for the period of the license, shall not exceed  
9 \$20,000. The maximum penalty that may be imposed on a  
10 licensee for selling a bottle of alcoholic liquor with a  
11 foreign object in it or serving from a bottle of alcoholic  
12 liquor with a foreign object in it shall be the  
13 destruction of that bottle of alcoholic liquor for the  
14 first 10 bottles so sold or served from by the licensee.  
15 For the eleventh bottle of alcoholic liquor and for each  
16 third bottle thereafter sold or served from by the  
17 licensee with a foreign object in it, the maximum penalty  
18 that may be imposed on the licensee is the destruction of  
19 the bottle of alcoholic liquor and a fine of up to \$50.

20 Any notice issued by the State Commission to a  
21 licensee for a violation of this Act or any notice with  
22 respect to settlement or offer in compromise shall include  
23 the field report, photographs, and any other supporting  
24 documentation necessary to reasonably inform the licensee  
25 of the nature and extent of the violation or the conduct  
26 alleged to have occurred. The failure to include such

1 required documentation shall result in the dismissal of  
2 the action.

3 (2) To adopt such rules and regulations consistent  
4 with the provisions of this Act which shall be necessary  
5 to carry on its functions and duties to the end that the  
6 health, safety and welfare of the People of the State of  
7 Illinois shall be protected and temperance in the  
8 consumption of alcoholic liquors shall be fostered and  
9 promoted and to distribute copies of such rules and  
10 regulations to all licensees affected thereby.

11 (3) To call upon other administrative departments of  
12 the State, county and municipal governments, county and  
13 city police departments and upon prosecuting officers for  
14 such information and assistance as it deems necessary in  
15 the performance of its duties.

16 (4) To recommend to local commissioners rules and  
17 regulations, not inconsistent with the law, for the  
18 distribution and sale of alcoholic liquors throughout the  
19 State.

20 (5) To inspect, or cause to be inspected, any premises  
21 in this State where alcoholic liquors are manufactured,  
22 distributed, warehoused, or sold. Nothing in this Act  
23 authorizes an agent of the State Commission to inspect  
24 private areas within the premises without reasonable  
25 suspicion or a warrant during an inspection. "Private  
26 areas" include, but are not limited to, safes, personal

1 property, and closed desks.

2 (5.1) Upon receipt of a complaint or upon having  
3 knowledge that any person is engaged in business as a  
4 manufacturer, importing distributor, distributor, or  
5 retailer without a license or valid license, to conduct an  
6 investigation. If, after conducting an investigation, the  
7 State Commission is satisfied that the alleged conduct  
8 occurred or is occurring, it may issue a cease and desist  
9 notice as provided in this Act, impose civil penalties as  
10 provided in this Act, notify the local liquor authority,  
11 or file a complaint with the State's Attorney's Office of  
12 the county where the incident occurred or the Attorney  
13 General.

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

26 (5.3) To receive complaints from licensees, local

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

15 (5.4) To make arrests and issue notices of civil  
16 violations where necessary for the enforcement of this  
17 Act.

18 (5.5) To investigate any and all unlicensed activity.

19 (5.6) To impose civil penalties or fines to any person  
20 who, without holding a valid license, engages in conduct  
21 that requires a license pursuant to this Act, in an amount  
22 not to exceed \$20,000 for each offense as determined by  
23 the State Commission. A civil penalty shall be assessed by  
24 the State Commission after a hearing is held in accordance  
25 with the provisions set forth in this Act regarding the  
26 provision of a hearing for the revocation or suspension of

1 a license.

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

8 (7) The State Commission shall establish uniform  
9 systems of accounts to be kept by all retail licensees  
10 having more than 4 employees, and for this purpose the  
11 State Commission may classify all retail licensees having  
12 more than 4 employees and establish a uniform system of  
13 accounts for each class and prescribe the manner in which  
14 such accounts shall be kept. The State Commission may also  
15 prescribe the forms of accounts to be kept by all retail  
16 licensees having more than 4 employees, including, but not  
17 limited to, accounts of earnings and expenses and any  
18 distribution, payment, or other distribution of earnings  
19 or assets, and any other forms, records, and memoranda  
20 which in the judgment of the commission may be necessary  
21 or appropriate to carry out any of the provisions of this  
22 Act, including, but not limited to, such forms, records,  
23 and memoranda as will readily and accurately disclose at  
24 all times the beneficial ownership of such retail licensed  
25 business. The accounts, forms, records, and memoranda  
26 shall be available at all reasonable times for inspection

1 by authorized representatives of the State Commission or  
2 by any local liquor control commissioner or his or her  
3 authorized representative. The commission~~r~~ may, from time  
4 to time, alter, amend~~l~~, or repeal, in whole or in part, any  
5 uniform system of accounts, or the form and manner of  
6 keeping accounts.

