



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

#### HB4945

Introduced 2/7/2024, by Rep. John M. Cabello

#### SYNOPSIS AS INTRODUCED:

230 ILCS 40/79.5	
235 ILCS 5/3-12	
235 ILCS 5/4-1	from Ch. 43, par. 110
235 ILCS 5/5-1	from Ch. 43, par. 115
235 ILCS 5/6-15	from Ch. 43, par. 130
235 ILCS 5/6-16	from Ch. 43, par. 131
235 ILCS 5/6-16.1	
235 ILCS 5/6-16.2	
235 ILCS 5/6-20	from Ch. 43, par. 134a
235 ILCS 5/6-21	from Ch. 43, par. 135
235 ILCS 5/6-28.8	
235 ILCS 5/10-1	from Ch. 43, par. 183
740 ILCS 90/10	
740 ILCS 90/11	

Amends the Liquor Control Act of 1934. Changes the age at which a person may possess and consume alcoholic liquor to the age of 18 (instead of 21) so long as a parent or guardian is present, including at licensed establishments. Makes conforming changes. Amends the Video Gaming Act and the Innkeeper Protection Act to make conforming changes.

LRB103 39311 BDA 69465 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 Video Gaming Act is amended by changing  
5 Section 79.5 as follows:

6 (230 ILCS 40/79.5)

7 Sec. 79.5. Enforcement actions. The Board shall establish  
8 a policy and standards for compliance operations to  
9 investigate whether a licensed establishment, licensed  
10 fraternal establishment, licensed veterans establishment, or a  
11 licensed truck stop establishment is: (1) permitting any  
12 person under the age of 21 years to use or play a video gaming  
13 terminal in violation of this Act; or (2) furnishing alcoholic  
14 liquor to persons under 18 ~~21~~ years of age or persons between  
15 the ages of 18 and 21 without a parent or guardian present in  
16 violation of the Liquor Control Act of 1934.

17 The policy and standards for compliance operations under  
18 this Section shall be similar to the model policy and  
19 guidelines for the operation of alcohol and tobacco compliance  
20 checks by local law enforcement officers adopted by the  
21 Illinois Law Enforcement Training Standards Board pursuant to  
22 subsection (c) of Section 6-16.1 of the Liquor Control Act of  
23 1934. The Board shall adopt the policy and standards in the

1 form of emergency rulemaking that shall be adopted no later  
2 than 90 days after the effective date of this amendatory Act of  
3 the 101st General Assembly and shall be immediately followed  
4 by permanent rulemaking on the same subject.

5 A licensed establishment, licensed fraternal  
6 establishment, licensed veterans establishment, or licensed  
7 truck stop establishment that is the subject of an enforcement  
8 action under this Section and is found, pursuant to the  
9 enforcement action, to be in compliance with this Act shall be  
10 notified by the Board that no violation was found within 30  
11 days after the finding.

12 (Source: P.A. 101-318, eff. 8-9-19.)

13 Section 10. The Liquor Control Act of 1934 is amended by  
14 changing Sections 3-12, 4-1, 5-1, 6-15, 6-16, 6-16.1, 6-16.2,  
15 6-20, 6-21, 6-28.8, 6-29, and 10-1 as follows:

16 (235 ILCS 5/3-12)

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

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

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

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

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

24 For the purpose of this paragraph (1), when  
25 determining multiple violations for the sale of alcohol to  
26 a person under the age of 18 or between the ages of 18 and

1        21 without a parent or guardian present ~~21~~, a second or  
2        subsequent violation for the sale of alcohol to a person  
3        under the age of 18 or between the ages of 18 and 21  
4        without a parent or guardian present ~~21~~ shall only be  
5        considered if it was committed within 5 years after the  
6        date when a prior violation for the sale of alcohol to a  
7        person under the age of 18 or between the ages of 18 and 21  
8        without a parent or guardian present ~~21~~ was committed.

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

25                Any notice issued by the State Commission to a  
26        licensee for a violation of this Act or any notice with

1        respect to settlement or offer in compromise shall include  
2        the field report, photographs, and any other supporting  
3        documentation necessary to reasonably inform the licensee  
4        of the nature and extent of the violation or the conduct  
5        alleged to have occurred. The failure to include such  
6        required documentation shall result in the dismissal of  
7        the action.

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

16           (3) To call upon other administrative departments of  
17       the State, county and municipal governments, county and  
18       city police departments and upon prosecuting officers for  
19       such information and assistance as it deems necessary in  
20       the performance of its duties.

21           (4) To recommend to local commissioners rules and  
22       regulations, not inconsistent with the law, for the  
23       distribution and sale of alcoholic liquors throughout the  
24       State.

25           (5) To inspect, or cause to be inspected, any premises  
26       in this State where alcoholic liquors are manufactured,

1 distributed, warehoused, or sold. Nothing in this Act  
2 authorizes an agent of the State Commission to inspect  
3 private areas within the premises without reasonable  
4 suspicion or a warrant during an inspection. "Private  
5 areas" include, but are not limited to, safes, personal  
6 property, and closed desks.

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

19 (5.2) Upon receipt of a complaint or upon having  
20 knowledge that any person is shipping alcoholic liquor  
21 into this State from a point outside of this State if the  
22 shipment is in violation of this Act, to conduct an  
23 investigation. If, after conducting an investigation, the  
24 State Commission is satisfied that the alleged conduct  
25 occurred or is occurring, it may issue a cease and desist  
26 notice as provided in this Act, impose civil penalties as

1 provided in this Act, notify the foreign jurisdiction, or  
2 file a complaint with the State's Attorney's Office of the  
3 county where the incident occurred or the Attorney  
4 General.

5 (5.3) To receive complaints from licensees, local  
6 officials, law enforcement agencies, organizations, and  
7 persons stating that any licensee has been or is violating  
8 any provision of this Act or the rules and regulations  
9 issued pursuant to this Act. Such complaints shall be in  
10 writing, signed and sworn to by the person making the  
11 complaint, and shall state with specificity the facts in  
12 relation to the alleged violation. If the State Commission  
13 has reasonable grounds to believe that the complaint  
14 substantially alleges a violation of this Act or rules and  
15 regulations adopted pursuant to this Act, it shall conduct  
16 an investigation. If, after conducting an investigation,  
17 the State Commission is satisfied that the alleged  
18 violation did occur, it shall proceed with disciplinary  
19 action against the licensee as provided in this Act.

20 (5.4) To make arrests and issue notices of civil  
21 violations where necessary for the enforcement of this  
22 Act.

23 (5.5) To investigate any and all unlicensed activity.

24 (5.6) To impose civil penalties or fines to any person  
25 who, without holding a valid license, engages in conduct  
26 that requires a license pursuant to this Act, in an amount



1 not to exceed \$20,000 for each offense as determined by  
2 the State Commission. A civil penalty shall be assessed by  
3 the State Commission after a hearing is held in accordance  
4 with the provisions set forth in this Act regarding the  
5 provision of a hearing for the revocation or suspension of  
6 a license.

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

13 (7) The State Commission shall establish uniform  
14 systems of accounts to be kept by all retail licensees  
15 having more than 4 employees, and for this purpose the  
16 State Commission may classify all retail licensees having  
17 more than 4 employees and establish a uniform system of  
18 accounts for each class and prescribe the manner in which  
19 such accounts shall be kept. The State Commission may also  
20 prescribe the forms of accounts to be kept by all retail  
21 licensees having more than 4 employees, including, but not  
22 limited to, accounts of earnings and expenses and any  
23 distribution, payment, or other distribution of earnings  
24 or assets, and any other forms, records, and memoranda  
25 which in the judgment of the commission may be necessary  
26 or appropriate to carry out any of the provisions of this

1 Act, including, but not limited to, such forms, records,  
2 and memoranda as will readily and accurately disclose at  
3 all times the beneficial ownership of such retail licensed  
4 business. The accounts, forms, records, and memoranda  
5 shall be available at all reasonable times for inspection  
6 by authorized representatives of the State Commission or  
7 by any local liquor control commissioner or his or her  
8 authorized representative. The commission may, from time  
9 to time, alter, amend, or repeal, in whole or in part, any  
10 uniform system of accounts, or the form and manner of  
11 keeping accounts.

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

1           Any circuit court may, by order duly entered, require  
2           the attendance of witnesses and the production of relevant  
3           books subpoenaed by the State Commission and the court may  
4           compel obedience to its order by proceedings for contempt.

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

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

17          (11) To develop industry educational programs related  
18          to responsible serving and selling, particularly in the  
19          areas of overserving consumers and illegal underage  
20          purchasing and consumption of alcoholic beverages.

21          (11.1) To license persons providing education and  
22          training to alcohol beverage sellers and servers for  
23          mandatory and non-mandatory training under the Beverage  
24          Alcohol Sellers and Servers Education and Training  
25          (BASSET) programs and to develop and administer a public  
26          awareness program in Illinois to reduce or eliminate the

1 illegal purchase and consumption of alcoholic beverage  
2 products by persons under the age of 18 or between the ages  
3 of 18 and 21 without a parent or guardian present 21.  
4 Application for a license shall be made on forms provided  
5 by the State Commission.

6 (12) To develop and maintain a repository of license  
7 and regulatory information.

8 (13) (Blank).

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

17 (A) The amount of State excise and sales tax  
18 revenues generated.

19 (B) The amount of licensing fees received.

20 (C) The number of cases of wine shipped from  
21 inside and outside of this State directly to residents  
22 of this State.

23 (D) The number of alcohol compliance operations  
24 conducted.

25 (E) The number of winery shipper's licenses  
26 issued.

1 (F) The number of each of the following: reported  
2 violations; cease and desist notices issued by the  
3 Commission; notices of violations issued by the  
4 Commission and to the Department of Revenue; and  
5 notices and complaints of violations to law  
6 enforcement officials, including, without limitation,  
7 the Illinois Attorney General and the U.S. Department  
8 of Treasury's Alcohol and Tobacco Tax and Trade  
9 Bureau.

10 (15) As a means to reduce the underage consumption of  
11 alcoholic liquors, the State Commission shall conduct  
12 alcohol compliance operations to investigate whether  
13 businesses that are soliciting, selling, and shipping wine  
14 from inside or outside of this State directly to residents  
15 of this State are licensed by this State or are selling or  
16 attempting to sell wine to persons under 18 years of age,  
17 or between the ages of 18 and 21 ~~21~~ years of age without a  
18 parent or guardian present, in violation of this Act.

19 (16) The State Commission shall, in addition to  
20 notifying any appropriate law enforcement agency, submit  
21 notices of complaints or violations of Sections 6-29 and  
22 6-29.1 by persons who do not hold a winery shipper's  
23 license under this Act to the Illinois Attorney General  
24 and to the U.S. Department of Treasury's Alcohol and  
25 Tobacco Tax and Trade Bureau.

26 (17) (A) A person licensed to make wine under the laws

1 of another state who has a winery shipper's license under  
2 this Act and annually produces less than 25,000 gallons of  
3 wine or a person who has a first-class or second-class  
4 wine manufacturer's license, a first-class or second-class  
5 wine-maker's license, or a limited wine manufacturer's  
6 license under this Act and annually produces less than  
7 25,000 gallons of wine may make application to the  
8 Commission for a self-distribution exemption to allow the  
9 sale of not more than 5,000 gallons of the exemption  
10 holder's wine to retail licensees per year and to sell  
11 cider, mead, or both cider and mead to brewers, class 1  
12 brewers, class 2 brewers, and class 3 brewers that,  
13 pursuant to subsection (e) of Section 6-4 of this Act,  
14 sell beer, cider, mead, or any combination thereof to  
15 non-licensees at their breweries.

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

25 (C) The State Commission shall approve the application  
26 for a self-distribution exemption if such person: (1) is

1 in compliance with State revenue and liquor laws; (2) is  
2 not a member of any affiliated group that produces  
3 directly or indirectly more than 25,000 gallons of wine  
4 per annum, 930,000 gallons of beer per annum, or 50,000  
5 gallons of spirits per annum; (3) will not annually  
6 produce for sale more than 25,000 gallons of wine, 930,000  
7 gallons of beer, or 50,000 gallons of spirits; and (4)  
8 will not annually sell more than 5,000 gallons of its wine  
9 to retail licensees.

10 (D) A self-distribution exemption holder shall  
11 annually certify to the State Commission its production of  
12 wine in the previous 12 months and its anticipated  
13 production and sales for the next 12 months. The State  
14 Commission may fine, suspend, or revoke a  
15 self-distribution exemption after a hearing if it finds  
16 that the exemption holder has made a material  
17 misrepresentation in its application, violated a revenue  
18 or liquor law of Illinois, exceeded production of 25,000  
19 gallons of wine, 930,000 gallons of beer, or 50,000  
20 gallons of spirits in any calendar year, or become part of  
21 an affiliated group producing more than 25,000 gallons of  
22 wine, 930,000 gallons of beer, or 50,000 gallons of  
23 spirits.

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

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

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

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

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

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



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

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

18 (C) Any application submitted shall be posted on the  
19 State Commission's website at least 45 days prior to  
20 action by the State Commission. The State Commission shall  
21 approve the application for a self-distribution exemption  
22 if the class 1 brewer licensee: (1) is in compliance with  
23 the State, revenue, and alcoholic beverage laws; (2) is  
24 not a member of any affiliated group that manufactures,  
25 directly or indirectly, more than 930,000 gallons of beer  
26 per annum, 25,000 gallons of wine per annum, or 50,000

1 gallons of spirits per annum; (3) shall not annually  
2 manufacture for sale more than 930,000 gallons of beer,  
3 25,000 gallons of wine, or 50,000 gallons of spirits; (4)  
4 shall not annually sell more than 232,500 gallons of its  
5 beer to retail licensees and class 3 brewers and to  
6 brewers, class 1 brewers, and class 2 brewers that,  
7 pursuant to subsection (e) of Section 6-4 of this Act,  
8 sell beer, cider, mead, or any combination thereof to  
9 non-licensees at their breweries; and (5) has relinquished  
10 any brew pub license held by the licensee, including any  
11 ownership interest it held in the licensed brew pub.

12 (D) A self-distribution exemption holder shall  
13 annually certify to the State Commission its manufacture  
14 of beer during the previous 12 months and its anticipated  
15 manufacture and sales of beer for the next 12 months. The  
16 State Commission may fine, suspend, or revoke a  
17 self-distribution exemption after a hearing if it finds  
18 that the exemption holder has made a material  
19 misrepresentation in its application, violated a revenue  
20 or alcoholic beverage law of Illinois, exceeded the  
21 manufacture of 930,000 gallons of beer, 25,000 gallons of  
22 wine, or 50,000 gallons of spirits in any calendar year or  
23 became part of an affiliated group manufacturing more than  
24 930,000 gallons of beer, 25,000 gallons of wine, or 50,000  
25 gallons of spirits.

26 (E) The State Commission shall issue rules and

1 regulations governing self-distribution exemptions  
2 consistent with this Act.

3 (F) Nothing in this paragraph (18) shall prohibit a  
4 self-distribution exemption holder from entering into or  
5 simultaneously having a distribution agreement with a  
6 licensed Illinois importing distributor or a distributor.  
7 If a self-distribution exemption holder enters into a  
8 distribution agreement and has assigned distribution  
9 rights to an importing distributor or distributor, then  
10 the self-distribution exemption holder's distribution  
11 rights in the assigned territories shall cease in a  
12 reasonable time not to exceed 60 days.

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

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

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

12 (C) Any application submitted shall be posted on the  
13 State Commission's website at least 45 days prior to  
14 action by the State Commission. The State Commission shall  
15 approve the application for a self-distribution exemption  
16 if the applicant: (1) is in compliance with State revenue  
17 and alcoholic beverage laws; (2) is not a member of any  
18 affiliated group that produces more than 50,000 gallons of  
19 spirits per annum, 930,000 gallons of beer per annum, or  
20 25,000 gallons of wine per annum; (3) does not annually  
21 manufacture for sale more than 50,000 gallons of spirits,  
22 930,000 gallons of beer, or 25,000 gallons of wine; and  
23 (4) does not annually sell more than 5,000 gallons of its  
24 spirits to retail licensees.

25 (D) A self-distribution exemption holder shall  
26 annually certify to the State Commission its manufacture

1 of spirits during the previous 12 months and its  
2 anticipated manufacture and sales of spirits for the next  
3 12 months. The State Commission may fine, suspend, or  
4 revoke a self-distribution exemption after a hearing if it  
5 finds that the exemption holder has made a material  
6 misrepresentation in its application, violated a revenue  
7 or alcoholic beverage law of Illinois, exceeded the  
8 manufacture of 50,000 gallons of spirits, 930,000 gallons  
9 of beer, or 25,000 gallons of wine in any calendar year, or  
10 has become part of an affiliated group manufacturing more  
11 than 50,000 gallons of spirits, 930,000 gallons of beer,  
12 or 25,000 gallons of wine.

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

15 (F) Nothing in this paragraph (19) shall prohibit a  
16 self-distribution exemption holder from entering into or  
17 simultaneously having a distribution agreement with a  
18 licensed Illinois importing distributor or a distributor.

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

1           (20) (A) A class 3 brewer licensee who must manufacture  
2           less than 465,000 gallons of beer in the aggregate and not  
3           more than 155,000 gallons at any single brewery premises  
4           may make application to the State Commission for a  
5           self-distribution exemption to allow the sale of not more  
6           than 6,200 gallons of beer from each in-state or  
7           out-of-state class 3 brewery premises, which shall not  
8           exceed 18,600 gallons annually in the aggregate, that is  
9           manufactured at a wholly owned class 3 brewer's in-state  
10          or out-of-state licensed premises to retail licensees and  
11          class 3 brewers and to brewers, class 1 brewers, class 2  
12          brewers that, pursuant to subsection (e) of Section 6-4,  
13          sell beer, cider, or both beer and cider to non-licensees  
14          at their licensed breweries.

