



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4775

Introduced 2/6/2024, by Rep. Will Guzzardi

SYNOPSIS AS INTRODUCED:

235 ILCS 5/5-1

from Ch. 43, par. 115

235 ILCS 5/6-40 new

Amends the Liquor Control Act of 1934. Provides that a special event retailer's license (not-for-profit) or special use permit license shall allow the licensee to sell and offer for sale, at retail, alcoholic liquors for consumption on or off the premises specified in the license (instead of for use or consumption) if certain conditions are met. Provides that a retail licensee or licensed manufacturer with retail privileges may offer incentives to consumers for participation in a consumer loyalty and reward program, offer consumers discounts on its products as part of a consumer loyalty and reward program, offer benefits to the members or participants of a consumer loyalty and reward program that are not offered to other consumers, or offer specialty glassware for sale to members or participants in a consumer loyalty and reward program, and offer a price discount to the owner of that glassware for additional purchases using the glassware. Defines "consumer loyalty and reward program".

LRB103 37577 RPS 67703 b

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 5-1 and adding Section 6-40 as follows:

6 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

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

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

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

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

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

1 other licensees.

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

6 Class 3. A Brewer may make sales and deliveries of beer to
7 importing distributors and distributors and may make sales as
8 authorized under subsection (e) of Section 6-4 of this Act,
9 including any alcoholic liquor that subsection (e) of Section
10 6-4 authorizes a brewer to sell in its original package only to
11 a non-licensee for pick-up by a non-licensee either within the
12 interior of the brewery premises or at outside of the brewery
13 premises at a curb-side or parking lot adjacent to the brewery
14 premises, subject to any local ordinance.

15 Class 4. A first class wine-manufacturer may make sales
16 and deliveries of up to 50,000 gallons of wine to
17 manufacturers, importing distributors and distributors, and to
18 no other licensees. If a first-class wine-manufacturer
19 manufactures beer, it shall also obtain and shall only be
20 eligible for, in addition to any current license, a class 1
21 brewer license, shall not manufacture more than 930,000
22 gallons of beer per year, and shall not be a member of or
23 affiliated with, directly or indirectly, a manufacturer that
24 produces more than 930,000 gallons of beer per year. If the
25 first-class wine-manufacturer manufactures spirits, it shall
26 also obtain and shall only be eligible for, in addition to any

1 current license, a class 1 craft distiller license, shall not
2 manufacture more than 50,000 gallons of spirits per year, and
3 shall not be a member of or affiliated with, directly or
4 indirectly, a manufacturer that produces more than 50,000
5 gallons of spirits per year. A first-class wine-manufacturer
6 shall be permitted to sell wine manufactured at the
7 first-class wine-manufacturer premises to non-licensees.

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

12 Class 6. A first-class wine-maker's license shall allow
13 the manufacture of up to 50,000 gallons of wine per year, and
14 the storage and sale of such wine to distributors in the State
15 and to persons without the State, as may be permitted by law. A
16 person who, prior to June 1, 2008 (the effective date of Public
17 Act 95-634), is a holder of a first-class wine-maker's license
18 and annually produces more than 25,000 gallons of its own wine
19 and who distributes its wine to licensed retailers shall cease
20 this practice on or before July 1, 2008 in compliance with
21 Public Act 95-634. If a first-class wine-maker manufactures
22 beer, it shall also obtain and shall only be eligible for, in
23 addition to any current license, a class 1 brewer license,
24 shall not manufacture more than 930,000 gallons of beer per
25 year, and shall not be a member of or affiliated with, directly
26 or indirectly, a manufacturer that produces more than 930,000

1 gallons of beer per year. If the first-class wine-maker
2 manufactures spirits, it shall also obtain and shall only be
3 eligible for, in addition to any current license, a class 1
4 craft distiller license, shall not manufacture more than
5 50,000 gallons of spirits per year, and shall not be a member
6 of or affiliated with, directly or indirectly, a manufacturer
7 that produces more than 50,000 gallons of spirits per year. A
8 first-class wine-maker holding a class 1 brewer license or a
9 class 1 craft distiller license shall not be eligible for a
10 wine-maker's premises license but shall be permitted to sell
11 wine manufactured at the first-class wine-maker premises to
12 non-licensees.