7 (8) In the conduct of any hearing authorized to be  
8 held by the State Commission, to appoint, at the  
9 commission's discretion, hearing officers to conduct  
10 hearings involving complex issues or issues that will  
11 require a protracted period of time to resolve, to  
12 examine, or cause to be examined, under oath, any  
13 licensee, and to examine or cause to be examined the books  
14 and records of such licensee; to hear testimony and take  
15 proof material for its information in the discharge of its  
16 duties hereunder; to administer or cause to be  
17 administered oaths; for any such purpose to issue subpoena  
18 or subpoenas to require the attendance of witnesses and  
19 the production of books, which shall be effective in any  
20 part of this State, and to adopt rules to implement its  
21 powers under this paragraph (8).

22 Any circuit court may~~l~~, by order duly entered, require  
23 the attendance of witnesses and the production of relevant  
24 books subpoenaed by the State Commission and the court may  
25 compel obedience to its order by proceedings for contempt.

26 (9) To investigate the administration of laws in



1 relation to alcoholic liquors in this and other states and  
2 any foreign countries, and to recommend from time to time  
3 to the Governor and through him or her to the legislature  
4 of this State, such amendments to this Act, if any, as it  
5 may think desirable and as will serve to further the  
6 general broad purposes contained in Section 1-2 hereof.

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

12 (11) To develop industry educational programs related  
13 to responsible serving and selling, particularly in the  
14 areas of overserving consumers and illegal underage  
15 purchasing and consumption of alcoholic beverages.

16 (11.1) To license persons providing education and  
17 training to alcohol beverage sellers and servers for  
18 mandatory and non-mandatory training under the Beverage  
19 Alcohol Sellers and Servers Education and Training  
20 (BASSET) programs and to develop and administer a public  
21 awareness program in Illinois to reduce or eliminate the  
22 illegal purchase and consumption of alcoholic beverage  
23 products by persons under the age of 21. Application for a  
24 license shall be made on forms provided by the State  
25 Commission.

26 (12) To develop and maintain a repository of license

1 and regulatory information.

2 (13) (Blank).

3 (14) On or before April 30, 2008 and every 2 years  
4 thereafter, the State Commission shall present a written  
5 report to the Governor and the General Assembly that shall  
6 be based on a study of the impact of Public Act 95-634 on  
7 the business of soliciting, selling, and shipping wine  
8 from inside and outside of this State directly to  
9 residents of this State. As part of its report, the State  
10 Commission shall provide all of the following information:

11 (A) The amount of State excise and sales tax  
12 revenues generated.

13 (B) The amount of licensing fees received.

14 (C) The number of cases of wine shipped from  
15 inside and outside of this State directly to residents  
16 of this State.

17 (D) The number of alcohol compliance operations  
18 conducted.

19 (E) The number of winery shipper's licenses  
20 issued.

21 (F) The number of each of the following: reported  
22 violations; cease and desist notices issued by the  
23 Commission; notices of violations issued by the  
24 Commission and to the Department of Revenue; and  
25 notices and complaints of violations to law  
26 enforcement officials, including, without limitation,

1           the Illinois Attorney General and the U.S. Department  
2           of Treasury's Alcohol and Tobacco Tax and Trade  
3           Bureau.

4           (15) As a means to reduce the underage consumption of  
5           alcoholic liquors, the State Commission shall conduct  
6           alcohol compliance operations to investigate whether  
7           businesses that are soliciting, selling, and shipping wine  
8           from inside or outside of this State directly to residents  
9           of this State are licensed by this State or are selling or  
10          attempting to sell wine to persons under 21 years of age in  
11          violation of this Act.