15          (B) In the application, which shall be sworn under  
16          penalty of perjury, the class 3 brewer licensee shall  
17          state:

18                 (1) the date it was established;

19                 (2) its volume of beer manufactured and sold for  
20                 each year since its establishment;

21                 (3) its efforts to establish distributor  
22                 relationships;

23                 (4) that a self-distribution exemption is  
24                 necessary to facilitate the marketing of its beer; and

25                 (5) that it will comply with the alcoholic  
26                 beverage and revenue laws of the United States, this

1 State, and any other state where it is licensed.

2 (C) Any application submitted shall be posted on the  
3 State Commission's website at least 45 days before action  
4 by the State Commission. The State Commission shall  
5 approve the application for a self-distribution exemption  
6 if the class 3 brewer licensee: (1) is in compliance with  
7 the State, revenue, and alcoholic beverage laws; (2) is  
8 not a member of any affiliated group that manufacturers,  
9 directly or indirectly, more than 465,000 gallons of beer  
10 per annum; (3) shall not annually manufacture for sale  
11 more than 465,000 gallons of beer or more than 155,000  
12 gallons at any single brewery premises; and (4) shall not  
13 annually sell more than 6,200 gallons of beer from each  
14 in-state or out-of-state class 3 brewery premises, and  
15 shall not exceed 18,600 gallons annually in the aggregate,  
16 to retail licensees and class 3 brewers and 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,  
19 cider, or both beer and cider to non-licensees at their  
20 breweries.

21 (D) A self-distribution exemption holder shall  
22 annually certify to the State Commission its manufacture  
23 of beer during the previous 12 months and its anticipated  
24 manufacture and sales of beer for the next 12 months. The  
25 State Commission may fine, suspend, or revoke a  
26 self-distribution exemption after a hearing if it finds

1           that the exemption holder has made a material  
2           misrepresentation in its application, violated a revenue  
3           or alcoholic beverage law of Illinois, exceeded the  
4           manufacture of 465,000 gallons of beer in any calendar  
5           year or became part of an affiliated group manufacturing  
6           more than 465,000 gallons of beer, or exceeded the sale to  
7           retail licensees, brewers, class 1 brewers, class 2  
8           brewers, and class 3 brewers of 6,200 gallons per brewery  
9           location or 18,600 gallons in the aggregate.

10           (E) The State Commission may adopt rules governing  
11           self-distribution exemptions consistent with this Act.

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

22           (G) It is the intent of this paragraph to promote and  
23           continue orderly markets. The General Assembly finds that  
24           in order to preserve Illinois' regulatory distribution  
25           system, it is necessary to create an exception for smaller  
26           manufacturers in order to afford and allow such smaller



1 manufacturers of beer access to the marketplace in order  
2 to develop a customer base without impairing the integrity  
3 of the 3-tier system.

4 (b) On or before April 30, 1999, the Commission shall  
5 present a written report to the Governor and the General  
6 Assembly that shall be based on a study of the impact of Public  
7 Act 90-739 on the business of soliciting, selling, and  
8 shipping alcoholic liquor from outside of this State directly  
9 to residents of this State.

10 As part of its report, the Commission shall provide the  
11 following information:

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

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

16 (iii) the number of reported violations, the number of  
17 cease and desist notices issued by the Commission, the  
18 number of notices of violations issued to the Department  
19 of Revenue, and the number of notices and complaints of  
20 violations to law enforcement officials.

21 (Source: P.A. 101-37, eff. 7-3-19; 101-81, eff. 7-12-19;  
22 101-482, eff. 8-23-19; 102-442, eff. 8-20-21; 102-558, eff.  
23 8-20-21; 102-813, eff. 5-13-22.)

24 (235 ILCS 5/4-1) (from Ch. 43, par. 110)

25 Sec. 4-1. In every city, village or incorporated town, the

1 city council or president and board of trustees, and in  
2 counties in respect of territory outside the limits of any  
3 such city, village or incorporated town the county board shall  
4 have the power by general ordinance or resolution to determine  
5 the number, kind and classification of licenses, for sale at  
6 retail of alcoholic liquor not inconsistent with this Act and  
7 the amount of the local licensee fees to be paid for the  
8 various kinds of licenses to be issued in their political  
9 subdivision, except those issued to the specific non-beverage  
10 users exempt from payment of license fees under Section 5-3  
11 which shall be issued without payment of any local license  
12 fees, and the manner of distribution of such fees after their  
13 collection; to regulate or prohibit the presence of persons  
14 under the age of 18, or between the ages of 18 and 21 without a  
15 parent or guardian present, ~~21~~ on the premises of licensed  
16 retail establishments of various kinds and classifications  
17 where alcoholic liquor is drawn, poured, mixed or otherwise  
18 served for consumption on the premises; to prohibit any minor  
19 from drawing, pouring, or mixing any alcoholic liquor as an  
20 employee of any retail licensee; and to prohibit any minor  
21 from at any time attending any bar and from drawing, pouring or  
22 mixing any alcoholic liquor in any licensed retail premises;  
23 and to establish such further regulations and restrictions  
24 upon the issuance of and operations under local licenses not  
25 inconsistent with law as the public good and convenience may  
26 require; and to provide penalties for the violation of

1 regulations and restrictions, including those made by county  
2 boards, relative to operation under local licenses; provided,  
3 however, that in the exercise of any of the powers granted in  
4 this Section, the issuance of such licenses shall not be  
5 prohibited except for reasons specifically enumerated in  
6 Sections 6-2, 6-11, 6-12 and 6-25 of this Act.

7 However, in any municipality with a population exceeding  
8 1,000,000 that has adopted the form of government authorized  
9 under "An Act concerning cities, villages, and incorporated  
10 towns, and to repeal certain Acts herein named", approved  
11 August 15, 1941, as amended, no person shall be granted any  
12 license or privilege to sell alcoholic liquors between the  
13 hours of two o'clock a.m. and seven o'clock a.m. on week days  
14 unless such person has given at least 14 days prior written  
15 notice to the alderperson of the ward in which such person's  
16 licensed premises are located stating his intention to make  
17 application for such license or privilege and unless evidence  
18 confirming service of such written notice is included in such  
19 application. Any license or privilege granted in violation of  
20 this paragraph shall be null and void.

21 (Source: P.A. 102-15, eff. 6-17-21.)

22 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

25 (a) Manufacturer's license - Class 1. Distiller, Class 2.

1 Rectifier, Class 3. Brewer, Class 4. First Class Wine  
2 Manufacturer, Class 5. Second Class Wine Manufacturer, Class  
3 6. First Class Winemaker, Class 7. Second Class Winemaker,  
4 Class 8. Limited Wine Manufacturer, Class 9. Craft Distiller,  
5 Class 10. Class 1 Craft Distiller, Class 11. Class 2 Craft  
6 Distiller, Class 12. Class 1 Brewer, Class 13. Class 2 Brewer,  
7 Class 14. Class 3 Brewer,

8 (b) Distributor's license,

9 (c) Importing Distributor's license,

10 (d) Retailer's license,

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

12 (f) Railroad license,

13 (g) Boat license,

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

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

16 (j) Airplane license,

17 (k) Foreign importer's license,

18 (l) Broker's license,

19 (m) Non-resident dealer's license,

20 (n) Brew Pub license,

21 (o) Auction liquor license,

22 (p) Caterer retailer license,

23 (q) Special use permit license,

24 (r) Winery shipper's license,

25 (s) Craft distiller tasting permit,

26 (t) Brewer warehouse permit,

- 1 (u) Distilling pub license,  
2 (v) Craft distiller warehouse permit,  
3 (w) Beer showcase permit.

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

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

12 Class 1. A Distiller may make sales and deliveries of  
13 alcoholic liquor to distillers, rectifiers, importing  
14 distributors, distributors and non-beverage users and to no  
15 other licensees.

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

20 Class 3. A Brewer may make sales and deliveries of beer to  
21 importing distributors and distributors and may make sales as  
22 authorized under subsection (e) of Section 6-4 of this Act,  
23 including any alcoholic liquor that subsection (e) of Section  
24 6-4 authorizes a brewer to sell in its original package only to  
25 a non-licensee for pick-up by a non-licensee either within the  
26 interior of the brewery premises or at outside of the brewery

1 premises at a curbside or parking lot adjacent to the brewery  
2 premises, subject to any local ordinance.

3 Class 4. A first class wine-manufacturer may make sales  
4 and deliveries of up to 50,000 gallons of wine to  
5 manufacturers, importing distributors and distributors, and to  
6 no other licensees. If a first-class wine-manufacturer  
7 manufactures beer, it shall also obtain and shall only be  
8 eligible for, in addition to any current license, a class 1  
9 brewer license, shall not manufacture more than 930,000  
10 gallons of beer per year, and shall not be a member of or  
11 affiliated with, directly or indirectly, a manufacturer that  
12 produces more than 930,000 gallons of beer per year. If the  
13 first-class wine-manufacturer manufactures spirits, it shall  
14 also obtain and shall only be eligible for, in addition to any  
15 current license, a class 1 craft distiller license, shall not  
16 manufacture more than 50,000 gallons of spirits per year, and  
17 shall not be a member of or affiliated with, directly or  
18 indirectly, a manufacturer that produces more than 50,000  
19 gallons of spirits per year. A first-class wine-manufacturer  
20 shall be permitted to sell wine manufactured at the  
21 first-class wine-manufacturer premises to non-licensees.

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

26 Class 6. A first-class wine-maker's license shall allow

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

1           Class 7. A second-class wine-maker's license shall allow  
2 the manufacture of up to 150,000 gallons of wine per year, and  
3 the storage and sale of such wine to distributors in this State  
4 and to persons without the State, as may be permitted by law. A  
5 person who, prior to June 1, 2008 (the effective date of Public  
6 Act 95-634), is a holder of a second-class wine-maker's  
7 license and annually produces more than 25,000 gallons of its  
8 own wine and who distributes its wine to licensed retailers  
9 shall cease this practice on or before July 1, 2008 in  
10 compliance with Public Act 95-634. If a second-class  
11 wine-maker manufactures beer, it shall also obtain and shall  
12 only be eligible for, in addition to any current license, a  
13 class 2 brewer license, shall not manufacture more than  
14 3,720,000 gallons of beer per year, and shall not be a member  
15 of or affiliated with, directly or indirectly, a manufacturer  
16 that produces more than 3,720,000 gallons of beer per year. If  
17 a second-class wine-maker manufactures spirits, it shall also  
18 obtain and shall only be eligible for, in addition to any  
19 current license, a class 2 craft distiller license, shall not  
20 manufacture more than 100,000 gallons of spirits per year, and  
21 shall not be a member of or affiliated with, directly or  
22 indirectly, a manufacturer that produces more than 100,000  
23 gallons of spirits per year.

24           Class 8. A limited wine-manufacturer may make sales and  
25 deliveries not to exceed 40,000 gallons of wine per year to  
26 distributors, and to non-licensees in accordance with the



1 provisions of this Act.

2 Class 9. A craft distiller license, which may only be held  
3 by a class 1 craft distiller licensee or class 2 craft  
4 distiller licensee but not held by both a class 1 craft  
5 distiller licensee and a class 2 craft distiller licensee,  
6 shall grant all rights conveyed by either: (i) a class 1 craft  
7 distiller license if the craft distiller holds a class 1 craft  
8 distiller license; or (ii) a class 2 craft distiller licensee  
9 if the craft distiller holds a class 2 craft distiller  
10 license.

11 Class 10. A class 1 craft distiller license, which may  
12 only be issued to a licensed craft distiller or licensed  
13 non-resident dealer, shall allow the manufacture of up to  
14 50,000 gallons of spirits per year provided that the class 1  
15 craft distiller licensee does not manufacture more than a  
16 combined 50,000 gallons of spirits per year and is not a member  
17 of or affiliated with, directly or indirectly, a manufacturer  
18 that produces more than 50,000 gallons of spirits per year. If  
19 a class 1 craft distiller manufactures beer, it shall also  
20 obtain and shall only be eligible for, in addition to any  
21 current license, a class 1 brewer license, shall not  
22 manufacture more than 930,000 gallons of beer per year, and  
23 shall not be a member of or affiliated with, directly or  
24 indirectly, a manufacturer that produces more than 930,000  
25 gallons of beer per year. If a class 1 craft distiller  
26 manufactures wine, it shall also obtain and shall only be

1 eligible for, in addition to any current license, a  
2 first-class wine-manufacturer license or a first-class  
3 wine-maker's license, shall not manufacture more than 50,000  
4 gallons of wine per year, and shall not be a member of or  
5 affiliated with, directly or indirectly, a manufacturer that  
6 produces more than 50,000 gallons of wine per year. A class 1  
7 craft distiller licensee may make sales and deliveries to  
8 importing distributors and distributors and to retail  
9 licensees in accordance with the conditions set forth in  
10 paragraph (19) of subsection (a) of Section 3-12 of this Act.  
11 However, the aggregate amount of spirits sold to non-licensees  
12 and sold or delivered to retail licensees may not exceed 5,000  
13 gallons per year.

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

22 A class 1 craft distiller licensee may hold more than one  
23 class 1 craft distiller's license. However, a class 1 craft  
24 distiller that holds more than one class 1 craft distiller  
25 license shall not manufacture, in the aggregate, more than  
26 50,000 gallons of spirits by distillation per year and shall

1 not sell, in the aggregate, more than 5,000 gallons of such  
2 spirits to non-licensees in accordance with an exemption  
3 approved by the State Commission pursuant to Section 6-4 of  
4 this Act.

5 Class 11. A class 2 craft distiller license, which may  
6 only be issued to a licensed craft distiller or licensed  
7 non-resident dealer, shall allow the manufacture of up to  
8 100,000 gallons of spirits per year provided that the class 2  
9 craft distiller licensee does not manufacture more than a  
10 combined 100,000 gallons of spirits per year and is not a  
11 member of or affiliated with, directly or indirectly, a  
12 manufacturer that produces more than 100,000 gallons of  
13 spirits per year. If a class 2 craft distiller manufactures  
14 beer, it shall also obtain and shall only be eligible for, in  
15 addition to any current license, a class 2 brewer license,  
16 shall not manufacture more than 3,720,000 gallons of beer per  
17 year, and shall not be a member of or affiliated with, directly  
18 or indirectly, a manufacturer that produces more than  
19 3,720,000 gallons of beer per year. If a class 2 craft  
20 distiller manufactures wine, it shall also obtain and shall  
21 only be eligible for, in addition to any current license, a  
22 second-class wine-maker's license, shall not manufacture more  
23 than 150,000 gallons of wine per year, and shall not be a  
24 member of or affiliated with, directly or indirectly, a  
25 manufacturer that produces more than 150,000 gallons of wine  
26 per year. A class 2 craft distiller licensee may make sales and

1 deliveries to importing distributors and distributors, but  
2 shall not make sales or deliveries to any other licensee. If  
3 the State Commission provides prior approval, a class 2 craft  
4 distiller licensee may annually transfer up to 100,000 gallons  
5 of spirits manufactured by that class 2 craft distiller  
6 licensee to the premises of a licensed class 2 craft distiller  
7 wholly owned and operated by the same licensee. A class 2 craft  
8 distiller may transfer spirits to a distilling pub wholly  
9 owned and operated by the class 2 craft distiller subject to  
10 the following limitations and restrictions: (i) the transfer  
11 shall not annually exceed more than 5,000 gallons; (ii) the  
12 annual amount transferred shall reduce the distilling pub's  
13 annual permitted production limit; (iii) all spirits  
14 transferred shall be subject to Article VIII of this Act; (iv)  
15 a written record shall be maintained by the distiller and  
16 distilling pub specifying the amount, date of delivery, and  
17 receipt of the product by the distilling pub; and (v) the  
18 distilling pub shall be located no farther than 80 miles from  
19 the class 2 craft distiller's licensed location.

20 A class 2 craft distiller shall, prior to transferring  
21 spirits to a distilling pub wholly owned by the class 2 craft  
22 distiller, furnish a written notice to the State Commission of  
23 intent to transfer spirits setting forth the name and address  
24 of the distilling pub and shall annually submit to the State  
25 Commission a verified report identifying the total gallons of  
26 spirits transferred to the distilling pub wholly owned by the

1 class 2 craft distiller.

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

7 Class 12. A class 1 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 930,000 gallons of beer  
10 per year provided that the class 1 brewer licensee does not  
11 manufacture more than a combined 930,000 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 930,000  
14 gallons of beer per year. If a class 1 brewer manufactures  
15 spirits, it shall also obtain and shall only be eligible for,  
16 in addition to any current license, a class 1 craft distiller  
17 license, shall not manufacture more than 50,000 gallons of  
18 spirits per year, and shall not be a member of or affiliated  
19 with, directly or indirectly, a manufacturer that produces  
20 more than 50,000 gallons of spirits per year. If a class 1  
21 craft brewer manufactures wine, it shall also obtain and shall  
22 only be eligible for, in addition to any current license, a  
23 first-class wine-manufacturer license or a first-class  
24 wine-maker's license, shall not manufacture more than 50,000  
25 gallons of wine per year, and shall not be a member of or  
26 affiliated with, directly or indirectly, a manufacturer that

1 produces more than 50,000 gallons of wine per year. A class 1  
2 brewer licensee may make sales and deliveries to importing  
3 distributors and distributors and to retail licensees in  
4 accordance with the conditions set forth in paragraph (18) of  
5 subsection (a) of Section 3-12 of this Act. If the State  
6 Commission provides prior approval, a class 1 brewer may  
7 annually transfer up to 930,000 gallons of beer manufactured  
8 by that class 1 brewer to the premises of a licensed class 1  
9 brewer wholly owned and operated by the same licensee.