13 Class 7. A second-class wine-maker's license shall allow
14 the manufacture of up to 150,000 gallons of wine per year, and
15 the storage and sale of such wine to distributors in this State
16 and to persons without the State, as may be permitted by law. A
17 person who, prior to June 1, 2008 (the effective date of Public
18 Act 95-634), is a holder of a second-class wine-maker's
19 license and annually produces more than 25,000 gallons of its
20 own wine and who distributes its wine to licensed retailers
21 shall cease this practice on or before July 1, 2008 in
22 compliance with Public Act 95-634. If a second-class
23 wine-maker manufactures beer, it shall also obtain and shall
24 only be eligible for, in addition to any current license, a
25 class 2 brewer license, shall not manufacture more than
26 3,720,000 gallons of beer per year, and shall not be a member

1 of or affiliated with, directly or indirectly, a manufacturer
2 that produces more than 3,720,000 gallons of beer per year. If
3 a second-class wine-maker manufactures spirits, it shall also
4 obtain and shall only be eligible for, in addition to any
5 current license, a class 2 craft distiller license, shall not
6 manufacture more than 100,000 gallons of spirits per year, and
7 shall not be a member of or affiliated with, directly or
8 indirectly, a manufacturer that produces more than 100,000
9 gallons of spirits per year.

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

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

23 Class 10. A class 1 craft distiller license, which may
24 only be issued to a licensed craft distiller or licensed
25 non-resident dealer, shall allow the manufacture of up to
26 50,000 gallons of spirits per year provided that the class 1

1 craft distiller licensee does not manufacture more than a
2 combined 50,000 gallons of spirits per year and is not a member
3 of or affiliated with, directly or indirectly, a manufacturer
4 that produces more than 50,000 gallons of spirits per year. If
5 a class 1 craft distiller manufactures beer, it shall also
6 obtain and shall only be eligible for, in addition to any
7 current license, a class 1 brewer license, shall not
8 manufacture more than 930,000 gallons of beer per year, and
9 shall not be a member of or affiliated with, directly or
10 indirectly, a manufacturer that produces more than 930,000
11 gallons of beer per year. If a class 1 craft distiller
12 manufactures wine, it shall also obtain and shall only be
13 eligible for, in addition to any current license, a
14 first-class wine-manufacturer license or a first-class
15 wine-maker's license, shall not manufacture more than 50,000
16 gallons of wine per year, and shall not be a member of or
17 affiliated with, directly or indirectly, a manufacturer that
18 produces more than 50,000 gallons of wine per year. A class 1
19 craft distiller licensee may make sales and deliveries to
20 importing distributors and distributors and to retail
21 licensees in accordance with the conditions set forth in
22 paragraph (19) of subsection (a) of Section 3-12 of this Act.
23 However, the aggregate amount of spirits sold to non-licensees
24 and sold or delivered to retail licensees may not exceed 5,000
25 gallons per year.

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

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

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

17 Class 11. A class 2 craft distiller license, which may
18 only be issued to a licensed craft distiller or licensed
19 non-resident dealer, shall allow the manufacture of up to
20 100,000 gallons of spirits per year provided that the class 2
21 craft distiller licensee does not manufacture more than a
22 combined 100,000 gallons of spirits per year and is not a
23 member of or affiliated with, directly or indirectly, a
24 manufacturer that produces more than 100,000 gallons of
25 spirits per year. If a class 2 craft distiller manufactures
26 beer, it shall also obtain and shall only be eligible for, in

1 addition to any current license, a class 2 brewer license,
2 shall not manufacture more than 3,720,000 gallons of beer per
3 year, and shall not be a member of or affiliated with, directly
4 or indirectly, a manufacturer that produces more than
5 3,720,000 gallons of beer per year. If a class 2 craft
6 distiller manufactures wine, it shall also obtain and shall
7 only be eligible for, in addition to any current license, a
8 second-class wine-maker's license, shall not manufacture more
9 than 150,000 gallons of wine per year, and shall not be a
10 member of or affiliated with, directly or indirectly, a
11 manufacturer that produces more than 150,000 gallons of wine
12 per year. A class 2 craft distiller licensee may make sales and
13 deliveries to importing distributors and distributors, but
14 shall not make sales or deliveries to any other licensee. If
15 the State Commission provides prior approval, a class 2 craft
16 distiller licensee may annually transfer up to 100,000 gallons
17 of spirits manufactured by that class 2 craft distiller
18 licensee to the premises of a licensed class 2 craft distiller
19 wholly owned and operated by the same licensee. A class 2 craft
20 distiller may transfer spirits to a distilling pub wholly
21 owned and operated by the class 2 craft distiller subject to
22 the following limitations and restrictions: (i) the transfer
23 shall not annually exceed more than 5,000 gallons; (ii) the
24 annual amount transferred shall reduce the distilling pub's
25 annual permitted production limit; (iii) all spirits
26 transferred shall be subject to Article VIII of this Act; (iv)