12          (16) The State Commission shall, in addition to  
13          notifying any appropriate law enforcement agency, submit  
14          notices of complaints or violations of Sections 6-29 and  
15          6-29.1 by persons who do not hold a winery shipper's  
16          license under this Act to the Illinois Attorney General  
17          and to the U.S. Department of Treasury's Alcohol and  
18          Tobacco Tax and Trade Bureau.

19          (17) (A) A person licensed to make wine under the laws  
20          of another state who has a winery shipper's license under  
21          this Act and annually produces less than 25,000 gallons of  
22          wine or a person who has a first-class or second-class  
23          wine manufacturer's license, a first-class or second-class  
24          wine-maker's license, or a limited wine manufacturer's  
25          license under this Act and annually produces less than  
26          25,000 gallons of wine may make application to the

1 Commission for a self-distribution exemption to allow the  
2 sale of not more than 5,000 gallons of the exemption  
3 holder's wine to retail licensees per year and to sell  
4 cider, mead, or both cider and mead to brewers, class 1  
5 brewers, and class 2 brewers that pursuant to subsection  
6 (e) of Section 6-4 of this Act sell beer, cider, mead, or  
7 any combination thereof to non-licensees at their  
8 breweries.

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

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

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

13          (E) Except in hearings for violations of this Act or  
14          Public Act 95-634 or a bona fide investigation by duly  
15          sworn law enforcement officials, the State Commission, or  
16          its agents, the State Commission shall maintain the  
17          production and sales information of a self-distribution  
18          exemption holder as confidential and shall not release  
19          such information to any person.

20          (F) The State Commission shall issue regulations  
21          governing self-distribution exemptions consistent with  
22          this Section and this Act.

23          (G) Nothing in this paragraph (17) shall prohibit a  
24          self-distribution exemption holder from entering into or  
25          simultaneously having a distribution agreement with a  
26          licensed Illinois distributor.

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

13          (18)(A) A class 1 brewer licensee, who must also be  
14          either a licensed brewer or licensed non-resident dealer  
15          and annually manufacture less than 930,000 gallons of  
16          beer, may make application to the State Commission for a  
17          self-distribution exemption to allow the sale of not more  
18          than 232,500 gallons per year of the exemption holder's  
19          beer ~~per year~~ to retail licensees and to brewers, class 1  
20          brewers, and class 2 brewers that, pursuant to subsection  
21          (e) of Section 6-4 of this Act, sell beer, cider, mead, or  
22          any combination thereof ~~or both beer and cider~~ to  
23          non-licensees at their breweries.

24          (B) In the application, which shall be sworn under  
25          penalty of perjury, the class 1 brewer licensee shall  
26          state (1) the date it was established; (2) its volume of

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

8 (C) Any application submitted shall be posted on the  
9 State Commission's website at least 45 days prior to  
10 action by the State Commission. The State Commission shall  
11 approve the application for a self-distribution exemption  
12 if the class 1 brewer licensee: (1) is in compliance with  
13 the State, revenue, and alcoholic beverage laws; (2) is  
14 not a member of any affiliated group that manufactures  
15 more than 930,000 gallons of beer per annum or produces  
16 any other alcoholic beverages; (3) shall not annually  
17 manufacture for sale more than 930,000 gallons of beer;  
18 (4) shall not annually sell more than 232,500 gallons of  
19 its beer to retail licensees or to brewers, class 1  
20 brewers, and class 2 brewers that, pursuant to subsection  
21 (e) of Section 6-4 of this Act, sell beer, cider, mead, or  
22 any combination thereof ~~or both beer and cider~~ to  
23 non-licensees at their breweries; and (5) has relinquished  
24 any brew pub license held by the licensee, including any  
25 ownership interest it held in the licensed brew pub.

26 (D) A self-distribution exemption holder shall

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

13           (E) The State Commission shall issue rules and  
14           regulations governing self-distribution exemptions  
15           consistent with this Act.

16           (F) Nothing in this paragraph (18) shall prohibit a  
17           self-distribution exemption holder from entering into or  
18           simultaneously having a distribution agreement with a  
19           licensed Illinois importing distributor or a distributor.  
20           If a self-distribution exemption holder enters into a  
21           distribution agreement and has assigned distribution  
22           rights to an importing distributor or distributor, then  
23           the self-distribution exemption holder's distribution  
24           rights in the assigned territories shall cease in a  
25           reasonable time not to exceed 60 days.