10 Class 13. A class 2 brewer license, which may only be  
11 issued to a licensed brewer or licensed non-resident dealer,  
12 shall allow the manufacture of up to 3,720,000 gallons of beer  
13 per year provided that the class 2 brewer licensee does not  
14 manufacture more than a combined 3,720,000 gallons of beer per  
15 year and is not a member of or affiliated with, directly or  
16 indirectly, a manufacturer that produces more than 3,720,000  
17 gallons of beer per year. If a class 2 brewer manufactures  
18 spirits, it shall also obtain and shall only be eligible for,  
19 in addition to any current license, a class 2 craft distiller  
20 license, shall not manufacture more than 100,000 gallons of  
21 spirits per year, and shall not be a member of or affiliated  
22 with, directly or indirectly, a manufacturer that produces  
23 more than 100,000 gallons of spirits per year. If a class 2  
24 craft distiller manufactures wine, it shall also obtain and  
25 shall only be eligible for, in addition to any current  
26 license, a second-class wine-maker's license, shall not

1 manufacture more than 150,000 gallons of wine per year, and  
2 shall not be a member of or affiliated with, directly or  
3 indirectly, a manufacturer that produces more than 150,000  
4 gallons of wine a year. A class 2 brewer licensee may make  
5 sales and deliveries to importing distributors and  
6 distributors, but shall not make sales or deliveries to any  
7 other licensee. If the State Commission provides prior  
8 approval, a class 2 brewer licensee may annually transfer up  
9 to 3,720,000 gallons of beer manufactured by that class 2  
10 brewer licensee to the premises of a licensed class 2 brewer  
11 wholly owned and operated by the same licensee.

12 A class 2 brewer may transfer beer to a brew pub wholly  
13 owned and operated by the class 2 brewer subject to the  
14 following limitations and restrictions: (i) the transfer shall  
15 not annually exceed more than 31,000 gallons; (ii) the annual  
16 amount transferred shall reduce the brew pub's annual  
17 permitted production limit; (iii) all beer transferred shall  
18 be subject to Article VIII of this Act; (iv) a written record  
19 shall be maintained by the brewer and brew pub specifying the  
20 amount, date of delivery, and receipt of the product by the  
21 brew pub; and (v) the brew pub shall be located no farther than  
22 80 miles from the class 2 brewer's licensed location.

23 A class 2 brewer shall, prior to transferring beer to a  
24 brew pub wholly owned by the class 2 brewer, furnish a written  
25 notice to the State Commission of intent to transfer beer  
26 setting forth the name and address of the brew pub and shall

1 annually submit to the State Commission a verified report  
2 identifying the total gallons of beer transferred to the brew  
3 pub wholly owned by the class 2 brewer.

4 Class 14. A class 3 brewer license, which may be issued to  
5 a brewer or a non-resident dealer, shall allow the manufacture  
6 of no more than 465,000 gallons of beer per year and no more  
7 than 155,000 gallons at a single brewery premises, and shall  
8 allow the sale of no more than 6,200 gallons of beer from each  
9 in-state or out-of-state class 3 brewery premises, or 18,600  
10 gallons in the aggregate, to retail licensees, class 1  
11 brewers, class 2 brewers, and class 3 brewers as long as the  
12 class 3 brewer licensee does not manufacture more than a  
13 combined 465,000 gallons of beer per year and is not a member  
14 of or affiliated with, directly or indirectly, a manufacturer  
15 that produces more than 465,000 gallons of beer per year to  
16 make sales to importing distributors, distributors, retail  
17 licensees, brewers, class 1 brewers, class 2 brewers, and  
18 class 3 brewers in accordance with the conditions set forth in  
19 paragraph (20) of subsection (a) of Section 3-12. If the State  
20 Commission provides prior approval, a class 3 brewer may  
21 annually transfer up to 155,000 gallons of beer manufactured  
22 by that class 3 brewer to the premises of a licensed class 3  
23 brewer wholly owned and operated by the same licensee. A class  
24 3 brewer shall manufacture beer at the brewer's class 3  
25 designated licensed premises, and may sell beer as otherwise  
26 provided in this Act.



1           (a-1) A manufacturer which is licensed in this State to  
2 make sales or deliveries of alcoholic liquor to licensed  
3 distributors or importing distributors and which enlists  
4 agents, representatives, or individuals acting on its behalf  
5 who contact licensed retailers on a regular and continual  
6 basis in this State must register those agents,  
7 representatives, or persons acting on its behalf with the  
8 State Commission.

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

26           (b) A distributor's license shall allow (i) the wholesale

1 purchase and storage of alcoholic liquors and sale of  
2 alcoholic liquors to licensees in this State and to persons  
3 without the State, as may be permitted by law; (ii) the sale of  
4 beer, cider, mead, or any combination thereof to brewers,  
5 class 1 brewers, and class 2 brewers that, pursuant to  
6 subsection (e) of Section 6-4 of this Act, sell beer, cider,  
7 mead, or any combination thereof to non-licensees at their  
8 breweries; (iii) the sale of vermouth to class 1 craft  
9 distillers and class 2 craft distillers that, pursuant to  
10 subsection (e) of Section 6-4 of this Act, sell spirits,  
11 vermouth, or both spirits and vermouth to non-licensees at  
12 their distilleries; or (iv) as otherwise provided in this Act.  
13 No person licensed as a distributor shall be granted a  
14 non-resident dealer's license.

15 (c) An importing distributor's license may be issued to  
16 and held by those only who are duly licensed distributors,  
17 upon the filing of an application by a duly licensed  
18 distributor, with the Commission and the Commission shall,  
19 without the payment of any fee, immediately issue such  
20 importing distributor's license to the applicant, which shall  
21 allow the importation of alcoholic liquor by the licensee into  
22 this State from any point in the United States outside this  
23 State, and the purchase of alcoholic liquor in barrels, casks  
24 or other bulk containers and the bottling of such alcoholic  
25 liquors before resale thereof, but all bottles or containers  
26 so filled shall be sealed, labeled, stamped and otherwise made

1 to comply with all provisions, rules and regulations governing  
2 manufacturers in the preparation and bottling of alcoholic  
3 liquors. The importing distributor's license shall permit such  
4 licensee to purchase alcoholic liquor from Illinois licensed  
5 non-resident dealers and foreign importers only. No person  
6 licensed as an importing distributor shall be granted a  
7 non-resident dealer's license.

8 (d) A retailer's license shall allow the licensee to sell  
9 and offer for sale at retail, only in the premises specified in  
10 the license, alcoholic liquor for use or consumption, but not  
11 for resale in any form. Except as provided in Section 6-16,  
12 6-29, or 6-29.1, nothing in this Act shall deny, limit,  
13 remove, or restrict the ability of a holder of a retailer's  
14 license to transfer or ship alcoholic liquor to the purchaser  
15 for use or consumption subject to any applicable local law or  
16 ordinance. For the purposes of this Section, "shipping" means  
17 the movement of alcoholic liquor from a licensed retailer to a  
18 consumer via a common carrier. Except as provided in Section  
19 6-16, 6-29, or 6-29.1, nothing in this Act shall deny, limit,  
20 remove, or restrict the ability of a holder of a retailer's  
21 license to deliver alcoholic liquor to the purchaser for use  
22 or consumption. The delivery shall be made only within 12  
23 hours from the time the alcoholic liquor leaves the licensed  
24 premises of the retailer for delivery. For the purposes of  
25 this Section, "delivery" means the movement of alcoholic  
26 liquor purchased from a licensed retailer to a consumer

1 through the following methods:

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

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

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

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

11 Any retail license issued to a manufacturer shall only  
12 permit the manufacturer to sell beer at retail on the premises  
13 actually occupied by the manufacturer. For the purpose of  
14 further describing the type of business conducted at a retail  
15 licensed premises, a retailer's licensee may be designated by  
16 the State Commission as (i) an on premise consumption  
17 retailer, (ii) an off premise sale retailer, or (iii) a  
18 combined on premise consumption and off premise sale retailer.

19 Except for a municipality with a population of more than  
20 1,000,000 inhabitants, a home rule unit may not regulate the  
21 delivery of alcoholic liquor inconsistent with this  
22 subsection. This paragraph is a limitation under subsection  
23 (i) of Section 6 of Article VII of the Illinois Constitution on  
24 the concurrent exercise by home rule units of powers and  
25 functions exercised by the State. A non-home rule municipality  
26 may not regulate the delivery of alcoholic liquor inconsistent

1 with this subsection.

2 Notwithstanding any other provision of this subsection  
3 (d), a retail licensee may sell alcoholic liquors to a special  
4 event retailer licensee for resale to the extent permitted  
5 under subsection (e).

6 (e) A special event retailer's license (not-for-profit)  
7 shall permit the licensee to purchase alcoholic liquors from  
8 an Illinois licensed distributor (unless the licensee  
9 purchases less than \$500 of alcoholic liquors for the special  
10 event, in which case the licensee may purchase the alcoholic  
11 liquors from a licensed retailer) and shall allow the licensee  
12 to sell and offer for sale, at retail, alcoholic liquors for  
13 use or consumption, but not for resale in any form and only at  
14 the location and on the specific dates designated for the  
15 special event in the license. An applicant for a special event  
16 retailer license must (i) furnish with the application: (A) a  
17 resale number issued under Section 2c of the Retailers'  
18 Occupation Tax Act or evidence that the applicant is  
19 registered under Section 2a of the Retailers' Occupation Tax  
20 Act, (B) a current, valid exemption identification number  
21 issued under Section 1g of the Retailers' Occupation Tax Act,  
22 and a certification to the Commission that the purchase of  
23 alcoholic liquors will be a tax-exempt purchase, or (C) a  
24 statement that the applicant is not registered under Section  
25 2a of the Retailers' Occupation Tax Act, does not hold a resale  
26 number under Section 2c of the Retailers' Occupation Tax Act,

1 and does not hold an exemption number under Section 1g of the  
2 Retailers' Occupation Tax Act, in which event the Commission  
3 shall set forth on the special event retailer's license a  
4 statement to that effect; (ii) submit with the application  
5 proof satisfactory to the State Commission that the applicant  
6 will provide dram shop liability insurance in the maximum  
7 limits; and (iii) show proof satisfactory to the State  
8 Commission that the applicant has obtained local authority  
9 approval.

10 Nothing in this Act prohibits an Illinois licensed  
11 distributor from offering credit or a refund for unused,  
12 salable alcoholic liquors to a holder of a special event  
13 retailer's license or the special event retailer's licensee  
14 from accepting the credit or refund of alcoholic liquors at  
15 the conclusion of the event specified in the license.

16 (f) A railroad license shall permit the licensee to import  
17 alcoholic liquors into this State from any point in the United  
18 States outside this State and to store such alcoholic liquors  
19 in this State; to make wholesale purchases of alcoholic  
20 liquors directly from manufacturers, foreign importers,  
21 distributors and importing distributors from within or outside  
22 this State; and to store such alcoholic liquors in this State;  
23 provided that the above powers may be exercised only in  
24 connection with the importation, purchase or storage of  
25 alcoholic liquors to be sold or dispensed on a club, buffet,  
26 lounge or dining car operated on an electric, gas or steam

1 railway in this State; and provided further, that railroad  
2 licensees exercising the above powers shall be subject to all  
3 provisions of Article VIII of this Act as applied to importing  
4 distributors. A railroad license shall also permit the  
5 licensee to sell or dispense alcoholic liquors on any club,  
6 buffet, lounge or dining car operated on an electric, gas or  
7 steam railway regularly operated by a common carrier in this  
8 State, but shall not permit the sale for resale of any  
9 alcoholic liquors to any licensee within this State. A license  
10 shall be obtained for each car in which such sales are made.

11 (g) A boat license shall allow the sale of alcoholic  
12 liquor in individual drinks, on any passenger boat regularly  
13 operated as a common carrier on navigable waters in this State  
14 or on any riverboat operated under the Illinois Gambling Act,  
15 which boat or riverboat maintains a public dining room or  
16 restaurant thereon.

17 (h) A non-beverage user's license shall allow the licensee  
18 to purchase alcoholic liquor from a licensed manufacturer or  
19 importing distributor, without the imposition of any tax upon  
20 the business of such licensed manufacturer or importing  
21 distributor as to such alcoholic liquor to be used by such  
22 licensee solely for the non-beverage purposes set forth in  
23 subsection (a) of Section 8-1 of this Act, and such licenses  
24 shall be divided and classified and shall permit the purchase,  
25 possession and use of limited and stated quantities of  
26 alcoholic liquor as follows:

- 1 Class 1, not to exceed ..... 500 gallons
- 2 Class 2, not to exceed ..... 1,000 gallons
- 3 Class 3, not to exceed ..... 5,000 gallons
- 4 Class 4, not to exceed ..... 10,000 gallons
- 5 Class 5, not to exceed ..... 50,000 gallons

6 (i) A wine-maker's premises license shall allow a licensee  
7 that concurrently holds a first-class wine-maker's license to  
8 sell and offer for sale at retail in the premises specified in  
9 such license not more than 50,000 gallons of the first-class  
10 wine-maker's wine that is made at the first-class wine-maker's  
11 licensed premises per year for use or consumption, but not for  
12 resale in any form. A wine-maker's premises license shall  
13 allow a licensee who concurrently holds a second-class  
14 wine-maker's license to sell and offer for sale at retail in  
15 the premises specified in such license up to 100,000 gallons  
16 of the second-class wine-maker's wine that is made at the  
17 second-class wine-maker's licensed premises per year for use  
18 or consumption but not for resale in any form. A first-class  
19 wine-maker that concurrently holds a class 1 brewer license or  
20 a class 1 craft distiller license shall not be eligible to hold  
21 a wine-maker's premises license. A wine-maker's premises  
22 license shall allow a licensee that concurrently holds a  
23 first-class wine-maker's license or a second-class  
24 wine-maker's license to sell and offer for sale at retail at  
25 the premises specified in the wine-maker's premises license,  
26 for use or consumption but not for resale in any form, any



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

12 (j) An airplane license shall permit the licensee to  
13 import alcoholic liquors into this State from any point in the  
14 United States outside this State and to store such alcoholic  
15 liquors in this State; to make wholesale purchases of  
16 alcoholic liquors directly from manufacturers, foreign  
17 importers, distributors and importing distributors from within  
18 or outside this State; and to store such alcoholic liquors in  
19 this State; provided that the above powers may be exercised  
20 only in connection with the importation, purchase or storage  
21 of alcoholic liquors to be sold or dispensed on an airplane;  
22 and provided further, that airplane licensees exercising the  
23 above powers shall be subject to all provisions of Article  
24 VIII of this Act as applied to importing distributors. An  
25 airplane licensee shall also permit the sale or dispensing of  
26 alcoholic liquors on any passenger airplane regularly operated

1 by a common carrier in this State, but shall not permit the  
2 sale for resale of any alcoholic liquors to any licensee  
3 within this State. A single airplane license shall be required  
4 of an airline company if liquor service is provided on board  
5 aircraft in this State. The annual fee for such license shall  
6 be as determined in Section 5-3.

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

22 (l) (i) A broker's license shall be required of all  
23 persons who solicit orders for, offer to sell or offer to  
24 supply alcoholic liquor to retailers in the State of Illinois,  
25 or who offer to retailers to ship or cause to be shipped or to  
26 make contact with distillers, craft distillers, rectifiers,

1 brewers or manufacturers or any other party within or without  
2 the State of Illinois in order that alcoholic liquors be  
3 shipped to a distributor, importing distributor or foreign  
4 importer, whether such solicitation or offer is consummated  
5 within or without the State of Illinois.

6 No holder of a retailer's license issued by the Illinois  
7 Liquor Control Commission shall purchase or receive any  
8 alcoholic liquor, the order for which was solicited or offered  
9 for sale to such retailer by a broker unless the broker is the  
10 holder of a valid broker's license.

11 The broker shall, upon the acceptance by a retailer of the  
12 broker's solicitation of an order or offer to sell or supply or  
13 deliver or have delivered alcoholic liquors, promptly forward  
14 to the Illinois Liquor Control Commission a notification of  
15 said transaction in such form as the Commission may by  
16 regulations prescribe.

17 (ii) A broker's license shall be required of a person  
18 within this State, other than a retail licensee, who, for a fee  
19 or commission, promotes, solicits, or accepts orders for  
20 alcoholic liquor, for use or consumption and not for resale,  
21 to be shipped from this State and delivered to residents  
22 outside of this State by an express company, common carrier,  
23 or contract carrier. This Section does not apply to any person  
24 who promotes, solicits, or accepts orders for wine as  
25 specifically authorized in Section 6-29 of this Act.

26 A broker's license under this subsection (1) shall not

1 entitle the holder to buy or sell any alcoholic liquors for his  
2 own account or to take or deliver title to such alcoholic  
3 liquors.

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

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

13 (m) A non-resident dealer's license shall permit such  
14 licensee to ship into and warehouse alcoholic liquor into this  
15 State from any point outside of this State, and to sell such  
16 alcoholic liquor to Illinois licensed foreign importers and  
17 importing distributors and to no one else in this State;  
18 provided that (i) said non-resident dealer shall register with  
19 the Illinois Liquor Control Commission each and every brand of  
20 alcoholic liquor which it proposes to sell to Illinois  
21 licensees during the license period, (ii) it shall comply with  
22 all of the provisions of Section 6-9 hereof with respect to  
23 registration of such Illinois licensees as may be granted the  
24 right to sell such brands at wholesale by duly filing such  
25 registration statement, thereby authorizing the non-resident  
26 dealer to proceed to sell such brands at wholesale, and (iii)

1 the non-resident dealer shall comply with the provisions of  
2 Sections 6-5 and 6-6 of this Act to the same extent that these  
3 provisions apply to manufacturers. No person licensed as a  
4 non-resident dealer shall be granted a distributor's or  
5 importing distributor's license.

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

1 year and allocate the aggregate total between the wholly  
2 owned, operated, and licensed locations.

3 A brew pub licensee shall not under any circumstance sell  
4 or offer for sale beer manufactured by the brew pub licensee to  
5 retail licensees.