1 a written record shall be maintained by the distiller and
2 distilling pub specifying the amount, date of delivery, and
3 receipt of the product by the distilling pub; and (v) the
4 distilling pub shall be located no farther than 80 miles from
5 the class 2 craft distiller's licensed location.

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

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

19 Class 12. A class 1 brewer license, which may only be
20 issued to a licensed brewer or licensed non-resident dealer,
21 shall allow the manufacture of up to 930,000 gallons of beer
22 per year provided that the class 1 brewer licensee does not
23 manufacture more than a combined 930,000 gallons of beer per
24 year and is not a member of or affiliated with, directly or
25 indirectly, a manufacturer that produces more than 930,000
26 gallons of beer per year. If a class 1 brewer manufactures

1 spirits, it shall also obtain and shall only be eligible for,
2 in addition to any current license, a class 1 craft distiller
3 license, shall not manufacture more than 50,000 gallons of
4 spirits per year, and shall not be a member of or affiliated
5 with, directly or indirectly, a manufacturer that produces
6 more than 50,000 gallons of spirits per year. If a class 1
7 craft brewer manufactures wine, it shall also obtain and shall
8 only be eligible for, in addition to any current license, a
9 first-class wine-manufacturer license or a first-class
10 wine-maker's license, shall not manufacture more than 50,000
11 gallons of wine per year, and shall not be a member of or
12 affiliated with, directly or indirectly, a manufacturer that
13 produces more than 50,000 gallons of wine per year. A class 1
14 brewer licensee may make sales and deliveries to importing
15 distributors and distributors and to retail licensees in
16 accordance with the conditions set forth in paragraph (18) of
17 subsection (a) of Section 3-12 of this Act. If the State
18 Commission provides prior approval, a class 1 brewer may
19 annually transfer up to 930,000 gallons of beer manufactured
20 by that class 1 brewer to the premises of a licensed class 1
21 brewer wholly owned and operated by the same licensee.

22 Class 13. A class 2 brewer license, which may only be
23 issued to a licensed brewer or licensed non-resident dealer,
24 shall allow the manufacture of up to 3,720,000 gallons of beer
25 per year provided that the class 2 brewer licensee does not
26 manufacture more than a combined 3,720,000 gallons of beer per

1 year and is not a member of or affiliated with, directly or
2 indirectly, a manufacturer that produces more than 3,720,000
3 gallons of beer per year. If a class 2 brewer manufactures
4 spirits, it shall also obtain and shall only be eligible for,
5 in addition to any current license, a class 2 craft distiller
6 license, shall not manufacture more than 100,000 gallons of
7 spirits per year, and shall not be a member of or affiliated
8 with, directly or indirectly, a manufacturer that produces
9 more than 100,000 gallons of spirits per year. If a class 2
10 craft distiller manufactures wine, it shall also obtain and
11 shall only be eligible for, in addition to any current
12 license, a second-class wine-maker's license, shall not
13 manufacture more than 150,000 gallons of wine per year, and
14 shall not be a member of or affiliated with, directly or
15 indirectly, a manufacturer that produces more than 150,000
16 gallons of wine a year. A class 2 brewer licensee may make
17 sales and deliveries to importing distributors and
18 distributors, but shall not make sales or deliveries to any
19 other licensee. If the State Commission provides prior
20 approval, a class 2 brewer licensee may annually transfer up
21 to 3,720,000 gallons of beer manufactured by that class 2
22 brewer licensee to the premises of a licensed class 2 brewer
23 wholly owned and operated by the same licensee.