26           (G) It is the intent of this paragraph (18) to promote



1 and continue orderly markets. The General Assembly finds  
2 that in order to preserve Illinois' regulatory  
3 distribution system, it is necessary to create an  
4 exception for smaller manufacturers in order to afford and  
5 allow such smaller manufacturers of beer access to the  
6 marketplace in order to develop a customer base without  
7 impairing the integrity of the 3-tier system.

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

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

25 (C) Any application submitted shall be posted on the  
26 State Commission's website at least 45 days prior to

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

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

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

26 (F) Nothing in this paragraph (19) shall prohibit a

1 self-distribution exemption holder from entering into or  
2 simultaneously having a distribution agreement with a  
3 licensed Illinois importing distributor or a distributor.

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

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

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

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

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

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

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

3 (Source: P.A. 100-134, eff. 8-18-17; 100-201, eff. 8-18-17;  
4 100-816, eff. 8-13-18; 100-1012, eff. 8-21-18; 100-1050, eff.  
5 8-23-18; 101-37, eff. 7-3-19; 101-81, eff. 7-12-19; 101-482,  
6 eff. 8-23-19; revised 9-20-19.)

7 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

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

17 (b) Distributor's license,

18 (c) Importing Distributor's license,

19 (d) Retailer's license,

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

21 (f) Railroad license,

22 (g) Boat license,

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

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

25 (j) Airplane license,

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

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

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

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

25 Class 2. A Rectifier, who is not a distiller, as defined  
26 herein, may make sales and deliveries of alcoholic liquor to

1 rectifiers, importing distributors, distributors, retailers  
2 and non-beverage users and to no other licensees.

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

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

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

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

24 Class 7. A second-class wine-maker's license shall allow  
25 the manufacture of between 50,000 and 150,000 gallons of wine  
26 per year, and the storage and sale of such wine to distributors

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

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

12 Class 9. A craft distiller license, which may only be held  
13 by a class 1 craft distiller licensee or class 2 craft  
14 distiller licensee but not held by both a class 1 craft  
15 distiller licensee and a class 2 craft distiller licensee,  
16 shall grant all rights conveyed by either: (i) a class 1 craft  
17 distiller license if the craft distiller holds a class 1 craft  
18 distiller license; or (ii) a class 2 craft distiller licensee  
19 if the craft distiller holds a class 2 craft distiller  
20 license.

21 Class 10. A class 1 craft distiller license, which may  
22 only be issued to a licensed craft distiller or licensed  
23 non-resident dealer, shall allow the manufacture of up to  
24 50,000 gallons of spirits per year provided that the class 1  
25 craft distiller licensee does not manufacture more than a  
26 combined 50,000 gallons of spirits per year and is not a member

1 of or affiliated with, directly or indirectly, a manufacturer  
2 that produces more than 50,000 gallons of spirits per year or  
3 any other alcoholic liquor. A class 1 craft distiller licensee  
4 may make sales and deliveries to importing distributors and  
5 distributors and to retail licensees in accordance with the  
6 conditions set forth in paragraph (19) of subsection (a) of  
7 Section 3-12 of this Act. However, the aggregate amount of  
8 spirits sold to non-licensees and sold or delivered to retail  
9 licensees may not exceed 5,000 gallons per year.

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

18 A class 1 craft distiller licensee may hold more than one  
19 class 1 craft distiller's license. However, a class 1 craft  
20 distiller that holds more than one class 1 craft distiller  
21 license shall not manufacture, in the aggregate, more than  
22 50,000 gallons of spirits by distillation per year and shall  
23 not sell, in the aggregate, more than 5,000 gallons of such  
24 spirits to non-licensees in accordance with an exemption  
25 approved by the State Commission pursuant to Section 6-4 of  
26 this Act.