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

17 Notwithstanding any other provision of this Act, a  
18 licensed brewer, class 2 brewer, or non-resident dealer who  
19 before July 1, 2015 manufactured less than 3,720,000 gallons  
20 of beer per year and held a brew pub license on or before July  
21 1, 2015 may (i) continue to qualify for and hold that brew pub  
22 license for the licensed premises and (ii) manufacture more  
23 than 3,720,000 gallons of beer per year and continue to  
24 qualify for and hold that brew pub license if that brewer,  
25 class 2 brewer, or non-resident dealer does not simultaneously  
26 hold a class 1 brewer license and is not a member of or

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

4 A brew pub licensee may apply for a class 3 brewer license  
5 and, upon meeting all applicable qualifications of this Act  
6 and relinquishing all commonly owned brew pub or retail  
7 licenses, shall be issued a class 3 brewer license. Nothing in  
8 this Act shall prohibit the issuance of a class 3 brewer  
9 license if the applicant:

10 (1) has a valid retail license on or before May 1,  
11 2021;

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

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

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

19 If a brew pub licensee is issued a class 3 brewer license,  
20 the class 3 brewer license shall expire on the same date as the  
21 existing brew pub license and the State Commission shall not  
22 require a class 3 brewer licensee to obtain a brewer license,  
23 or in the alternative to pay a fee for a brewer license, until  
24 the date the brew pub license of the applicant would have  
25 expired.

26 (o) A caterer retailer license shall allow the holder to

1 serve alcoholic liquors as an incidental part of a food  
2 service that serves prepared meals which excludes the serving  
3 of snacks as the primary meal, either on or off-site whether  
4 licensed or unlicensed. A caterer retailer license shall allow  
5 the holder, a distributor, or an importing distributor to  
6 transfer any inventory to and from the holder's retail  
7 premises and shall allow the holder to purchase alcoholic  
8 liquor from a distributor or importing distributor to be  
9 delivered directly to an off-site event.

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 holder of a caterer retailer license or a  
13 caterer retailer licensee from accepting a credit or refund  
14 for unused, salable beer, in the event an act of God is the  
15 sole reason an off-site event is cancelled and if: (i) the  
16 holder of a caterer retailer license has not transferred  
17 alcoholic liquor from its caterer retailer premises to an  
18 off-site location; (ii) the distributor or importing  
19 distributor offers the credit or refund for the unused,  
20 salable beer that it delivered to the off-site premises and  
21 not for any unused, salable beer that the distributor or  
22 importing distributor delivered to the caterer retailer's  
23 premises; and (iii) the unused, salable beer would likely  
24 spoil if transferred to the caterer retailer's premises. A  
25 caterer retailer license shall allow the holder to transfer  
26 any inventory from any off-site location to its caterer



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

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

15 (p) An auction liquor license shall allow the licensee to  
16 sell and offer for sale at auction wine and spirits for use or  
17 consumption, or for resale by an Illinois liquor licensee in  
18 accordance with provisions of this Act. An auction liquor  
19 license will be issued to a person and it will permit the  
20 auction liquor licensee to hold the auction anywhere in the  
21 State. An auction liquor license must be obtained for each  
22 auction at least 14 days in advance of the auction date.

23 (q) A special use permit license shall allow an Illinois  
24 licensed retailer to transfer a portion of its alcoholic  
25 liquor inventory from its retail licensed premises to the  
26 premises specified in the license hereby created; to purchase

1 alcoholic liquor from a distributor or importing distributor  
2 to be delivered directly to the location specified in the  
3 license hereby created; and to sell or offer for sale at  
4 retail, only in the premises specified in the license hereby  
5 created, the transferred or delivered alcoholic liquor for use  
6 or consumption, but not for resale in any form. A special use  
7 permit license may be granted for the following time periods:  
8 one day or less; 2 or more days to a maximum of 15 days per  
9 location in any 12-month period. An applicant for the special  
10 use permit license must also submit with the application proof  
11 satisfactory to the State Commission that the applicant will  
12 provide dram shop liability insurance to the maximum limits  
13 and have local authority approval.

14 A special use permit license shall allow the holder to  
15 transfer any inventory from the holder's special use premises  
16 to its retail premises at the conclusion of the special use  
17 event or engage a distributor or importing distributor to  
18 transfer any inventory from the holder's special use premises  
19 to its retail premises at the conclusion of an off-site event,  
20 provided that the distributor or importing distributor issues  
21 bona fide charges to the special use permit licensee for fuel,  
22 labor, and delivery and the distributor or importing  
23 distributor collects payment from the retail licensee prior to  
24 the distributor or importing distributor transferring  
25 inventory to the retail premises.

26 Nothing in this Act prohibits a distributor or importing

1 distributor from offering credit or a refund for unused,  
2 salable beer to a special use permit licensee or a special use  
3 permit licensee from accepting a credit or refund for unused,  
4 salable beer at the conclusion of the event specified in the  
5 license if: (i) the holder of the special use permit license  
6 has not transferred alcoholic liquor from its retail licensed  
7 premises to the premises specified in the special use permit  
8 license; (ii) the distributor or importing distributor offers  
9 the credit or refund for the unused, salable beer that it  
10 delivered to the premises specified in the special use permit  
11 license and not for any unused, salable beer that the  
12 distributor or importing distributor delivered to the  
13 retailer's premises; and (iii) the unused, salable beer would  
14 likely spoil if transferred to the retailer premises.

15 (r) A winery shipper's license shall allow a person with a  
16 first-class or second-class wine manufacturer's license, a  
17 first-class or second-class wine-maker's license, or a limited  
18 wine manufacturer's license or who is licensed to make wine  
19 under the laws of another state to ship wine made by that  
20 licensee directly to a resident of this State who is 21 years  
21 of age or older or between the ages of 18 and 21 with a parent  
22 or guardian present for that resident's personal use and not  
23 for resale. Prior to receiving a winery shipper's license, an  
24 applicant for the license must provide the Commission with a  
25 true copy of its current license in any state in which it is  
26 licensed as a manufacturer of wine. An applicant for a winery

1 shipper's license must also complete an application form that  
2 provides any other information the Commission deems necessary.  
3 The application form shall include all addresses from which  
4 the applicant for a winery shipper's license intends to ship  
5 wine, including the name and address of any third party,  
6 except for a common carrier, authorized to ship wine on behalf  
7 of the manufacturer. The application form shall include an  
8 acknowledgement consenting to the jurisdiction of the  
9 Commission, the Illinois Department of Revenue, and the courts  
10 of this State concerning the enforcement of this Act and any  
11 related laws, rules, and regulations, including authorizing  
12 the Department of Revenue and the Commission to conduct audits  
13 for the purpose of ensuring compliance with Public Act 95-634,  
14 and an acknowledgement that the wine manufacturer is in  
15 compliance with Section 6-2 of this Act. Any third party,  
16 except for a common carrier, authorized to ship wine on behalf  
17 of a first-class or second-class wine manufacturer's licensee,  
18 a first-class or second-class wine-maker's licensee, a limited  
19 wine manufacturer's licensee, or a person who is licensed to  
20 make wine under the laws of another state shall also be  
21 disclosed by the winery shipper's licensee, and a copy of the  
22 written appointment of the third-party wine provider, except  
23 for a common carrier, to the wine manufacturer shall be filed  
24 with the State Commission as a supplement to the winery  
25 shipper's license application or any renewal thereof. The  
26 winery shipper's license holder shall affirm under penalty of

1 perjury, as part of the winery shipper's license application  
2 or renewal, that he or she only ships wine, either directly or  
3 indirectly through a third-party provider, from the licensee's  
4 own production.

5 Except for a common carrier, a third-party provider  
6 shipping wine on behalf of a winery shipper's license holder  
7 is the agent of the winery shipper's license holder and, as  
8 such, a winery shipper's license holder is responsible for the  
9 acts and omissions of the third-party provider acting on  
10 behalf of the license holder. A third-party provider, except  
11 for a common carrier, that engages in shipping wine into  
12 Illinois on behalf of a winery shipper's license holder shall  
13 consent to the jurisdiction of the State Commission and the  
14 State. Any third-party, except for a common carrier, holding  
15 such an appointment shall, by February 1 of each calendar year  
16 and upon request by the State Commission or the Department of  
17 Revenue, file with the State Commission a statement detailing  
18 each shipment made to an Illinois resident. The statement  
19 shall include the name and address of the third-party provider  
20 filing the statement, the time period covered by the  
21 statement, and the following information:

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

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

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

26 If the Department of Revenue or the State Commission requests

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

18 The State Commission shall adopt rules as soon as  
19 practicable to implement the requirements of Public Act 99-904  
20 and shall adopt rules prohibiting any such third-party  
21 appointment of a third-party provider, except for a common  
22 carrier, that has been deemed by the State Commission to have  
23 violated the provisions of this Act with regard to any winery  
24 shipper licensee.

25 A winery shipper licensee must pay to the Department of  
26 Revenue the State liquor gallonage tax under Section 8-1 for

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

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

24 Pursuant to paragraph (5.1) or (5.3) of subsection (a) of  
25 Section 3-12, the State Commission may receive, respond to,  
26 and investigate any complaint and impose any of the remedies

1 specified in paragraph (1) of subsection (a) of Section 3-12.

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

7 (s) A craft distiller tasting permit license shall allow  
8 an Illinois licensed class 1 craft distiller or class 2 craft  
9 distiller to transfer a portion of its alcoholic liquor  
10 inventory from its class 1 craft distiller or class 2 craft  
11 distiller licensed premises to the premises specified in the  
12 license hereby created and to conduct a sampling, only in the  
13 premises specified in the license hereby created, of the  
14 transferred alcoholic liquor in accordance with subsection (c)  
15 of Section 6-31 of this Act. The transferred alcoholic liquor  
16 may not be sold or resold in any form. An applicant for the  
17 craft distiller tasting permit license must also submit with  
18 the application proof satisfactory to the State Commission  
19 that the applicant will provide dram shop liability insurance  
20 to the maximum limits and have local authority approval.

21 (t) A brewer warehouse permit may be issued to the holder  
22 of a class 1 brewer license or a class 2 brewer license. If the  
23 holder of the permit is a class 1 brewer licensee, the brewer  
24 warehouse permit shall allow the holder to store or warehouse  
25 up to 930,000 gallons of tax-determined beer manufactured by  
26 the holder of the permit at the premises specified on the



1 permit. If the holder of the permit is a class 2 brewer  
2 licensee, the brewer warehouse permit shall allow the holder  
3 to store or warehouse up to 3,720,000 gallons of  
4 tax-determined beer manufactured by the holder of the permit  
5 at the premises specified on the permit. Sales to  
6 non-licensees are prohibited at the premises specified in the  
7 brewer warehouse permit.

8 (u) A distilling pub license shall allow the licensee to  
9 only (i) manufacture up to 5,000 gallons of spirits per year  
10 only on the premises specified in the license, (ii) make sales  
11 of the spirits manufactured on the premises or, with the  
12 approval of the State Commission, spirits manufactured on  
13 another distilling pub licensed premises that is wholly owned  
14 and operated by the same licensee to importing distributors  
15 and distributors and to non-licensees for use and consumption,  
16 (iii) store the spirits upon the premises, (iv) sell and offer  
17 for sale at retail from the licensed premises for off-premises  
18 consumption no more than 5,000 gallons per year so long as such  
19 sales are only made in-person, (v) sell and offer for sale at  
20 retail for use and consumption on the premises specified in  
21 the license any form of alcoholic liquor purchased from a  
22 licensed distributor or importing distributor, and (vi) with  
23 the prior approval of the State Commission, annually transfer  
24 no more than 5,000 gallons of spirits manufactured on the  
25 premises to a licensed distilling pub wholly owned and  
26 operated by the same licensee.

1           A distilling pub licensee shall not under any circumstance  
2 sell or offer for sale spirits manufactured by the distilling  
3 pub licensee to retail licensees.

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

15           (v) A craft distiller warehouse permit may be issued to  
16 the holder of a class 1 craft distiller or class 2 craft  
17 distiller license. The craft distiller warehouse permit shall  
18 allow the holder to store or warehouse up to 500,000 gallons of  
19 spirits manufactured by the holder of the permit at the  
20 premises specified on the permit. Sales to non-licensees are  
21 prohibited at the premises specified in the craft distiller  
22 warehouse permit.

23           (w) A beer showcase permit license shall allow an  
24 Illinois-licensed distributor to transfer a portion of its  
25 beer inventory from its licensed premises to the premises  
26 specified in the beer showcase permit license, and, in the

1 case of a class 3 brewer, transfer only beer the class 3 brewer  
2 manufactures from its licensed premises to the premises  
3 specified in the beer showcase permit license; and to sell or  
4 offer for sale at retail, only in the premises specified in the  
5 beer showcase permit license, the transferred or delivered  
6 beer for on or off premise consumption, but not for resale in  
7 any form and to sell to non-licensees not more than 96 fluid  
8 ounces of beer per person. A beer showcase permit license may  
9 be granted for the following time periods: one day or less; or  
10 2 or more days to a maximum of 15 days per location in any  
11 12-month period. An applicant for a beer showcase permit  
12 license must also submit with the application proof  
13 satisfactory to the State Commission that the applicant will  
14 provide dram shop liability insurance to the maximum limits  
15 and have local authority approval. The State Commission shall  
16 require the beer showcase applicant to comply with Section  
17 6-27.1.

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

22 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

23 Sec. 6-15. No alcoholic liquors shall be sold or delivered  
24 in any building belonging to or under the control of the State  
25 or any political subdivision thereof except as provided in

1 this Act. The corporate authorities of any city, village,  
2 incorporated town, township, or county may provide by  
3 ordinance, however, that alcoholic liquor may be sold or  
4 delivered in any specifically designated building belonging to  
5 or under the control of the municipality, township, or county,  
6 or in any building located on land under the control of the  
7 municipality, township, or county; provided that such township  
8 or county complies with all applicable local ordinances in any  
9 incorporated area of the township or county. Alcoholic liquor  
10 may be delivered to and sold under the authority of a special  
11 use permit on any property owned by a conservation district  
12 organized under the Conservation District Act, provided that  
13 (i) the alcoholic liquor is sold only at an event authorized by  
14 the governing board of the conservation district, (ii) the  
15 issuance of the special use permit is authorized by the local  
16 liquor control commissioner of the territory in which the  
17 property is located, and (iii) the special use permit  
18 authorizes the sale of alcoholic liquor for one day or less.  
19 Alcoholic liquors may be delivered to and sold at any airport  
20 belonging to or under the control of a municipality of more  
21 than 25,000 inhabitants, or in any building or on any golf  
22 course owned by a park district organized under the Park  
23 District Code, subject to the approval of the governing board  
24 of the district, or in any building or on any golf course owned  
25 by a forest preserve district organized under the Downstate  
26 Forest Preserve District Act, subject to the approval of the

1 governing board of the district, or on the grounds within 500  
2 feet of any building owned by a forest preserve district  
3 organized under the Downstate Forest Preserve District Act  
4 during times when food is dispensed for consumption within 500  
5 feet of the building from which the food is dispensed, subject  
6 to the approval of the governing board of the district, or in a  
7 building owned by a Local Mass Transit District organized  
8 under the Local Mass Transit District Act, subject to the  
9 approval of the governing Board of the District, or in  
10 Bicentennial Park, or on the premises of the City of Mendota  
11 Lake Park located adjacent to Route 51 in Mendota, Illinois,  
12 or on the premises of Camden Park in Milan, Illinois, or in the  
13 community center owned by the City of Loves Park that is  
14 located at 1000 River Park Drive in Loves Park, Illinois, or,  
15 in connection with the operation of an established food  
16 serving facility during times when food is dispensed for  
17 consumption on the premises, and at the following aquarium and  
18 museums located in public parks: Art Institute of Chicago,  
19 Chicago Academy of Sciences, Chicago Historical Society, Field  
20 Museum of Natural History, Museum of Science and Industry,  
21 DuSable Museum of African American History, John G. Shedd  
22 Aquarium and Adler Planetarium, or at Lakeview Museum of Arts  
23 and Sciences in Peoria, or in connection with the operation of  
24 the facilities of the Chicago Zoological Society or the  
25 Chicago Horticultural Society on land owned by the Forest  
26 Preserve District of Cook County, or on any land used for a

1 golf course or for recreational purposes owned by the Forest  
2 Preserve District of Cook County, subject to the control of  
3 the Forest Preserve District Board of Commissioners and  
4 applicable local law, provided that dram shop liability  
5 insurance is provided at maximum coverage limits so as to hold  
6 the District harmless from all financial loss, damage, and  
7 harm, or in any building located on land owned by the Chicago  
8 Park District if approved by the Park District Commissioners,  
9 or on any land used for a golf course or for recreational  
10 purposes and owned by the Illinois International Port District  
11 if approved by the District's governing board, or at any  
12 airport, golf course, faculty center, or facility in which  
13 conference and convention type activities take place belonging  
14 to or under control of any State university or public  
15 community college district, provided that with respect to a  
16 facility for conference and convention type activities  
17 alcoholic liquors shall be limited to the use of the  
18 convention or conference participants or participants in  
19 cultural, political or educational activities held in such  
20 facilities, and provided further that the faculty or staff of  
21 the State university or a public community college district,  
22 or members of an organization of students, alumni, faculty or  
23 staff of the State university or a public community college  
24 district are active participants in the conference or  
25 convention, or in Memorial Stadium on the campus of the  
26 University of Illinois at Urbana-Champaign during games in