24 A class 2 brewer may transfer beer to a brew pub wholly
25 owned and operated by the class 2 brewer subject to the
26 following limitations and restrictions: (i) the transfer shall

1 not annually exceed more than 31,000 gallons; (ii) the annual
2 amount transferred shall reduce the brew pub's annual
3 permitted production limit; (iii) all beer transferred shall
4 be subject to Article VIII of this Act; (iv) a written record
5 shall be maintained by the brewer and brew pub specifying the
6 amount, date of delivery, and receipt of the product by the
7 brew pub; and (v) the brew pub shall be located no farther than
8 80 miles from the class 2 brewer's licensed location.

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

16 Class 14. A class 3 brewer license, which may be issued to
17 a brewer or a non-resident dealer, shall allow the manufacture
18 of no more than 465,000 gallons of beer per year and no more
19 than 155,000 gallons at a single brewery premises, and shall
20 allow the sale of no more than 6,200 gallons of beer from each
21 in-state or out-of-state class 3 brewery premises, or 18,600
22 gallons in the aggregate, to retail licensees, class 1
23 brewers, class 2 brewers, and class 3 brewers as long as the
24 class 3 brewer licensee does not manufacture more than a
25 combined 465,000 gallons of beer per year and is not a member
26 of or affiliated with, directly or indirectly, a manufacturer

1 that produces more than 465,000 gallons of beer per year to
2 make sales to importing distributors, distributors, retail
3 licensees, brewers, class 1 brewers, class 2 brewers, and
4 class 3 brewers in accordance with the conditions set forth in
5 paragraph (20) of subsection (a) of Section 3-12. If the State
6 Commission provides prior approval, a class 3 brewer may
7 annually transfer up to 155,000 gallons of beer manufactured
8 by that class 3 brewer to the premises of a licensed class 3
9 brewer wholly owned and operated by the same licensee. A class
10 3 brewer shall manufacture beer at the brewer's class 3
11 designated licensed premises, and may sell beer as otherwise
12 provided in this Act.

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

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

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

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

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

20 (d) A retailer's license shall allow the licensee to sell
21 and offer for sale at retail, only in the premises specified in
22 the license, alcoholic liquor for use or consumption, but not
23 for resale in any form. Except as provided in Section 6-16,
24 6-29, or 6-29.1, nothing in this Act shall deny, limit,
25 remove, or restrict the ability of a holder of a retailer's
26 license to transfer or ship alcoholic liquor to the purchaser

1 for use or consumption subject to any applicable local law or
2 ordinance. For the purposes of this Section, "shipping" means
3 the movement of alcoholic liquor from a licensed retailer to a
4 consumer via a common carrier. Except as provided in Section
5 6-16, 6-29, or 6-29.1, nothing in this Act shall deny, limit,
6 remove, or restrict the ability of a holder of a retailer's
7 license to deliver alcoholic liquor to the purchaser for use
8 or consumption. The delivery shall be made only within 12
9 hours from the time the alcoholic liquor leaves the licensed
10 premises of the retailer for delivery. For the purposes of
11 this Section, "delivery" means the movement of alcoholic
12 liquor purchased from a licensed retailer to a consumer
13 through the following methods:

14 (1) delivery within licensed retailer's parking lot,
15 including curbside, for pickup by the consumer;

16 (2) delivery by an owner, officer, director,
17 shareholder, or employee of the licensed retailer; or

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

21 Under subsection (1), (2), or (3), delivery shall not
22 include the use of common carriers.

23 Any retail license issued to a manufacturer shall only
24 permit the manufacturer to sell beer at retail on the premises
25 actually occupied by the manufacturer. For the purpose of
26 further describing the type of business conducted at a retail

1 licensed premises, a retailer's licensee may be designated by
2 the State Commission as (i) an on premise consumption
3 retailer, (ii) an off premise sale retailer, or (iii) a
4 combined on premise consumption and off premise sale retailer.

5 Except for a municipality with a population of more than
6 1,000,000 inhabitants, a home rule unit may not regulate the
7 delivery of alcoholic liquor inconsistent with this
8 subsection. This paragraph is a limitation under subsection
9 (i) of Section 6 of Article VII of the Illinois Constitution on
10 the concurrent exercise by home rule units of powers and
11 functions exercised by the State. A non-home rule municipality
12 may not regulate the delivery of alcoholic liquor inconsistent
13 with this subsection.