1           Class 11. A class 2 craft distiller license, which may  
2 only be issued to a licensed craft distiller or licensed  
3 non-resident dealer, shall allow the manufacture of up to  
4 100,000 gallons of spirits per year provided that the class 2  
5 craft distiller licensee does not manufacture more than a  
6 combined 100,000 gallons of spirits per year and is not a  
7 member of or affiliated with, directly or indirectly, a  
8 manufacturer that produces more than 100,000 gallons of  
9 spirits per year or any other alcoholic liquor. A class 2 craft  
10 distiller licensee may make sales and deliveries to importing  
11 distributors and distributors, but shall not make sales or  
12 deliveries to any other licensee. If the State Commission  
13 provides prior approval, a class 2 craft distiller licensee  
14 may annually transfer up to 100,000 gallons of spirits  
15 manufactured by that class 2 craft distiller licensee to the  
16 premises of a licensed class 2 craft distiller wholly owned  
17 and operated by the same licensee. A class 2 craft distiller  
18 may transfer spirits to a distilling pub wholly owned and  
19 operated by the class 2 craft distiller subject to the  
20 following limitations and restrictions: (i) the transfer shall  
21 not annually exceed more than 5,000 gallons; (ii) the annual  
22 amount transferred shall reduce the distilling pub's annual  
23 permitted production limit; (iii) all spirits transferred  
24 shall be subject to Article VIII of this Act; (iv) a written  
25 record shall be maintained by the distiller and distilling pub  
26 specifying the amount, date of delivery, and receipt of the

1 product by the distilling pub; and (v) the distilling pub  
2 shall be located no farther than 80 miles from the class 2  
3 craft distiller's licensed location.

4 A class 2 craft distiller shall, prior to transferring  
5 spirits to a distilling pub wholly owned by the class 2 craft  
6 distiller, furnish a written notice to the State Commission of  
7 intent to transfer spirits setting forth the name and address  
8 of the distilling pub and shall annually submit to the State  
9 Commission a verified report identifying the total gallons of  
10 spirits transferred to the distilling pub wholly owned by the  
11 class 2 craft distiller.

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

17 Class 12. A class 1 brewer license, which may only be  
18 issued to a licensed brewer or licensed non-resident dealer,  
19 shall allow the manufacture of up to 930,000 gallons of beer  
20 per year provided that the class 1 brewer licensee does not  
21 manufacture more than a combined 930,000 gallons of beer per  
22 year and is not a member of or affiliated with, directly or  
23 indirectly, a manufacturer that produces more than 930,000  
24 gallons of beer per year or any other alcoholic liquor. A class  
25 1 brewer licensee may make sales and deliveries to importing  
26 distributors and distributors and to retail licensees in

1 accordance with the conditions set forth in paragraph (18) of  
2 subsection (a) of Section 3-12 of this Act. If the State  
3 Commission provides prior approval, a class 1 brewer may  
4 annually transfer up to 930,000 gallons of beer manufactured  
5 by that class 1 brewer to the premises of a licensed class 1  
6 brewer wholly owned and operated by the same licensee.

7 Class 13. A class 2 brewer license, which may only be  
8 issued to a licensed brewer or licensed non-resident dealer,  
9 shall allow the manufacture of up to 3,720,000 gallons of beer  
10 per year provided that the class 2 brewer licensee does not  
11 manufacture more than a combined 3,720,000 gallons of beer per  
12 year and is not a member of or affiliated with, directly or  
13 indirectly, a manufacturer that produces more than 3,720,000  
14 gallons of beer per year or any other alcoholic liquor. A class  
15 2 brewer licensee may make sales and deliveries to importing  
16 distributors and distributors, but shall not make sales or  
17 deliveries to any other licensee. If the State Commission  
18 provides prior approval, a class 2 brewer licensee may  
19 annually transfer up to 3,720,000 gallons of beer manufactured  
20 by that class 2 brewer licensee to the premises of a licensed  
21 class 2 brewer wholly owned and operated by the same licensee.

22 A class 2 brewer may transfer beer to a brew pub wholly  
23 owned and operated by the class 2 brewer subject to the  
24 following limitations and restrictions: (i) the transfer shall  
25 not annually exceed more than 31,000 gallons; (ii) the annual  
26 amount transferred shall reduce the brew pub's annual

1 permitted production limit; (iii) all beer transferred shall  
2 be subject to Article VIII of this Act; (iv) a written record  
3 shall be maintained by the brewer and brew pub specifying the  
4 amount, date of delivery, and receipt of the product by the  
5 brew pub; and (v) the brew pub shall be located no farther than  
6 80 miles from the class 2 brewer's licensed location.