1 which the Chicago Bears professional football team is playing  
2 in that stadium during the renovation of Soldier Field, not  
3 more than one and a half hours before the start of the game and  
4 not after the end of the third quarter of the game, or in the  
5 Pavilion Facility on the campus of the University of Illinois  
6 at Chicago during games in which the Chicago Storm  
7 professional soccer team is playing in that facility, not more  
8 than one and a half hours before the start of the game and not  
9 after the end of the third quarter of the game, or in the  
10 Pavilion Facility on the campus of the University of Illinois  
11 at Chicago during games in which the WNBA professional women's  
12 basketball team is playing in that facility, not more than one  
13 and a half hours before the start of the game and not after the  
14 10-minute mark of the second half of the game, or by a catering  
15 establishment which has rented facilities from a board of  
16 trustees of a public community college district, or in a  
17 restaurant that is operated by a commercial tenant in the  
18 North Campus Parking Deck building that (1) is located at 1201  
19 West University Avenue, Urbana, Illinois and (2) is owned by  
20 the Board of Trustees of the University of Illinois, or, if  
21 approved by the District board, on land owned by the  
22 Metropolitan Sanitary District of Greater Chicago and leased  
23 to others for a term of at least 20 years. Nothing in this  
24 Section precludes the sale or delivery of alcoholic liquor in  
25 the form of original packaged goods in premises located at 500  
26 S. Racine in Chicago belonging to the University of Illinois

1 and used primarily as a grocery store by a commercial tenant  
2 during the term of a lease that predates the University's  
3 acquisition of the premises; but the University shall have no  
4 power or authority to renew, transfer, or extend the lease  
5 with terms allowing the sale of alcoholic liquor; and the sale  
6 of alcoholic liquor shall be subject to all local laws and  
7 regulations. After the acquisition by Winnebago County of the  
8 property located at 404 Elm Street in Rockford, a commercial  
9 tenant who sold alcoholic liquor at retail on a portion of the  
10 property under a valid license at the time of the acquisition  
11 may continue to do so for so long as the tenant and the County  
12 may agree under existing or future leases, subject to all  
13 local laws and regulations regarding the sale of alcoholic  
14 liquor. Alcoholic liquors may be delivered to and sold at  
15 Memorial Hall, located at 211 North Main Street, Rockford,  
16 under conditions approved by Winnebago County and subject to  
17 all local laws and regulations regarding the sale of alcoholic  
18 liquor. Each facility shall provide dram shop liability in  
19 maximum insurance coverage limits so as to save harmless the  
20 State, municipality, State university, airport, golf course,  
21 faculty center, facility in which conference and convention  
22 type activities take place, park district, Forest Preserve  
23 District, public community college district, aquarium, museum,  
24 or sanitary district from all financial loss, damage or harm.  
25 Alcoholic liquors may be sold at retail in buildings of golf  
26 courses owned by municipalities or Illinois State University



1 in connection with the operation of an established food  
2 serving facility during times when food is dispensed for  
3 consumption upon the premises. Alcoholic liquors may be  
4 delivered to and sold at retail in any building owned by a fire  
5 protection district organized under the Fire Protection  
6 District Act, provided that such delivery and sale is approved  
7 by the board of trustees of the district, and provided further  
8 that such delivery and sale is limited to fundraising events  
9 and to a maximum of 6 events per year. However, the limitation  
10 to fundraising events and to a maximum of 6 events per year  
11 does not apply to the delivery, sale, or manufacture of  
12 alcoholic liquors at the building located at 59 Main Street in  
13 Oswego, Illinois, owned by the Oswego Fire Protection District  
14 if the alcoholic liquor is sold or dispensed as approved by the  
15 Oswego Fire Protection District and the property is no longer  
16 being utilized for fire protection purposes.

17 Alcoholic liquors may be served or sold in buildings under  
18 the control of the Board of Trustees of the University of  
19 Illinois for events that the Board may determine are public  
20 events and not related student activities. The Board of  
21 Trustees shall issue a written policy within 6 months of  
22 August 15, 2008 (the effective date of Public Act 95-847)  
23 concerning the types of events that would be eligible for an  
24 exemption. Thereafter, the Board of Trustees may issue  
25 revised, updated, new, or amended policies as it deems  
26 necessary and appropriate. In preparing its written policy,

1 the Board of Trustees shall, among other factors it considers  
2 relevant and important, give consideration to the following:  
3 (i) whether the event is a student activity or student related  
4 activity; (ii) whether the physical setting of the event is  
5 conducive to control of liquor sales and distribution; (iii)  
6 the ability of the event operator to ensure that the sale or  
7 serving of alcoholic liquors and the demeanor of the  
8 participants are in accordance with State law and University  
9 policies; (iv) regarding the anticipated attendees at the  
10 event, the relative proportion of individuals under the age of  
11 21 to individuals age 21 or older; (v) the ability of the venue  
12 operator to prevent the sale or distribution of alcoholic  
13 liquors to individuals under the age of 18 or between the ages  
14 of 18 and 21 without a parent or guardian present ~~21~~; (vi)  
15 whether the event prohibits participants from removing  
16 alcoholic beverages from the venue; and (vii) whether the  
17 event prohibits participants from providing their own  
18 alcoholic liquors to the venue. In addition, any policy  
19 submitted by the Board of Trustees to the Illinois Liquor  
20 Control Commission must require that any event at which  
21 alcoholic liquors are served or sold in buildings under the  
22 control of the Board of Trustees shall require the prior  
23 written approval of the Office of the Chancellor for the  
24 University campus where the event is located. The Board of  
25 Trustees shall submit its policy, and any subsequently  
26 revised, updated, new, or amended policies, to the Illinois

1 Liquor Control Commission, and any University event, or  
2 location for an event, exempted under such policies shall  
3 apply for a license under the applicable Sections of this Act.

4 Alcoholic liquors may be served or sold in buildings under  
5 the control of the Board of Trustees of Northern Illinois  
6 University for events that the Board may determine are public  
7 events and not student-related activities. The Board of  
8 Trustees shall issue a written policy within 6 months after  
9 June 28, 2011 (the effective date of Public Act 97-45)  
10 concerning the types of events that would be eligible for an  
11 exemption. Thereafter, the Board of Trustees may issue  
12 revised, updated, new, or amended policies as it deems  
13 necessary and appropriate. In preparing its written policy,  
14 the Board of Trustees shall, in addition to other factors it  
15 considers relevant and important, give consideration to the  
16 following: (i) whether the event is a student activity or  
17 student-related activity; (ii) whether the physical setting of  
18 the event is conducive to control of liquor sales and  
19 distribution; (iii) the ability of the event operator to  
20 ensure that the sale or serving of alcoholic liquors and the  
21 demeanor of the participants are in accordance with State law  
22 and University policies; (iv) the anticipated attendees at the  
23 event and the relative proportion of individuals under the age  
24 of 21 to individuals age 21 or older; (v) the ability of the  
25 venue operator to prevent the sale or distribution of  
26 alcoholic liquors to individuals under the age of 18 or

1 between the ages of 18 and 21 without a parent or guardian  
2 present ~~21~~; (vi) whether the event prohibits participants from  
3 removing alcoholic beverages from the venue; and (vii) whether  
4 the event prohibits participants from providing their own  
5 alcoholic liquors to the venue.

6 Alcoholic liquors may be served or sold in buildings under  
7 the control of the Board of Trustees of Chicago State  
8 University for events that the Board may determine are public  
9 events and not student-related activities. The Board of  
10 Trustees shall issue a written policy within 6 months after  
11 August 2, 2013 (the effective date of Public Act 98-132)  
12 concerning the types of events that would be eligible for an  
13 exemption. Thereafter, the Board of Trustees may issue  
14 revised, updated, new, or amended policies as it deems  
15 necessary and appropriate. In preparing its written policy,  
16 the Board of Trustees shall, in addition to other factors it  
17 considers relevant and important, give consideration to the  
18 following: (i) whether the event is a student activity or  
19 student-related activity; (ii) whether the physical setting of  
20 the event is conducive to control of liquor sales and  
21 distribution; (iii) the ability of the event operator to  
22 ensure that the sale or serving of alcoholic liquors and the  
23 demeanor of the participants are in accordance with State law  
24 and University policies; (iv) the anticipated attendees at the  
25 event and the relative proportion of individuals under the age  
26 of 21 to individuals age 21 or older; (v) the ability of the

1 venue operator to prevent the sale or distribution of  
2 alcoholic liquors to individuals under the age of 18 or  
3 between the ages of 18 and 21 without a parent or guardian  
4 present ~~21~~; (vi) whether the event prohibits participants from  
5 removing alcoholic beverages from the venue; and (vii) whether  
6 the event prohibits participants from providing their own  
7 alcoholic liquors to the venue.

8 Alcoholic liquors may be served or sold in buildings under  
9 the control of the Board of Trustees of Illinois State  
10 University for events that the Board may determine are public  
11 events and not student-related activities. The Board of  
12 Trustees shall issue a written policy within 6 months after  
13 March 1, 2013 (the effective date of Public Act 97-1166)  
14 concerning the types of events that would be eligible for an  
15 exemption. Thereafter, the Board of Trustees may issue  
16 revised, updated, new, or amended policies as it deems  
17 necessary and appropriate. In preparing its written policy,  
18 the Board of Trustees shall, in addition to other factors it  
19 considers relevant and important, give consideration to the  
20 following: (i) whether the event is a student activity or  
21 student-related activity; (ii) whether the physical setting of  
22 the event is conducive to control of liquor sales and  
23 distribution; (iii) the ability of the event operator to  
24 ensure that the sale or serving of alcoholic liquors and the  
25 demeanor of the participants are in accordance with State law  
26 and University policies; (iv) the anticipated attendees at the

1 event and the relative proportion of individuals under the age  
2 of 21 to individuals age 21 or older; (v) the ability of the  
3 venue operator to prevent the sale or distribution of  
4 alcoholic liquors to individuals under the age of 18 or  
5 between the ages of 18 and 21 without a parent or guardian  
6 present ~~21~~; (vi) whether the event prohibits participants from  
7 removing alcoholic beverages from the venue; and (vii) whether  
8 the event prohibits participants from providing their own  
9 alcoholic liquors to the venue.

10 Alcoholic liquors may be served or sold in buildings under  
11 the control of the Board of Trustees of Southern Illinois  
12 University for events that the Board may determine are public  
13 events and not student-related activities. The Board of  
14 Trustees shall issue a written policy within 6 months after  
15 August 12, 2016 (the effective date of Public Act 99-795)  
16 concerning the types of events that would be eligible for an  
17 exemption. Thereafter, the Board of Trustees may issue  
18 revised, updated, new, or amended policies as it deems  
19 necessary and appropriate. In preparing its written policy,  
20 the Board of Trustees shall, in addition to other factors it  
21 considers relevant and important, give consideration to the  
22 following: (i) whether the event is a student activity or  
23 student-related activity; (ii) whether the physical setting of  
24 the event is conducive to control of liquor sales and  
25 distribution; (iii) the ability of the event operator to  
26 ensure that the sale or serving of alcoholic liquors and the

1 demeanor of the participants are in accordance with State law  
2 and University policies; (iv) the anticipated attendees at the  
3 event and the relative proportion of individuals under the age  
4 of 21 to individuals age 21 or older; (v) the ability of the  
5 venue operator to prevent the sale or distribution of  
6 alcoholic liquors to individuals under the age of 18 or  
7 between the ages of 18 and 21 without a parent or guardian  
8 present ~~21~~; (vi) whether the event prohibits participants from  
9 removing alcoholic beverages from the venue; and (vii) whether  
10 the event prohibits participants from providing their own  
11 alcoholic liquors to the venue.

12 Alcoholic liquors may be served or sold in buildings under  
13 the control of the Board of Trustees of a public university for  
14 events that the Board of Trustees of that public university  
15 may determine are public events and not student-related  
16 activities. If the Board of Trustees of a public university  
17 has not issued a written policy pursuant to an exemption under  
18 this Section on or before July 15, 2016 (the effective date of  
19 Public Act 99-550), then that Board of Trustees shall issue a  
20 written policy within 6 months after July 15, 2016 (the  
21 effective date of Public Act 99-550) concerning the types of  
22 events that would be eligible for an exemption. Thereafter,  
23 the Board of Trustees may issue revised, updated, new, or  
24 amended policies as it deems necessary and appropriate. In  
25 preparing its written policy, the Board of Trustees shall, in  
26 addition to other factors it considers relevant and important,

1 give consideration to the following: (i) whether the event is  
2 a student activity or student-related activity; (ii) whether  
3 the physical setting of the event is conducive to control of  
4 liquor sales and distribution; (iii) the ability of the event  
5 operator to ensure that the sale or serving of alcoholic  
6 liquors and the demeanor of the participants are in accordance  
7 with State law and University policies; (iv) the anticipated  
8 attendees at the event and the relative proportion of  
9 individuals under the age of 21 to individuals age 21 or older;  
10 (v) the ability of the venue operator to prevent the sale or  
11 distribution of alcoholic liquors to individuals under the age  
12 of 18 or between the ages of 18 and 21 without a parent or  
13 guardian present ~~21~~; (vi) whether the event prohibits  
14 participants from removing alcoholic beverages from the venue;  
15 and (vii) whether the event prohibits participants from  
16 providing their own alcoholic liquors to the venue. As used in  
17 this paragraph, "public university" means the University of  
18 Illinois, Illinois State University, Chicago State University,  
19 Governors State University, Southern Illinois University,  
20 Northern Illinois University, Eastern Illinois University,  
21 Western Illinois University, and Northeastern Illinois  
22 University.

23 Alcoholic liquors may be served or sold in buildings under  
24 the control of the Board of Trustees of a community college  
25 district for events that the Board of Trustees of that  
26 community college district may determine are public events and



1 not student-related activities. The Board of Trustees shall  
2 issue a written policy within 6 months after July 15, 2016 (the  
3 effective date of Public Act 99-550) concerning the types of  
4 events that would be eligible for an exemption. Thereafter,  
5 the Board of Trustees may issue revised, updated, new, or  
6 amended policies as it deems necessary and appropriate. In  
7 preparing its written policy, the Board of Trustees shall, in  
8 addition to other factors it considers relevant and important,  
9 give consideration to the following: (i) whether the event is  
10 a student activity or student-related activity; (ii) whether  
11 the physical setting of the event is conducive to control of  
12 liquor sales and distribution; (iii) the ability of the event  
13 operator to ensure that the sale or serving of alcoholic  
14 liquors and the demeanor of the participants are in accordance  
15 with State law and community college district policies; (iv)  
16 the anticipated attendees at the event and the relative  
17 proportion of individuals under the age of 21 to individuals  
18 age 21 or older; (v) the ability of the venue operator to  
19 prevent the sale or distribution of alcoholic liquors to  
20 individuals under the age of 18 or between the ages of 18 and  
21 21 without a parent or guardian present ~~21~~; (vi) whether the  
22 event prohibits participants from removing alcoholic beverages  
23 from the venue; and (vii) whether the event prohibits  
24 participants from providing their own alcoholic liquors to the  
25 venue. This paragraph does not apply to any community college  
26 district authorized to sell or serve alcoholic liquor under

1 any other provision of this Section.

2 Alcoholic liquor may be delivered to and sold at retail in  
3 the Dorchester Senior Business Center owned by the Village of  
4 Dolton if the alcoholic liquor is sold or dispensed only in  
5 connection with organized functions for which the planned  
6 attendance is 20 or more persons, and if the person or facility  
7 selling or dispensing the alcoholic liquor has provided dram  
8 shop liability insurance in maximum limits so as to hold  
9 harmless the Village of Dolton and the State from all  
10 financial loss, damage and harm.

11 Alcoholic liquors may be delivered to and sold at retail  
12 in any building used as an Illinois State Armory provided:

13 (i) the Adjutant General's written consent to the  
14 issuance of a license to sell alcoholic liquor in such  
15 building is filed with the Commission;

16 (ii) the alcoholic liquor is sold or dispensed only in  
17 connection with organized functions held on special  
18 occasions;

19 (iii) the organized function is one for which the  
20 planned attendance is 25 or more persons; and

21 (iv) the facility selling or dispensing the alcoholic  
22 liquors has provided dram shop liability insurance in  
23 maximum limits so as to save harmless the facility and the  
24 State from all financial loss, damage or harm.

25 Alcoholic liquors may be delivered to and sold at retail  
26 in the Chicago Civic Center, provided that:

1           (ii) the written consent of the Public Building  
2 Commission which administers the Chicago Civic Center is  
3 filed with the Commission;

4           (iii) the alcoholic liquor is sold or dispensed only in  
5 connection with organized functions held on special  
6 occasions;

7           (iv) the organized function is one for which the  
8 planned attendance is 25 or more persons;

9           (v) the facility selling or dispensing the alcoholic  
10 liquors has provided dram shop liability insurance in  
11 maximum limits so as to hold harmless the Civic Center,  
12 the City of Chicago and the State from all financial loss,  
13 damage or harm; and

14           (vi) all applicable local ordinances are complied with.

15           Alcoholic liquors may be delivered or sold in any building  
16 belonging to or under the control of any city, village or  
17 incorporated town where more than 75% of the physical  
18 properties of the building is used for commercial or  
19 recreational purposes, and the building is located upon a pier  
20 extending into or over the waters of a navigable lake or stream  
21 or on the shore of a navigable lake or stream. In accordance  
22 with a license issued under this Act, alcoholic liquor may be  
23 sold, served, or delivered in buildings and facilities under  
24 the control of the Department of Natural Resources during  
25 events or activities lasting no more than 7 continuous days  
26 upon the written approval of the Director of Natural Resources

1 acting as the controlling government authority. The Director  
2 of Natural Resources may specify conditions on that approval,  
3 including but not limited to requirements for insurance and  
4 hours of operation. Notwithstanding any other provision of  
5 this Act, alcoholic liquor sold by a United States Army Corps  
6 of Engineers or Department of Natural Resources concessionaire  
7 who was operating on June 1, 1991 for on-premises consumption  
8 only is not subject to the provisions of Articles IV and IX.  
9 Beer and wine may be sold on the premises of the Joliet Park  
10 District Stadium owned by the Joliet Park District when  
11 written consent to the issuance of a license to sell beer and  
12 wine in such premises is filed with the local liquor  
13 commissioner by the Joliet Park District. Beer and wine may be  
14 sold in buildings on the grounds of State veterans' homes when  
15 written consent to the issuance of a license to sell beer and  
16 wine in such buildings is filed with the Commission by the  
17 Department of Veterans' Affairs, and the facility shall  
18 provide dram shop liability in maximum insurance coverage  
19 limits so as to save the facility harmless from all financial  
20 loss, damage or harm. Such liquors may be delivered to and sold  
21 at any property owned or held under lease by a Metropolitan  
22 Pier and Exposition Authority or Metropolitan Exposition and  
23 Auditorium Authority.