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

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

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

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

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

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

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

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

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

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

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

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

25 (j) An airplane license shall permit the licensee to
26 import alcoholic liquors into this State from any point in the

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 upon the premises, (iv) sell and offer for sale at retail from
2 the licensed premises for off-premises consumption no more
3 than 155,000 gallons per year so long as such sales are only
4 made in-person, (v) sell and offer for sale at retail for use
5 and consumption on the premises specified in the license any
6 form of alcoholic liquor purchased from a licensed distributor
7 or importing distributor, (vi) with the prior approval of the
8 Commission, annually transfer no more than 155,000 gallons of
9 beer manufactured on the premises to a licensed brew pub
10 wholly owned and operated by the same licensee, and (vii)
11 notwithstanding item (i) of this subsection, brew pubs wholly
12 owned and operated by the same licensee may combine each
13 location's production limit of 155,000 gallons of beer per
14 year and allocate the aggregate total between the wholly
15 owned, operated, and licensed locations.

16 A brew pub licensee shall not under any circumstance sell
17 or offer for sale beer manufactured by the brew pub licensee to
18 retail licensees.

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

1 directly or indirectly, a manufacturer that produces more than
2 3,720,000 gallons of beer per year or any other alcoholic
3 liquor.

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

17 A brew pub licensee may apply for a class 3 brewer license
18 and, upon meeting all applicable qualifications of this Act
19 and relinquishing all commonly owned brew pub or retail
20 licenses, shall be issued a class 3 brewer license. Nothing in
21 this Act shall prohibit the issuance of a class 3 brewer
22 license if the applicant:

23 (1) has a valid retail license on or before May 1,
24 2021;

25 (2) has an ownership interest in at least two brew
26 pubs licenses on or before May 1, 2021;

1 (3) the brew pub licensee applies for a class 3 brewer
2 license on or before October 1, 2022 and relinquishes all
3 commonly owned brew pub licenses; and

4 (4) relinquishes all commonly owned retail licenses on
5 or before December 31, 2022.

6 If a brew pub licensee is issued a class 3 brewer license,
7 the class 3 brewer license shall expire on the same date as the
8 existing brew pub license and the State Commission shall not
9 require a class 3 brewer licensee to obtain a brewer license,
10 or in the alternative to pay a fee for a brewer license, until
11 the date the brew pub license of the applicant would have
12 expired.

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

23 Nothing in this Act prohibits a distributor or importing
24 distributor from offering credit or a refund for unused,
25 salable beer to a holder of a caterer retailer license or a
26 caterer retailer licensee from accepting a credit or refund

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

24 For purposes of this subsection (o), an "act of God" means
25 an unforeseeable event, such as a rain or snow storm, hail, a
26 flood, or a similar event, that is the sole cause of the

1 cancellation of an off-site, outdoor event.

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

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

1 the maximum limits and have local authority approval.

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

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

1 retailer's premises; and (iii) the unused, salable beer would
2 likely spoil if transferred to the retailer premises.

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

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

18 Except for a common carrier, a third-party provider
19 shipping wine on behalf of a winery shipper's license holder
20 is the agent of the winery shipper's license holder and, as
21 such, a winery shipper's license holder is responsible for the
22 acts and omissions of the third-party provider acting on
23 behalf of the license holder. A third-party provider, except
24 for a common carrier, that engages in shipping wine into
25 Illinois on behalf of a winery shipper's license holder shall
26 consent to the jurisdiction of the State Commission and the

1 State. Any third-party, except for a common carrier, holding
2 such an appointment shall, by February 1 of each calendar year
3 and upon request by the State Commission or the Department of
4 Revenue, file with the State Commission a statement detailing
5 each shipment made to an Illinois resident. The statement
6 shall include the name and address of the third-party provider
7 filing the statement, the time period covered by the
8 statement, and the following information:

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

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

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

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

1 enforcement of the provisions of this paragraph is guilty of a
2 Class C misdemeanor. In case of a continuing violation, each
3 day's continuance thereof shall be a separate and distinct
4 offense.

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

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

1 or the Retailers' Occupation Tax Act for all wine that is sold
2 by the winery shipper and shipped to persons in this State, the
3 winery shipper's license shall be revoked in accordance with
4 the provisions of Article VII of this Act.