7 A class 2 brewer shall, prior to transferring beer to a  
8 brew pub wholly owned by the class 2 brewer, furnish a written  
9 notice to the State Commission of intent to transfer beer  
10 setting forth the name and address of the brew pub and shall  
11 annually submit to the State Commission a verified report  
12 identifying the total gallons of beer transferred to the brew  
13 pub wholly owned by the class 2 brewer.

14 (a-1) A manufacturer which is licensed in this State to  
15 make sales or deliveries of alcoholic liquor to licensed  
16 distributors or importing distributors and which enlists  
17 agents, representatives, or individuals acting on its behalf  
18 who contact licensed retailers on a regular and continual  
19 basis in this State must register those agents,  
20 representatives, or persons acting on its behalf with the  
21 State Commission.

22 Registration of agents, representatives, or persons acting  
23 on behalf of a manufacturer is fulfilled by submitting a form  
24 to the Commission. The form shall be developed by the  
25 Commission and shall include the name and address of the  
26 applicant, the name and address of the manufacturer he or she

1 represents, the territory or areas assigned to sell to or  
2 discuss pricing terms of alcoholic liquor, and any other  
3 questions deemed appropriate and necessary. All statements in  
4 the forms required to be made by law or by rule shall be deemed  
5 material, and any person who knowingly misstates any material  
6 fact under oath in an application is guilty of a Class B  
7 misdemeanor. Fraud, misrepresentation, false statements,  
8 misleading statements, evasions, or suppression of material  
9 facts in the securing of a registration are grounds for  
10 suspension or revocation of the registration. The State  
11 Commission shall post a list of registered agents on the  
12 Commission's website.

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

1 license.

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

21 (d) A retailer's license shall allow the licensee to sell  
22 and offer for sale at retail, only in the premises specified in  
23 the license, alcoholic liquor for use or consumption, but not  
24 for resale in any form. Nothing in Public Act 95-634 shall  
25 deny, limit, remove, or restrict the ability of a holder of a  
26 retailer's license to transfer, deliver, or ship alcoholic

1 liquor to the purchaser for use or consumption subject to any  
2 applicable local law or ordinance. Any retail license issued  
3 to a manufacturer shall only permit the manufacturer to sell  
4 beer at retail on the premises actually occupied by the  
5 manufacturer. For the purpose of further describing the type  
6 of business conducted at a retail licensed premises, a  
7 retailer's licensee may be designated by the State Commission  
8 as (i) an on premise consumption retailer, (ii) an off premise  
9 sale retailer, or (iii) a combined on premise consumption and  
10 off premise sale retailer.

11 Notwithstanding any other provision of this subsection  
12 (d), a retail licensee may sell alcoholic liquors to a special  
13 event retailer licensee for resale to the extent permitted  
14 under subsection (e).

15 (e) A special event retailer's license (not-for-profit)  
16 shall permit the licensee to purchase alcoholic liquors from  
17 an Illinois licensed distributor (unless the licensee  
18 purchases less than \$500 of alcoholic liquors for the special  
19 event, in which case the licensee may purchase the alcoholic  
20 liquors from a licensed retailer) and shall allow the licensee  
21 to sell and offer for sale, at retail, alcoholic liquors for  
22 use or consumption, but not for resale in any form and only at  
23 the location and on the specific dates designated for the  
24 special event in the license. An applicant for a special event  
25 retailer license must (i) furnish with the application: (A) a  
26 resale number issued under Section 2c of the Retailers'

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

19 Nothing in this Act prohibits an Illinois licensed  
20 distributor from offering credit or a refund for unused,  
21 salable alcoholic liquors to a holder of a special event  
22 retailer's license or the special event retailer's licensee  
23 from accepting the credit or refund of alcoholic liquors at  
24 the conclusion of the event specified in the license.

25 (f) A railroad license shall permit the licensee to import  
26 alcoholic liquors into this State from any point in the United



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

20 (g) A boat license shall allow the sale of alcoholic  
21 liquor in individual drinks, on any passenger boat regularly  
22 operated as a common carrier on navigable waters in this State  
23 or on any riverboat operated under the Illinois Gambling Act,  
24 which boat or riverboat maintains a public dining room or  
25 restaurant thereon.