24 Beer and wine may be sold and dispensed at professional  
25 sporting events and at professional concerts and other  
26 entertainment events conducted on premises owned by the Forest

1 Preserve District of Kane County, subject to the control of  
2 the District Commissioners and applicable local law, provided  
3 that dram shop liability insurance is provided at maximum  
4 coverage limits so as to hold the District harmless from all  
5 financial loss, damage and harm.

6 Nothing in this Section shall preclude the sale or  
7 delivery of beer and wine at a State or county fair or the sale  
8 or delivery of beer or wine at a city fair in any otherwise  
9 lawful manner.

10 Alcoholic liquors may be sold at retail in buildings in  
11 State parks under the control of the Department of Natural  
12 Resources, provided:

13 a. the State park has overnight lodging facilities  
14 with some restaurant facilities or, not having overnight  
15 lodging facilities, has restaurant facilities which serve  
16 complete luncheon and dinner or supper meals,

17 b. (blank), and

18 c. the alcoholic liquors are sold by the State park  
19 lodge or restaurant concessionaire only during the hours  
20 from 11 o'clock a.m. until 12 o'clock midnight.  
21 Notwithstanding any other provision of this Act, alcoholic  
22 liquor sold by the State park or restaurant concessionaire  
23 is not subject to the provisions of Articles IV and IX.

24 Alcoholic liquors may be sold at retail in buildings on  
25 properties under the control of the Division of Historic  
26 Preservation of the Department of Natural Resources or the

1 Abraham Lincoln Presidential Library and Museum provided:

2 a. the property has overnight lodging facilities with  
3 some restaurant facilities or, not having overnight  
4 lodging facilities, has restaurant facilities which serve  
5 complete luncheon and dinner or supper meals,

6 b. consent to the issuance of a license to sell  
7 alcoholic liquors in the buildings has been filed with the  
8 commission by the Division of Historic Preservation of the  
9 Department of Natural Resources or the Abraham Lincoln  
10 Presidential Library and Museum, and

11 c. the alcoholic liquors are sold by the lodge or  
12 restaurant concessionaire only during the hours from 11  
13 o'clock a.m. until 12 o'clock midnight.

14 The sale of alcoholic liquors pursuant to this Section  
15 does not authorize the establishment and operation of  
16 facilities commonly called taverns, saloons, bars, cocktail  
17 lounges, and the like except as a part of lodge and restaurant  
18 facilities in State parks or golf courses owned by Forest  
19 Preserve Districts with a population of less than 3,000,000 or  
20 municipalities or park districts.

21 Alcoholic liquors may be sold at retail in the Springfield  
22 Administration Building of the Department of Transportation  
23 and the Illinois State Armory in Springfield; provided, that  
24 the controlling government authority may consent to such sales  
25 only if

26 a. the request is from a not-for-profit organization;

1           b. such sales would not impede normal operations of  
2           the departments involved;

3           c. the not-for-profit organization provides dram shop  
4           liability in maximum insurance coverage limits and agrees  
5           to defend, save harmless and indemnify the State of  
6           Illinois from all financial loss, damage or harm;

7           d. no such sale shall be made during normal working  
8           hours of the State of Illinois; and

9           e. the consent is in writing.

10          Alcoholic liquors may be sold at retail in buildings in  
11          recreational areas of river conservancy districts under the  
12          control of, or leased from, the river conservancy districts.  
13          Such sales are subject to reasonable local regulations as  
14          provided in Article IV; however, no such regulations may  
15          prohibit or substantially impair the sale of alcoholic liquors  
16          on Sundays or Holidays.

17          Alcoholic liquors may be provided in long term care  
18          facilities owned or operated by a county under Division 5-21  
19          or 5-22 of the Counties Code, when approved by the facility  
20          operator and not in conflict with the regulations of the  
21          Illinois Department of Public Health, to residents of the  
22          facility who have had their consumption of the alcoholic  
23          liquors provided approved in writing by a physician licensed  
24          to practice medicine in all its branches.

25          Alcoholic liquors may be delivered to and dispensed in  
26          State housing assigned to employees of the Department of

1 Corrections. No person shall furnish or allow to be furnished  
2 any alcoholic liquors to any prisoner confined in any jail,  
3 reformatory, prison or house of correction except upon a  
4 physician's prescription for medicinal purposes.

5 Alcoholic liquors may be sold at retail or dispensed at  
6 the Willard Ice Building in Springfield, at the State Library  
7 in Springfield, and at Illinois State Museum facilities by (1)  
8 an agency of the State, whether legislative, judicial or  
9 executive, provided that such agency first obtains written  
10 permission to sell or dispense alcoholic liquors from the  
11 controlling government authority, or by (2) a not-for-profit  
12 organization, provided that such organization:

13 a. Obtains written consent from the controlling  
14 government authority;

15 b. Sells or dispenses the alcoholic liquors in a  
16 manner that does not impair normal operations of State  
17 offices located in the building;

18 c. Sells or dispenses alcoholic liquors only in  
19 connection with an official activity in the building;

20 d. Provides, or its catering service provides, dram  
21 shop liability insurance in maximum coverage limits and in  
22 which the carrier agrees to defend, save harmless and  
23 indemnify the State of Illinois from all financial loss,  
24 damage or harm arising out of the selling or dispensing of  
25 alcoholic liquors.

26 Nothing in this Act shall prevent a not-for-profit



1 organization or agency of the State from employing the  
2 services of a catering establishment for the selling or  
3 dispensing of alcoholic liquors at authorized functions.

4 The controlling government authority for the Willard Ice  
5 Building in Springfield shall be the Director of the  
6 Department of Revenue. The controlling government authority  
7 for Illinois State Museum facilities shall be the Director of  
8 the Illinois State Museum. The controlling government  
9 authority for the State Library in Springfield shall be the  
10 Secretary of State.

11 Alcoholic liquors may be delivered to and sold at retail  
12 or dispensed at any facility, property or building under the  
13 jurisdiction of the Division of Historic Preservation of the  
14 Department of Natural Resources or the Abraham Lincoln  
15 Presidential Library and Museum where the delivery, sale or  
16 dispensing is by (1) an agency of the State, whether  
17 legislative, judicial or executive, provided that such agency  
18 first obtains written permission to sell or dispense alcoholic  
19 liquors from a controlling government authority, or by (2) an  
20 individual or organization provided that such individual or  
21 organization:

22 a. Obtains written consent from the controlling  
23 government authority;

24 b. Sells or dispenses the alcoholic liquors in a  
25 manner that does not impair normal workings of State  
26 offices or operations located at the facility, property or

1 building;

2 c. Sells or dispenses alcoholic liquors only in  
3 connection with an official activity of the individual or  
4 organization in the facility, property or building;

5 d. Provides, or its catering service provides, dram  
6 shop liability insurance in maximum coverage limits and in  
7 which the carrier agrees to defend, save harmless and  
8 indemnify the State of Illinois from all financial loss,  
9 damage or harm arising out of the selling or dispensing of  
10 alcoholic liquors.

11 The controlling government authority for the Division of  
12 Historic Preservation of the Department of Natural Resources  
13 shall be the Director of Natural Resources, and the  
14 controlling government authority for the Abraham Lincoln  
15 Presidential Library and Museum shall be the Executive  
16 Director of the Abraham Lincoln Presidential Library and  
17 Museum.

18 Alcoholic liquors may be delivered to and sold at retail  
19 or dispensed for consumption at the Michael Bilandic Building  
20 at 160 North LaSalle Street, Chicago IL 60601, after the  
21 normal business hours of any day care or child care facility  
22 located in the building, by (1) a commercial tenant or  
23 subtenant conducting business on the premises under a lease  
24 made pursuant to Section 405-315 of the Department of Central  
25 Management Services Law (20 ILCS 405/405-315), provided that  
26 such tenant or subtenant who accepts delivery of, sells, or

1 dispenses alcoholic liquors shall procure and maintain dram  
2 shop liability insurance in maximum coverage limits and in  
3 which the carrier agrees to defend, indemnify, and save  
4 harmless the State of Illinois from all financial loss,  
5 damage, or harm arising out of the delivery, sale, or  
6 dispensing of alcoholic liquors, or by (2) an agency of the  
7 State, whether legislative, judicial, or executive, provided  
8 that such agency first obtains written permission to accept  
9 delivery of and sell or dispense alcoholic liquors from the  
10 Director of Central Management Services, or by (3) a  
11 not-for-profit organization, provided that such organization:

12 a. obtains written consent from the Department of  
13 Central Management Services;

14 b. accepts delivery of and sells or dispenses the  
15 alcoholic liquors in a manner that does not impair normal  
16 operations of State offices located in the building;

17 c. accepts delivery of and sells or dispenses  
18 alcoholic liquors only in connection with an official  
19 activity in the building; and

20 d. provides, or its catering service provides, dram  
21 shop liability insurance in maximum coverage limits and in  
22 which the carrier agrees to defend, save harmless, and  
23 indemnify the State of Illinois from all financial loss,  
24 damage, or harm arising out of the selling or dispensing  
25 of alcoholic liquors.

26 Nothing in this Act shall prevent a not-for-profit

1 organization or agency of the State from employing the  
2 services of a catering establishment for the selling or  
3 dispensing of alcoholic liquors at functions authorized by the  
4 Director of Central Management Services.

5 Alcoholic liquors may be sold at retail or dispensed at  
6 the James R. Thompson Center in Chicago, subject to the  
7 provisions of Section 7.4 of the State Property Control Act,  
8 and 222 South College Street in Springfield, Illinois by (1) a  
9 commercial tenant or subtenant conducting business on the  
10 premises under a lease or sublease made pursuant to Section  
11 405-315 of the Department of Central Management Services Law  
12 (20 ILCS 405/405-315), provided that such tenant or subtenant  
13 who sells or dispenses alcoholic liquors shall procure and  
14 maintain dram shop liability insurance in maximum coverage  
15 limits and in which the carrier agrees to defend, indemnify  
16 and save harmless the State of Illinois from all financial  
17 loss, damage or harm arising out of the sale or dispensing of  
18 alcoholic liquors, or by (2) an agency of the State, whether  
19 legislative, judicial or executive, provided that such agency  
20 first obtains written permission to sell or dispense alcoholic  
21 liquors from the Director of Central Management Services, or  
22 by (3) a not-for-profit organization, provided that such  
23 organization:

24 a. Obtains written consent from the Department of  
25 Central Management Services;

26 b. Sells or dispenses the alcoholic liquors in a

1 manner that does not impair normal operations of State  
2 offices located in the building;

3 c. Sells or dispenses alcoholic liquors only in  
4 connection with an official activity in the building;

5 d. Provides, or its catering service provides, dram  
6 shop liability insurance in maximum coverage limits and in  
7 which the carrier agrees to defend, save harmless and  
8 indemnify the State of Illinois from all financial loss,  
9 damage or harm arising out of the selling or dispensing of  
10 alcoholic liquors.

11 Nothing in this Act shall prevent a not-for-profit  
12 organization or agency of the State from employing the  
13 services of a catering establishment for the selling or  
14 dispensing of alcoholic liquors at functions authorized by the  
15 Director of Central Management Services.

16 Alcoholic liquors may be sold or delivered at any facility  
17 owned by the Illinois Sports Facilities Authority provided  
18 that dram shop liability insurance has been made available in  
19 a form, with such coverage and in such amounts as the Authority  
20 reasonably determines is necessary.

21 Alcoholic liquors may be sold at retail or dispensed at  
22 the Rockford State Office Building by (1) an agency of the  
23 State, whether legislative, judicial or executive, provided  
24 that such agency first obtains written permission to sell or  
25 dispense alcoholic liquors from the Department of Central  
26 Management Services, or by (2) a not-for-profit organization,

1 provided that such organization:

2 a. Obtains written consent from the Department of  
3 Central Management Services;

4 b. Sells or dispenses the alcoholic liquors in a  
5 manner that does not impair normal operations of State  
6 offices located in the building;

7 c. Sells or dispenses alcoholic liquors only in  
8 connection with an official activity in the building;

9 d. Provides, or its catering service provides, dram  
10 shop liability insurance in maximum coverage limits and in  
11 which the carrier agrees to defend, save harmless and  
12 indemnify the State of Illinois from all financial loss,  
13 damage or harm arising out of the selling or dispensing of  
14 alcoholic liquors.

15 Nothing in this Act shall prevent a not-for-profit  
16 organization or agency of the State from employing the  
17 services of a catering establishment for the selling or  
18 dispensing of alcoholic liquors at functions authorized by the  
19 Department of Central Management Services.

20 Alcoholic liquors may be sold or delivered in a building  
21 that is owned by McLean County, situated on land owned by the  
22 county in the City of Bloomington, and used by the McLean  
23 County Historical Society if the sale or delivery is approved  
24 by an ordinance adopted by the county board, and the  
25 municipality in which the building is located may not prohibit  
26 that sale or delivery, notwithstanding any other provision of

1 this Section. The regulation of the sale and delivery of  
2 alcoholic liquor in a building that is owned by McLean County,  
3 situated on land owned by the county, and used by the McLean  
4 County Historical Society as provided in this paragraph is an  
5 exclusive power and function of the State and is a denial and  
6 limitation under Article VII, Section 6, subsection (h) of the  
7 Illinois Constitution of the power of a home rule municipality  
8 to regulate that sale and delivery.

9 Alcoholic liquors may be sold or delivered in any building  
10 situated on land held in trust for any school district  
11 organized under Article 34 of the School Code, if the building  
12 is not used for school purposes and if the sale or delivery is  
13 approved by the board of education.

14 Alcoholic liquors may be delivered to and sold at retail  
15 in any building owned by a public library district, provided  
16 that the delivery and sale is approved by the board of trustees  
17 of that public library district and is limited to library  
18 fundraising events or programs of a cultural or educational  
19 nature. Before the board of trustees of a public library  
20 district may approve the delivery and sale of alcoholic  
21 liquors, the board of trustees of the public library district  
22 must have a written policy that has been approved by the board  
23 of trustees of the public library district governing when and  
24 under what circumstances alcoholic liquors may be delivered to  
25 and sold at retail on property owned by that public library  
26 district. The written policy must (i) provide that no

1 alcoholic liquor may be sold, distributed, or consumed in any  
2 area of the library accessible to the general public during  
3 the event or program, (ii) prohibit the removal of alcoholic  
4 liquor from the venue during the event, and (iii) require that  
5 steps be taken to prevent the sale or distribution of  
6 alcoholic liquor to persons under the age of 18 or between the  
7 ages of 18 and 21 without a parent or guardian present ~~21~~. Any  
8 public library district that has alcoholic liquor delivered to  
9 or sold at retail on property owned by the public library  
10 district shall provide dram shop liability insurance in  
11 maximum insurance coverage limits so as to save harmless the  
12 public library districts from all financial loss, damage, or  
13 harm.

14 Alcoholic liquors may be sold or delivered in buildings  
15 owned by the Community Building Complex Committee of Boone  
16 County, Illinois if the person or facility selling or  
17 dispensing the alcoholic liquor has provided dram shop  
18 liability insurance with coverage and in amounts that the  
19 Committee reasonably determines are necessary.

20 Alcoholic liquors may be sold or delivered in the building  
21 located at 1200 Centerville Avenue in Belleville, Illinois and  
22 occupied by either the Belleville Area Special Education  
23 District or the Belleville Area Special Services Cooperative.

24 Alcoholic liquors may be delivered to and sold at the  
25 Louis Joliet Renaissance Center, City Center Campus, located  
26 at 214 N. Ottawa Street, Joliet, and the Food



1 Services/Culinary Arts Department facilities, Main Campus,  
2 located at 1215 Houbolt Road, Joliet, owned by or under the  
3 control of Joliet Junior College, Illinois Community College  
4 District No. 525.

5 Alcoholic liquors may be delivered to and sold at Triton  
6 College, Illinois Community College District No. 504.

7 Alcoholic liquors may be delivered to and sold at the  
8 College of DuPage, Illinois Community College District No.  
9 502.

10 Alcoholic liquors may be delivered to and sold on any  
11 property owned, operated, or controlled by Lewis and Clark  
12 Community College, Illinois Community College District No.  
13 536.

14 Alcoholic liquors may be delivered to and sold at the  
15 building located at 446 East Hickory Avenue in Apple River,  
16 Illinois, owned by the Apple River Fire Protection District,  
17 and occupied by the Apple River Community Association if the  
18 alcoholic liquor is sold or dispensed only in connection with  
19 organized functions approved by the Apple River Community  
20 Association for which the planned attendance is 20 or more  
21 persons and if the person or facility selling or dispensing  
22 the alcoholic liquor has provided dram shop liability  
23 insurance in maximum limits so as to hold harmless the Apple  
24 River Fire Protection District, the Village of Apple River,  
25 and the Apple River Community Association from all financial  
26 loss, damage, and harm.

1           Alcoholic liquors may be delivered to and sold at the  
2           Sikia Restaurant, Kennedy King College Campus, located at 740  
3           West 63rd Street, Chicago, and at the Food Services in the  
4           Great Hall/Washburne Culinary Institute Department facility,  
5           Kennedy King College Campus, located at 740 West 63rd Street,  
6           Chicago, owned by or under the control of City Colleges of  
7           Chicago, Illinois Community College District No. 508.

8           (Source: P.A. 99-78, eff. 7-20-15; 99-484, eff. 10-30-15;  
9           99-550, eff. 7-15-16; 99-559, eff. 7-15-16; 99-795, eff.  
10          8-12-16; 100-120, eff. 8-18-17; 100-201, eff. 8-18-17;  
11          100-695, eff. 8-3-18.)