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

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

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

20 (s) A craft distiller tasting permit license shall allow
21 an Illinois licensed class 1 craft distiller or class 2 craft
22 distiller to transfer a portion of its alcoholic liquor
23 inventory from its class 1 craft distiller or class 2 craft
24 distiller licensed premises to the premises specified in the
25 license hereby created and to conduct a sampling, only in the
26 premises specified in the license hereby created, of the

1 transferred alcoholic liquor in accordance with subsection (c)
2 of Section 6-31 of this Act. The transferred alcoholic liquor
3 may not be sold or resold in any form. An applicant for the
4 craft distiller tasting permit license must also submit with
5 the application proof satisfactory to the State Commission
6 that the applicant will provide dram shop liability insurance
7 to the maximum limits and have local authority approval.

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

21 (u) A distilling pub license shall allow the licensee to
22 only (i) manufacture up to 5,000 gallons of spirits per year
23 only on the premises specified in the license, (ii) make sales
24 of the spirits manufactured on the premises or, with the
25 approval of the State Commission, spirits manufactured on
26 another distilling pub licensed premises that is wholly owned

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

14 A distilling pub licensee shall not under any circumstance
15 sell or offer for sale spirits manufactured by the distilling
16 pub licensee to retail licensees.

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

1 gallons of spirits per year or any other alcoholic liquor.

2 (v) A craft distiller warehouse permit may be issued to
3 the holder of a class 1 craft distiller or class 2 craft
4 distiller license. The craft distiller warehouse permit shall
5 allow the holder to store or warehouse up to 500,000 gallons of
6 spirits manufactured by the holder of the permit at the
7 premises specified on the permit. Sales to non-licensees are
8 prohibited at the premises specified in the craft distiller
9 warehouse permit.

10 (w) A beer showcase permit license shall allow an
11 Illinois-licensed distributor to transfer a portion of its
12 beer inventory from its licensed premises to the premises
13 specified in the beer showcase permit license, and, in the
14 case of a class 3 brewer, transfer only beer the class 3 brewer
15 manufactures from its licensed premises to the premises
16 specified in the beer showcase permit license; and to sell or
17 offer for sale at retail, only in the premises specified in the
18 beer showcase permit license, the transferred or delivered
19 beer for on or off premise consumption, but not for resale in
20 any form and to sell to non-licensees not more than 96 fluid
21 ounces of beer per person. A beer showcase permit license may
22 be granted for the following time periods: one day or less; or
23 2 or more days to a maximum of 15 days per location in any
24 12-month period. An applicant for a beer showcase permit
25 license must also submit with the application proof
26 satisfactory to the State Commission that the applicant will

1 provide dram shop liability insurance to the maximum limits
2 and have local authority approval. The State Commission shall
3 require the beer showcase applicant to comply with Section
4 6-27.1.

5 (Source: P.A. 101-16, eff. 6-14-19; 101-31, eff. 6-28-19;
6 101-81, eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff.
7 8-23-19; 101-615, eff. 12-20-19; 101-668, eff. 1-1-22;
8 102-442, eff. 8-20-21; 102-1142, eff. 2-17-23.)

9 (235 ILCS 5/6-40 new)

10 Sec. 6-40. Consumer loyalty and reward programs.

11 (a) In this Section, "consumer loyalty and reward program"
12 means any program offered to consumers by a licensed retailer
13 or manufacturer with retail privileges designed to allow a
14 consumer to access rewards for purchases made at the premises
15 of the retailer or the premises of the manufacturer with
16 retail privileges. "Consumer loyalty and reward program"
17 includes, but is not limited to, selling the retailer's or
18 manufacturer with retail privileges' products at a discount
19 for promotional purposes, targeted discounts, membership
20 programs that offer discounts, point accumulation programs,
21 membership in a retailer's or manufacturer with retail
22 privileges' club or organization, email lists or other forms
23 of registration by a consumer in a retailer's or manufacturer
24 with retail privileges' program, or mug clubs.

25 (b) Any retail licensee or licensed manufacturer with

1 retail privileges may offer incentives to consumers for
2 participation in a consumer loyalty and reward program.

3 (c) Any retail licensee or licensed manufacturer with
4 retail privileges may, as part of a consumer loyalty and
5 reward program, offer consumers discounts on its products.

6 (d) Any retail licensee or licensed manufacturer with
7 retail privileges may offer benefits to the members or
8 participants of a consumer loyalty and reward program that are
9 not offered to other consumers.

10 (e) Any retail licensee or licensed manufacturer with
11 retail privileges may offer specialty glassware for sale to
12 members or participants in a consumer loyalty and reward
13 program and offer a price discount to the owner of that
14 glassware for additional purchases using the glassware.