26 (h) A non-beverage user's license shall allow the licensee

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

10	Class 1, not to exceed	.....	500 gallons
11	Class 2, not to exceed	.....	1,000 gallons
12	Class 3, not to exceed	.....	5,000 gallons
13	Class 4, not to exceed	.....	10,000 gallons
14	Class 5, not to exceed	.....	50,000 gallons

15 (i) A wine-maker's premises license shall allow a licensee  
16 that concurrently holds a first-class wine-maker's license to  
17 sell and offer for sale at retail in the premises specified in  
18 such license not more than 50,000 gallons of the first-class  
19 wine-maker's wine that is made at the first-class wine-maker's  
20 licensed premises per year for use or consumption, but not for  
21 resale in any form. A wine-maker's premises license shall  
22 allow a licensee who concurrently holds a second-class  
23 wine-maker's license to sell and offer for sale at retail in  
24 the premises specified in such license up to 100,000 gallons  
25 of the second-class wine-maker's wine that is made at the  
26 second-class wine-maker's licensed premises per year for use

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

18 (j) An airplane license shall permit the licensee to  
19 import alcoholic liquors into this State from any point in the  
20 United States outside this State and to store such alcoholic  
21 liquors in this State; to make wholesale purchases of  
22 alcoholic liquors directly from manufacturers, foreign  
23 importers, distributors and importing distributors from within  
24 or outside this State; and to store such alcoholic liquors in  
25 this State; provided that the above powers may be exercised  
26 only in connection with the importation, purchase or storage

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

13 (k) A foreign importer's license shall permit such  
14 licensee to purchase alcoholic liquor from Illinois licensed  
15 non-resident dealers only, and to import alcoholic liquor  
16 other than in bulk from any point outside the United States and  
17 to sell such alcoholic liquor to Illinois licensed importing  
18 distributors and to no one else in Illinois; provided that (i)  
19 the foreign importer registers with the State Commission every  
20 brand of alcoholic liquor that it proposes to sell to Illinois  
21 licensees during the license period, (ii) the foreign importer  
22 complies with all of the provisions of Section 6-9 of this Act  
23 with respect to registration of such Illinois licensees as may  
24 be granted the right to sell such brands at wholesale, and  
25 (iii) the foreign importer complies with the provisions of  
26 Sections 6-5 and 6-6 of this Act to the same extent that these

1 provisions apply to manufacturers.

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

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

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

23 (ii) A broker's license shall be required of a person  
24 within this State, other than a retail licensee, who, for a fee  
25 or commission, promotes, solicits, or accepts orders for  
26 alcoholic liquor, for use or consumption and not for resale,

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

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

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

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

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

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

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

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

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

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

23 Notwithstanding any other provision of this Act, a  
24 licensed brewer, class 2 brewer, or non-resident dealer who  
25 before July 1, 2015 manufactured less than 3,720,000 gallons  
26 of beer per year and held a brew pub license on or before July



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

10 (o) A caterer retailer license shall allow the holder to  
11 serve alcoholic liquors as an incidental part of a food  
12 service that serves prepared meals which excludes the serving  
13 of snacks as the primary meal, either on or off-site whether  
14 licensed or unlicensed. A caterer retailer license shall allow  
15 the holder, a distributor, or an importing distributor to  
16 transfer any inventory to and from the holder's retail  
17 premises and shall allow the holder to purchase alcoholic  
18 liquor from a distributor or importing distributor to be  
19 delivered directly to an off-site event.

20 Nothing in this Act prohibits a distributor or importing  
21 distributor from offering credit or a refund for unused,  
22 salable beer to a holder of a caterer retailer license or a  
23 caterer retailer licensee from accepting a credit or refund  
24 for unused, salable beer, in the event an act of God is the  
25 sole reason an off-site event is cancelled and if: (i) the  
26 holder of a caterer retailer license has not transferred

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

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

25 (p) An auction liquor license shall allow the licensee to  
26 sell and offer for sale at auction wine and spirits for use or

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

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

24 A special use permit license shall allow the holder to  
25 transfer any inventory from the holder's special use premises  
26 to its retail premises at the conclusion of the special use

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

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

25 (r) A winery shipper's license shall allow a person with a  
26 first-class or second-class wine manufacturer's license, a