12           (235 ILCS 5/6-16) (from Ch. 43, par. 131)

13           Sec. 6-16. Prohibited sales and possession.

14           (a) (i) No licensee nor any officer, associate, member,  
15           representative, agent, or employee of such licensee shall  
16           sell, give, or deliver alcoholic liquor to any person under  
17           the age of 18 ~~21~~ years, or between the ages of 18 and 21  
18           without a parent or guardian present, or to any intoxicated  
19           person, except as provided in Section 6-16.1. (ii) No express  
20           company, common carrier, or contract carrier nor any  
21           representative, agent, or employee on behalf of an express  
22           company, common carrier, or contract carrier that carries or  
23           transports alcoholic liquor for delivery within this State  
24           shall knowingly give or knowingly deliver to a residential  
25           address any shipping container clearly labeled as containing

1 alcoholic liquor and labeled as requiring signature of an  
2 adult of at least 21 years of age, or between the ages of 18  
3 and 21 with a parent or guardian present, to any person in this  
4 State under the age of 18 ~~21~~ years, or between the ages of 18  
5 and 21 without a parent or guardian present. An express  
6 company, common carrier, or contract carrier that carries or  
7 transports such alcoholic liquor for delivery within this  
8 State shall obtain a signature at the time of delivery  
9 acknowledging receipt of the alcoholic liquor by an adult who  
10 is at least 21 years of age, or between the ages of 18 and 21  
11 with a parent or guardian present. At no time while delivering  
12 alcoholic beverages within this State may any representative,  
13 agent, or employee of an express company, common carrier, or  
14 contract carrier that carries or transports alcoholic liquor  
15 for delivery within this State deliver the alcoholic liquor to  
16 a residential address without the acknowledgment of the  
17 consignee and without first obtaining a signature at the time  
18 of the delivery by an adult who is at least 21 years of age, or  
19 between the ages of 18 and 21 with a parent or guardian  
20 present. A signature of a person on file with the express  
21 company, common carrier, or contract carrier does not  
22 constitute acknowledgement of the consignee. Any express  
23 company, common carrier, or contract carrier that transports  
24 alcoholic liquor for delivery within this State that violates  
25 this item (ii) of this subsection (a) by delivering alcoholic  
26 liquor without the acknowledgement of the consignee and

1 without first obtaining a signature at the time of the  
2 delivery by an adult who is at least 21 years of age, or  
3 between the ages of 18 and 21 with a parent or guardian  
4 present, is guilty of a business offense for which the express  
5 company, common carrier, or contract carrier that transports  
6 alcoholic liquor within this State shall be fined not more  
7 than \$1,001 for a first offense, not more than \$5,000 for a  
8 second offense, and not more than \$10,000 for a third or  
9 subsequent offense. An express company, common carrier, or  
10 contract carrier shall be held vicariously liable for the  
11 actions of its representatives, agents, or employees. For  
12 purposes of this Act, in addition to other methods authorized  
13 by law, an express company, common carrier, or contract  
14 carrier shall be considered served with process when a  
15 representative, agent, or employee alleged to have violated  
16 this Act is personally served. Each shipment of alcoholic  
17 liquor delivered in violation of this item (ii) of this  
18 subsection (a) constitutes a separate offense. (iii) No  
19 person, after purchasing or otherwise obtaining alcoholic  
20 liquor, shall sell, give, or deliver such alcoholic liquor to  
21 another person under the age of 18 ~~21~~ years, or between the  
22 ages of 18 and 21 without a parent or guardian present, except  
23 in the performance of a religious ceremony or service. Except  
24 as otherwise provided in item (ii), any express company,  
25 common carrier, or contract carrier that transports alcoholic  
26 liquor within this State that violates the provisions of item

1 (i), (ii), or (iii) of this paragraph of this subsection (a) is  
2 guilty of a Class A misdemeanor and the sentence shall  
3 include, but shall not be limited to, a fine of not less than  
4 \$500. Any person who violates the provisions of item (iii) of  
5 this paragraph of this subsection (a) is guilty of a Class A  
6 misdemeanor and the sentence shall include, but shall not be  
7 limited to a fine of not less than \$500 for a first offense and  
8 not less than \$2,000 for a second or subsequent offense. Any  
9 person who knowingly violates the provisions of item (iii) of  
10 this paragraph of this subsection (a) is guilty of a Class 4  
11 felony if a death occurs as the result of the violation.

12 If a licensee or officer, associate, member,  
13 representative, agent, or employee of the licensee, or a  
14 representative, agent, or employee of an express company,  
15 common carrier, or contract carrier that carries or transports  
16 alcoholic liquor for delivery within this State, is prosecuted  
17 under this paragraph of this subsection (a) for selling,  
18 giving, or delivering alcoholic liquor to a person under the  
19 age of 18 21 years, or between the ages of 18 and 21 without a  
20 parent or guardian present, the person under 18 21 years of  
21 age, or between the ages of 18 and 21 without a parent or  
22 guardian present, who attempted to buy or receive the  
23 alcoholic liquor may be prosecuted pursuant to Section 6-20 of  
24 this Act, unless the person under 18 21 years of age, or  
25 between the ages of 18 and 21 without a parent or guardian  
26 present, was acting under the authority of a law enforcement

1 agency, the Illinois Liquor Control Commission, or a local  
2 liquor control commissioner pursuant to a plan or action to  
3 investigate, patrol, or conduct any similar enforcement  
4 action.

5 For the purpose of preventing the violation of this  
6 Section, any licensee, or his agent or employee, or a  
7 representative, agent, or employee of an express company,  
8 common carrier, or contract carrier that carries or transports  
9 alcoholic liquor for delivery within this State, shall refuse  
10 to sell, deliver, or serve alcoholic beverages to any person  
11 who is unable to produce adequate written evidence of identity  
12 and of the fact that he or she is over the age of 21 years, or  
13 between the ages of 18 and 21 and has a parent or guardian  
14 present, if requested by the licensee, agent, employee, or  
15 representative.

16 Adequate written evidence of age and identity of the  
17 person is a document issued by a federal, state, county, or  
18 municipal government, or subdivision or agency thereof,  
19 including, but not limited to, a motor vehicle operator's  
20 license, a registration certificate issued under the Federal  
21 Selective Service Act, or an identification card issued to a  
22 member of the Armed Forces. Proof that the defendant-licensee,  
23 or his employee or agent, or the representative, agent, or  
24 employee of the express company, common carrier, or contract  
25 carrier that carries or transports alcoholic liquor for  
26 delivery within this State demanded, was shown and reasonably

1     relied upon such written evidence in any transaction forbidden  
2     by this Section is an affirmative defense in any criminal  
3     prosecution therefor or to any proceedings for the suspension  
4     or revocation of any license based thereon. It shall not,  
5     however, be an affirmative defense if the agent or employee  
6     accepted the written evidence knowing it to be false or  
7     fraudulent. If a false or fraudulent Illinois driver's license  
8     or Illinois identification card is presented by a person less  
9     than 21 years of age to a licensee or the licensee's agent or  
10    employee for the purpose of ordering, purchasing, attempting  
11    to purchase, or otherwise obtaining or attempting to obtain  
12    the serving of any alcoholic beverage, the law enforcement  
13    officer or agency investigating the incident shall, upon the  
14    conviction of the person who presented the fraudulent license  
15    or identification, make a report of the matter to the  
16    Secretary of State on a form provided by the Secretary of  
17    State.

18         However, no agent or employee of the licensee or employee  
19    of an express company, common carrier, or contract carrier  
20    that carries or transports alcoholic liquor for delivery  
21    within this State shall be disciplined or discharged for  
22    selling or furnishing liquor to a person under 18 ~~21~~ years of  
23    age, or between the ages of 18 and 21 without a parent or  
24    guardian present, if the agent or employee demanded and was  
25    shown, before furnishing liquor to a person under 18 ~~21~~ years  
26    of age, or between the ages of 18 and 21 without a parent or

1 guardian present, adequate written evidence of age and  
2 identity of the person issued by a federal, state, county or  
3 municipal government, or subdivision or agency thereof,  
4 including but not limited to a motor vehicle operator's  
5 license, a registration certificate issued under the Federal  
6 Selective Service Act, or an identification card issued to a  
7 member of the Armed Forces. This paragraph, however, shall not  
8 apply if the agent or employee accepted the written evidence  
9 knowing it to be false or fraudulent.

10 Any person who sells, gives, or furnishes to any person  
11 under the age of 21 years any false or fraudulent written,  
12 printed, or photostatic evidence of the age and identity of  
13 such person or who sells, gives or furnishes to any person  
14 under the age of 21 years evidence of age and identification of  
15 any other person is guilty of a Class A misdemeanor and the  
16 person's sentence shall include, but shall not be limited to,  
17 a fine of not less than \$500.

18 Any person under the age of 21 years who presents or offers  
19 to any licensee, his agent or employee, any written, printed  
20 or photostatic evidence of age and identity that is false,  
21 fraudulent, or not actually his or her own for the purpose of  
22 ordering, purchasing, attempting to purchase or otherwise  
23 procuring or attempting to procure, the serving of any  
24 alcoholic beverage, who falsely states in writing that he or  
25 she is at least 21 years of age, or between the ages of 18 and  
26 21 and has a parent or guardian present, when receiving



1 alcoholic liquor from a representative, agent, or employee of  
2 an express company, common carrier, or contract carrier, or  
3 who has in his or her possession any false or fraudulent  
4 written, printed, or photostatic evidence of age and identity,  
5 is guilty of a Class A misdemeanor and the person's sentence  
6 shall include, but shall not be limited to, the following: a  
7 fine of not less than \$500 and at least 25 hours of community  
8 service. If possible, any community service shall be performed  
9 for an alcohol abuse prevention program.

10 Any person under the age of 21 years who has any alcoholic  
11 beverage in his or her possession on any street or highway or  
12 in any public place or in any place open to the public is  
13 guilty of a Class A misdemeanor. This Section does not apply to  
14 possession by a person under the age of 21 years making a  
15 delivery of an alcoholic beverage in pursuance of the order of  
16 his or her parent or in pursuance of his or her employment.

17 (a-1) It is unlawful for any parent or guardian to  
18 knowingly permit his or her residence, any other private  
19 property under his or her control, or any vehicle, conveyance,  
20 or watercraft under his or her control to be used by an invitee  
21 of the parent's child or the guardian's ward, if the invitee is  
22 under the age of 18 or between the ages of 18 and 21 without a  
23 parent or guardian present ~~21~~, in a manner that constitutes a  
24 violation of this Section. A parent or guardian is deemed to  
25 have knowingly permitted his or her residence, any other  
26 private property under his or her control, or any vehicle,

1 conveyance, or watercraft under his or her control to be used  
2 in violation of this Section if he or she knowingly authorizes  
3 or permits consumption of alcoholic liquor by underage  
4 invitees. Any person who violates this subsection (a-1) is  
5 guilty of a Class A misdemeanor and the person's sentence  
6 shall include, but shall not be limited to, a fine of not less  
7 than \$500. Where a violation of this subsection (a-1) directly  
8 or indirectly results in great bodily harm or death to any  
9 person, the person violating this subsection shall be guilty  
10 of a Class 4 felony. Nothing in this subsection (a-1) shall be  
11 construed to prohibit the giving of alcoholic liquor to a  
12 person under the age of 21 years in the performance of a  
13 religious ceremony or service in observation of a religious  
14 holiday.

15 For the purposes of this subsection (a-1) where the  
16 residence or other property has an owner and a tenant or  
17 lessee, the trier of fact may infer that the residence or other  
18 property is occupied only by the tenant or lessee.

19 (b) Except as otherwise provided in this Section whoever  
20 violates this Section shall, in addition to other penalties  
21 provided for in this Act, be guilty of a Class A misdemeanor.

22 (c) Any person shall be guilty of a Class A misdemeanor  
23 where he or she knowingly authorizes or permits a residence  
24 which he or she occupies to be used by an invitee under 18 ~~21~~  
25 years of age, or between the ages of 18 and 21 without a parent  
26 or guardian present, and:

1           (1) the person occupying the residence knows that any  
2           such person under the age of 18, or between the ages of 18  
3           and 21 without a parent or guardian present, 21 is in  
4           possession of or is consuming any alcoholic beverage; and

5           (2) the possession or consumption of the alcohol by  
6           the person under 18, or between the ages of 18 and 21  
7           without a parent or guardian present, 21 is not otherwise  
8           permitted by this Act.

9           For the purposes of this subsection (c) where the  
10          residence has an owner and a tenant or lessee, the trier of  
11          fact may infer that the residence is occupied only by the  
12          tenant or lessee. The sentence of any person who violates this  
13          subsection (c) shall include, but shall not be limited to, a  
14          fine of not less than \$500. Where a violation of this  
15          subsection (c) directly or indirectly results in great bodily  
16          harm or death to any person, the person violating this  
17          subsection (c) shall be guilty of a Class 4 felony. Nothing in  
18          this subsection (c) shall be construed to prohibit the giving  
19          of alcoholic liquor to a person under the age of 21 years in  
20          the performance of a religious ceremony or service in  
21          observation of a religious holiday.

22          A person shall not be in violation of this subsection (c)  
23          if (A) he or she requests assistance from the police  
24          department or other law enforcement agency to either (i)  
25          remove any person who refuses to abide by the person's  
26          performance of the duties imposed by this subsection (c) or

1 (ii) terminate the activity because the person has been unable  
2 to prevent a person under the age of 18 ~~21~~ years, or between  
3 the ages of 18 and 21 without a parent or guardian present,  
4 from consuming alcohol despite having taken all reasonable  
5 steps to do so and (B) this assistance is requested before any  
6 other person makes a formal complaint to the police department  
7 or other law enforcement agency about the activity.

8 (d) Any person who rents a hotel or motel room from the  
9 proprietor or agent thereof for the purpose of or with the  
10 knowledge that such room shall be used for the consumption of  
11 alcoholic liquor by persons under the age of 18 ~~21~~ years, or  
12 between the ages of 18 and 21 without a parent or guardian  
13 present, shall be guilty of a Class A misdemeanor.

14 (e) Except as otherwise provided in this Act, any person  
15 who has alcoholic liquor in his or her possession on public  
16 school district property on school days or at events on public  
17 school district property when children are present is guilty  
18 of a petty offense, unless the alcoholic liquor (i) is in the  
19 original container with the seal unbroken and is in the  
20 possession of a person who is not otherwise legally prohibited  
21 from possessing the alcoholic liquor or (ii) is in the  
22 possession of a person in or for the performance of a religious  
23 service or ceremony authorized by the school board.

24 (Source: P.A. 97-1049, eff. 1-1-13; 98-1017, eff. 1-1-15.)

1           Sec. 6-16.1. Enforcement actions.

2           (a) A licensee or an officer, associate, member,  
3 representative, agent, or employee of a licensee may sell,  
4 give, or deliver alcoholic liquor to a person under the age of  
5 21 years or authorize the sale, gift, or delivery of alcoholic  
6 liquor to a person under the age of 21 years pursuant to a plan  
7 or action to investigate, patrol, or otherwise conduct a  
8 "sting operation" or enforcement action against a person  
9 employed by the licensee or on any licensed premises if the  
10 licensee or officer, associate, member, representative, agent,  
11 or employee of the licensee provides written notice, at least  
12 14 days before the "sting operation" or enforcement action,  
13 unless governing body of the municipality or county having  
14 jurisdiction sets a shorter period by ordinance, to the law  
15 enforcement agency having jurisdiction, the local liquor  
16 control commissioner, or both. Notice provided under this  
17 Section shall be valid for a "sting operation" or enforcement  
18 action conducted within 60 days of the provision of that  
19 notice, unless the governing body of the municipality or  
20 county having jurisdiction sets a shorter period by ordinance.

21           (b) A local liquor control commission or unit of local  
22 government that conducts alcohol and tobacco compliance  
23 operations shall establish a policy and standards for alcohol  
24 and tobacco compliance operations to investigate whether a  
25 licensee is furnishing (1) alcoholic liquor to persons under  
26 18 21 years of age, or between the ages of 18 and 21 without a

1 parent or guardian present, in violation of this Act or (2)  
2 tobacco to persons in violation of the Prevention of Tobacco  
3 Use by Persons under 21 Years of Age and Sale and Distribution  
4 of Tobacco Products Act.

5 (c) The Illinois Law Enforcement Training Standards Board  
6 shall develop a model policy and guidelines for the operation  
7 of alcohol and tobacco compliance checks by local law  
8 enforcement officers. The Illinois Law Enforcement Training  
9 Standards Board shall also require the supervising officers of  
10 such compliance checks to have met a minimum training standard  
11 as determined by the Board. The Board shall have the right to  
12 waive any training based on current written policies and  
13 procedures for alcohol and tobacco compliance check operations  
14 and in-service training already administered by the local law  
15 enforcement agency, department, or office.

16 (d) The provisions of subsections (b) and (c) do not apply  
17 to a home rule unit with more than 2,000,000 inhabitants.

18 (e) A home rule unit, other than a home rule unit with more  
19 than 2,000,000 inhabitants, may not regulate enforcement  
20 actions in a manner inconsistent with the regulation of  
21 enforcement actions under this Section. This subsection (e) is  
22 a limitation under subsection (i) of Section 6 of Article VII  
23 of the Illinois Constitution on the concurrent exercise by  
24 home rule units of powers and functions exercised by the  
25 State.

26 (f) A licensee who is the subject of an enforcement action

1 or "sting operation" under this Section and is found, pursuant  
2 to the enforcement action, to be in compliance with this Act  
3 shall be notified by the enforcement agency action that no  
4 violation was found within 30 days after the finding.

5 (Source: P.A. 101-2, eff. 7-1-19.)