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

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

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

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

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

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

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

9 If the Department of Revenue or the State Commission requests  
10 a statement under this paragraph, the third-party provider  
11 must provide that statement no later than 30 days after the  
12 request is made. Any books, records, supporting papers, and  
13 documents containing information and data relating to a  
14 statement under this paragraph shall be kept and preserved for  
15 a period of 3 years, unless their destruction sooner is  
16 authorized, in writing, by the Director of Revenue, and shall  
17 be open and available to inspection by the Director of Revenue  
18 or the State Commission or any duly authorized officer, agent,  
19 or employee of the State Commission or the Department of  
20 Revenue, at all times during business hours of the day. Any  
21 person who violates any provision of this paragraph or any  
22 rule of the State Commission for the administration and  
23 enforcement of the provisions of this paragraph is guilty of a  
24 Class C misdemeanor. In case of a continuing violation, each  
25 day's continuance thereof shall be a separate and distinct  
26 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,  
20          the winery shipper's license shall be revoked in accordance  
21          with the provisions of Article VII of this Act. If a licensee  
22          fails to properly register and remit tax under the Use Tax Act  
23          or the Retailers' Occupation Tax Act for all wine that is sold  
24          by the winery shipper and shipped to persons in this State, the  
25          winery shipper's license shall be revoked in accordance with  
26          the 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  
5 (r) must comply with the requirements of Section 6-29 of this  
6 Act.

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

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

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

1 the application proof satisfactory to the State Commission  
2 that the applicant will provide dram shop liability insurance  
3 to the maximum limits and have local authority approval.

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

17 (u) A distilling pub license shall allow the licensee to  
18 only (i) manufacture up to 5,000 gallons of spirits per year  
19 only on the premises specified in the license, (ii) make sales  
20 of the spirits manufactured on the premises or, with the  
21 approval of the State Commission, spirits manufactured on  
22 another distilling pub licensed premises that is wholly owned  
23 and operated by the same licensee to importing distributors  
24 and distributors and to non-licensees for use and consumption,  
25 (iii) store the spirits upon the premises, (iv) sell and offer  
26 for sale at retail from the licensed premises for off-premises

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

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

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

24 (v) A craft distiller warehouse permit may be issued to  
25 the holder of a class 1 craft distiller or class 2 craft  
26 distiller license. The craft distiller warehouse permit shall

1 allow the holder to store or warehouse up to 500,000 gallons of  
2 spirits manufactured by the holder of the permit at the  
3 premises specified on the permit. Sales to non-licensees are  
4 prohibited at the premises specified in the craft distiller  
5 warehouse permit.

6 (Source: P.A. 100-17, eff. 6-30-17; 100-201, eff. 8-18-17;  
7 100-816, eff. 8-13-18; 100-885, eff. 8-14-18; 100-1050, eff.  
8 8-23-18; 101-16, eff. 6-14-19; 101-31, eff. 6-28-19; 101-81,  
9 eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff. 8-23-19;  
10 101-615, eff. 12-20-19.)

11 (235 ILCS 5/6-4) (from Ch. 43, par. 121)

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

1 craft distiller, class 1 craft distiller, or class 2 craft  
2 distiller by any licensing authority shall have any interest,  
3 directly or indirectly, with such distributor or importing  
4 distributor.

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

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

22 (c) Provided, however, that in such instances where a  
23 distributor's or importing distributor's license has been  
24 issued to any distiller or wine manufacturer or to any  
25 subsidiary or affiliate of any distiller or wine manufacturer  
26 who has, during the licensing period ending June 30, 1947,

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

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

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

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

26 A person who holds a class 1 or class 2 brewer license and

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

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

26 A class 1 craft distiller or class 2 craft distiller



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

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

22 (f) (Blank).

23 (g) Notwithstanding any of the foregoing prohibitions, a  
24 limited wine manufacturer may sell at retail at its  
25 manufacturing site for on or off premises consumption and may  
26 sell to distributors. A limited wine manufacturer licensee

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

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

1 filed by that person with the State Commission to support the  
2 issuance of a retail license and to abide by all applicable  
3 laws and duly adopted rules.

4 (Source: P.A. 100-201, eff. 8-18-17; 100-816, eff. 8-13-18;  
5 100-885, eff. 8-14-18; 101-81, eff. 7-12-19; 101-482, eff.  
6 8-23-19; 101-615, eff. 12-20-19.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.