6 (235 ILCS 5/6-16.2)

7 Sec. 6-16.2. Prohibited entry to a licensed premises. A  
8 municipality or county may prohibit a licensee or any officer,  
9 associate, member, representative, agent, or employee of a  
10 licensee from permitting a person under the age of 18 21 years,  
11 or between the ages of 18 and 21 without a parent or guardian  
12 present, to enter and remain in that portion of a licensed  
13 premises that sells, gives, or delivers alcoholic liquor for  
14 consumption on the premises. No prohibition under this  
15 Section, however, shall apply to any licensed premises, such  
16 as without limitation a restaurant or food shop, where  
17 selling, giving, or delivering alcoholic liquor is not the  
18 principal business of the licensee at those premises.

19 In those instances where a person under the age of 18 21  
20 years, or between the ages of 18 and 21 without a parent or  
21 guardian present, is prohibited from entering and remaining on  
22 the premises, proof that the defendant-licensee, or his  
23 employee or agent, demanded, was shown, and reasonably relied  
24 upon adequate written evidence for purposes of entering and  
25 remaining on the licensed premises is an affirmative defense

1 in any criminal prosecution therefor or to any proceedings for  
2 the suspension or revocation of any license based thereon. It  
3 shall not, however, be an affirmative defense if the  
4 defendant-licensee, or his agent or employee, accepted the  
5 written evidence knowing it to be false or fraudulent.

6 Adequate written evidence of age and identity of the  
7 person is a document issued by a federal, state, county, or  
8 municipal government, or subdivision or agency thereof,  
9 including, but not limited to, a motor vehicle operator's  
10 license, a registration certificate issued under the Federal  
11 Selective Service Act, or an identification card issued to a  
12 member of the armed forces.

13 If a false or fraudulent Illinois driver's license or  
14 Illinois identification card is presented by a person less  
15 than 18 ~~21~~ years of age, or between the ages of 18 and 21 with  
16 a parent or guardian present, to a licensee or the licensee's  
17 agent or employee for the purpose of obtaining entry and  
18 remaining on a licensed premises, the law enforcement officer  
19 or agency investigating the incident shall, upon the  
20 conviction of the person who presented the fraudulent license  
21 or identification, make a report of the matter to the  
22 Secretary of State on a form provided by the Secretary of  
23 State.

24 (Source: P.A. 95-331, eff. 8-21-07.)

25 (235 ILCS 5/6-20) (from Ch. 43, par. 134a)



1           Sec. 6-20. Transfer, possession, and consumption of  
2 alcoholic liquor; restrictions.

3           (a) Any person to whom the sale, gift or delivery of any  
4 alcoholic liquor is prohibited because of age shall not  
5 purchase, or accept a gift of such alcoholic liquor or have  
6 such alcoholic liquor in his possession.

7           (b) If a licensee or his or her agents or employees  
8 believes or has reason to believe that a sale or delivery of  
9 any alcoholic liquor is prohibited because of the non-age of  
10 the prospective recipient, he or she shall, before making such  
11 sale or delivery demand presentation of some form of positive  
12 identification, containing proof of age, issued by a public  
13 officer in the performance of his or her official duties.

14           (c) No person shall transfer, alter, or deface such an  
15 identification card; use the identification card of another;  
16 carry or use a false or forged identification card; or obtain  
17 an identification card by means of false information.

18           (d) No person shall purchase, accept delivery or have  
19 possession of alcoholic liquor in violation of this Section.

20           (e) The consumption of alcoholic liquor by any person  
21 under 18 ~~21~~ years of age, or between the ages of 18 and 21  
22 without a parent or guardian present, is forbidden.

23           (f) Whoever violates any provisions of this Section shall  
24 be guilty of a Class A misdemeanor.

25           (g) The possession and dispensing, or consumption by a  
26 person under 21 years of age of alcoholic liquor in the

1 performance of a religious service or ceremony, or the  
2 consumption by a person under 18 ~~21~~ years of age under the  
3 direct supervision and approval of the parents or parent or  
4 those persons standing in loco parentis of such person under  
5 18 ~~21~~ years of age in the privacy of a home, is not prohibited  
6 by this Act.

7 (h) The provisions of this Act prohibiting the possession  
8 of alcoholic liquor by a person under 21 years of age and  
9 dispensing of alcoholic liquor to a person under 21 years of  
10 age do not apply in the case of a student under 21 years of  
11 age, but 18 years of age or older, who:

12 (1) tastes, but does not imbibe, alcoholic liquor only  
13 during times of a regularly scheduled course while under  
14 the direct supervision of an instructor who is at least 21  
15 years of age and employed by an educational institution  
16 described in subdivision (2);

17 (2) is enrolled as a student in a college, university,  
18 or post-secondary educational institution that is  
19 accredited or certified by an agency recognized by the  
20 United States Department of Education or a nationally  
21 recognized accrediting agency or association, or that has  
22 a permit of approval issued by the Board of Higher  
23 Education pursuant to the Private Business and Vocational  
24 Schools Act of 2012;

25 (3) is participating in a culinary arts, fermentation  
26 science, food service, or restaurant management degree

1 program of which a portion of the program includes  
2 instruction on responsible alcoholic beverage serving  
3 methods modeled after the Beverage Alcohol Sellers and  
4 Server Education and Training (BASSET) curriculum; and

5 (4) tastes, but does not imbibe, alcoholic liquor for  
6 instructional purposes up to, but not exceeding, 6 times  
7 per class as a part of a required course in which the  
8 student temporarily possesses alcoholic liquor for  
9 tasting, not imbibing, purposes only in a class setting on  
10 the campus and, thereafter, the alcoholic liquor is  
11 possessed and remains under the control of the instructor.

12 (i) A law enforcement officer may not charge or otherwise  
13 take a person into custody based solely on the commission of an  
14 offense that involves alcohol and violates subsection (d) or  
15 (e) of this Section if the law enforcement officer, after  
16 making a reasonable determination and considering the facts  
17 and surrounding circumstances, reasonably believes that all of  
18 the following apply:

19 (1) The law enforcement officer has contact with the  
20 person because that person either:

21 (A) requested emergency medical assistance for an  
22 individual who reasonably appeared to be in need of  
23 medical assistance due to alcohol consumption; or

24 (B) acted in concert with another person who  
25 requested emergency medical assistance for an  
26 individual who reasonably appeared to be in need of

1 medical assistance due to alcohol consumption;  
2 however, the provisions of this subparagraph (B) shall  
3 not apply to more than 3 persons acting in concert for  
4 any one occurrence.

5 (2) The person described in subparagraph (A) or (B) of  
6 paragraph (1) of this subsection (i):

7 (A) provided his or her full name and any other  
8 relevant information requested by the law enforcement  
9 officer;

10 (B) remained at the scene with the individual who  
11 reasonably appeared to be in need of medical  
12 assistance due to alcohol consumption until emergency  
13 medical assistance personnel arrived; and

14 (C) cooperated with emergency medical assistance  
15 personnel and law enforcement officers at the scene.

16 (i-5) (1) In this subsection (i-5):

17 "Medical forensic services" has the meaning defined in  
18 Section 1a of the Sexual Assault Survivors Emergency Treatment  
19 Act.

20 "Sexual assault" means an act of sexual conduct or sexual  
21 penetration, defined in Section 11-0.1 of the Criminal Code of  
22 2012, including, without limitation, acts prohibited under  
23 Sections 11-1.20 through 11-1.60 of the Criminal Code of 2012.

24 (2) A law enforcement officer may not charge or otherwise  
25 take a person into custody based solely on the commission of an  
26 offense that involves alcohol and violates subsection (d) or

1 (e) of this Section if the law enforcement officer, after  
2 making a reasonable determination and considering the facts  
3 and surrounding circumstances, reasonably believes that all of  
4 the following apply:

5 (A) The law enforcement officer has contact with the  
6 person because the person:

7 (i) reported that he or she was sexually  
8 assaulted;

9 (ii) reported a sexual assault of another person  
10 or requested emergency medical assistance or medical  
11 forensic services for another person who had been  
12 sexually assaulted; or

13 (iii) acted in concert with another person who  
14 reported a sexual assault of another person or  
15 requested emergency medical assistance or medical  
16 forensic services for another person who had been  
17 sexually assaulted; however, the provisions of this  
18 item (iii) shall not apply to more than 3 persons  
19 acting in concert for any one occurrence.

20 The report of a sexual assault may have been made to a  
21 health care provider, to law enforcement, including the  
22 campus police or security department of an institution of  
23 higher education, or to the Title IX coordinator of an  
24 institution of higher education or another employee of the  
25 institution responsible for responding to reports of  
26 sexual assault under State or federal law.

1 (B) The person who reports the sexual assault:  
2 (i) provided his or her full name;  
3 (ii) remained at the scene until emergency medical  
4 assistance personnel arrived, if emergency medical  
5 assistance was summoned for the person who was  
6 sexually assaulted and he or she cooperated with  
7 emergency medical assistance personnel; and  
8 (iii) cooperated with the agency or person to whom  
9 the sexual assault was reported if he or she witnessed  
10 or reported the sexual assault of another person.

11 (j) A person who meets the criteria of paragraphs (1) and  
12 (2) of subsection (i) of this Section or a person who meets the  
13 criteria of paragraph (2) of subsection (i-5) of this Section  
14 shall be immune from criminal liability for an offense under  
15 subsection (d) or (e) of this Section.

16 (k) A person may not initiate an action against a law  
17 enforcement officer based on the officer's compliance or  
18 failure to comply with subsection (i) or (i-5) of this  
19 Section, except for willful or wanton misconduct.

20 (Source: P.A. 99-447, eff. 6-1-16; 99-795, eff. 8-12-16;  
21 100-1087, eff. 1-1-19.)

22 (235 ILCS 5/6-21) (from Ch. 43, par. 135)

23 Sec. 6-21. (a) Every person who is injured within this  
24 State, in person or property, by any intoxicated person has a  
25 right of action in his or her own name, severally or jointly,

1 against any person, licensed under the laws of this State or of  
2 any other state to sell alcoholic liquor, who, by selling or  
3 giving alcoholic liquor, within or without the territorial  
4 limits of this State, causes the intoxication of such person.  
5 Any person at least 21 years of age who pays for a hotel or  
6 motel room or facility knowing that the room or facility is to  
7 be used by any person under 18 ~~21~~ years of age, or between 18  
8 and 21 years of age without a parent or guardian present, for  
9 the unlawful consumption of alcoholic liquors and such  
10 consumption causes the intoxication of the person under 18 ~~21~~  
11 years of age, or between 18 and 21 years of age without a  
12 parent or guardian present, shall be liable to any person who  
13 is injured in person or property by the intoxicated person  
14 under 18 ~~21~~ years of age, or between 18 and 21 years of age  
15 without a parent or guardian present. Any person owning,  
16 renting, leasing or permitting the occupation of any building  
17 or premises with knowledge that alcoholic liquors are to be  
18 sold therein, or who having leased the same for other  
19 purposes, shall knowingly permit therein the sale of any  
20 alcoholic liquors that have caused the intoxication of any  
21 person, shall be liable, severally or jointly, with the person  
22 selling or giving the liquors. However, if such building or  
23 premises belong to a minor or other person under guardianship  
24 the guardian of such person shall be held liable instead of the  
25 ward. A married woman has the same right to bring the action  
26 and to control it and the amount recovered as an unmarried

1 woman. All damages recovered by a minor under this Act shall be  
2 paid either to the minor, or to his or her parent, guardian or  
3 next friend as the court shall direct. The unlawful sale or  
4 gift of alcoholic liquor works a forfeiture of all rights of  
5 the lessee or tenant under any lease or contract of rent upon  
6 the premises where the unlawful sale or gift takes place. All  
7 actions for damages under this Act may be by any appropriate  
8 action in the circuit court. An action shall lie for injuries  
9 to either means of support or loss of society, but not both,  
10 caused by an intoxicated person or in consequence of the  
11 intoxication of any person resulting as hereinabove set out.  
12 "Loss of society" means the mutual benefits that each family  
13 member receives from the other's continued existence,  
14 including love, affection, care, attention, companionship,  
15 comfort, guidance, and protection. "Family" includes spouse,  
16 children, parents, brothers, and sisters. The action, if the  
17 person from whom support or society was furnished is living,  
18 shall be brought by any person injured in means of support or  
19 society in his or her name for his or her benefit and the  
20 benefit of all other persons injured in means of support or  
21 society. However, any person claiming to be injured in means  
22 of support or society and not included in any action brought  
23 hereunder may join by motion made within the times herein  
24 provided for bringing such action or the personal  
25 representative of the deceased person from whom such support  
26 or society was furnished may so join. In every such action the



1 jury shall determine the amount of damages to be recovered  
2 without regard to and with no special instructions as to the  
3 dollar limits on recovery imposed by this Section. The amount  
4 recovered in every such action is for the exclusive benefit of  
5 the person injured in loss of support or society and shall be  
6 distributed to such persons in the proportions determined by  
7 the verdict rendered or judgment entered in the action. If the  
8 right of action is settled by agreement with the personal  
9 representative of a deceased person from whom support or  
10 society was furnished, the court having jurisdiction of the  
11 estate of the deceased person shall distribute the amount of  
12 the settlement to the person injured in loss of support or  
13 society in the proportion, as determined by the court, that  
14 the percentage of dependency of each such person upon the  
15 deceased person bears to the sum of the percentages of  
16 dependency of all such persons upon the deceased person. For  
17 all causes of action involving persons injured, killed, or  
18 incurring property damage before September 12, 1985, in no  
19 event shall the judgment or recovery under this Act for injury  
20 to the person or to the property of any person as hereinabove  
21 set out exceed \$15,000, and recovery under this Act for loss of  
22 means of support resulting from the death or injury of any  
23 person, as hereinabove set out, shall not exceed \$20,000. For  
24 all causes of action involving persons injured, killed, or  
25 incurring property damage after September 12, 1985 but before  
26 July 1, 1998, in no event shall the judgment or recovery for

1 injury to the person or property of any person exceed \$30,000  
2 for each person incurring damages, and recovery under this Act  
3 for loss of means of support resulting from the death or injury  
4 of any person shall not exceed \$40,000. For all causes of  
5 action involving persons injured, killed, or incurring  
6 property damage on or after July 1, 1998, in no event shall the  
7 judgment or recovery for injury to the person or property of  
8 any person exceed \$45,000 for each person incurring damages,  
9 and recovery under this Act for either loss of means of support  
10 or loss of society resulting from the death or injury of any  
11 person shall not exceed \$55,000. Beginning in 1999, every  
12 January 20, these liability limits shall automatically be  
13 increased or decreased, as applicable, by a percentage equal  
14 to the percentage change in the consumer price index-u during  
15 the preceding 12-month calendar year. "Consumer price index-u"  
16 means the index published by the Bureau of Labor Statistics of  
17 the United States Department of Labor that measures the  
18 average change in prices of goods and services purchased by  
19 all urban consumers, United States city average, all items,  
20 1982-84 = 100. The new amount resulting from each annual  
21 adjustment shall be determined by the Comptroller and made  
22 available via the Comptroller's official website by January 31  
23 of every year and to the chief judge of each judicial circuit.  
24 The liability limits at the time at which damages subject to  
25 such limits are awarded by final judgment or settlement shall  
26 be utilized by the courts. Nothing in this Section bars any

1 person from making separate claims which, in the aggregate,  
2 exceed any one limit where such person incurs more than one  
3 type of compensable damage, including personal injury,  
4 property damage, and loss to means of support or society.  
5 However, all persons claiming loss to means of support or  
6 society shall be limited to an aggregate recovery not to  
7 exceed the single limitation set forth herein for the death or  
8 injury of each person from whom support or society is claimed.

9 Nothing in this Act shall be construed to confer a cause of  
10 action for injuries to the person or property of the  
11 intoxicated person himself, nor shall anything in this Act be  
12 construed to confer a cause of action for loss of means of  
13 support or society on the intoxicated person himself or on any  
14 person claiming to be supported by such intoxicated person or  
15 claiming the society of such person. In conformance with the  
16 rule of statutory construction enunciated in the general  
17 Illinois saving provision in Section 4 of "An Act to revise the  
18 law in relation to the construction of the statutes", approved  
19 March 5, 1874, as amended, no amendment of this Section  
20 purporting to abolish or having the effect of abolishing a  
21 cause of action shall be applied to invalidate a cause of  
22 action accruing before its effective date, irrespective of  
23 whether the amendment was passed before or after the effective  
24 date of this amendatory Act of 1986.

25 Each action hereunder shall be barred unless commenced  
26 within one year next after the cause of action accrued.

1           However, a licensed distributor or brewer whose only  
2 connection with the furnishing of alcoholic liquor which is  
3 alleged to have caused intoxication was the furnishing or  
4 maintaining of any apparatus for the dispensing or cooling of  
5 beer is not liable under this Section, and if such licensee is  
6 named as a defendant, a proper motion to dismiss shall be  
7 granted.

8           (b) Any person licensed under any state or local law to  
9 sell alcoholic liquor, whether or not a citizen or resident of  
10 this State, who in person or through an agent causes the  
11 intoxication, by the sale or gift of alcoholic liquor, of any  
12 person who, while intoxicated, causes injury to any person or  
13 property in the State of Illinois thereby submits such  
14 licensed person, and, if an individual, his or her personal  
15 representative, to the jurisdiction of the courts of this  
16 State for a cause of action arising under subsection (a)  
17 above.

18           Service of process upon any person who is subject to the  
19 jurisdiction of the courts of this State, as provided in this  
20 subsection, may be made by personally serving the summons upon  
21 the defendant outside this State, as provided in the Code of  
22 Civil Procedure, as now or hereafter amended, with the same  
23 force and effect as though summons had been personally served  
24 within this State.

25           Only causes of action arising under subsection (a) above  
26 may be asserted against a defendant in an action in which

1 jurisdiction over him or her is based upon this subsection.

2 Nothing herein contained limits or affects the right to  
3 serve any process in any other manner now or hereafter  
4 provided by law.

5 (Source: P.A. 94-982, eff. 6-30-06.)

6 (235 ILCS 5/6-28.8)

7 (Section scheduled to be repealed on August 1, 2028)

8 Sec. 6-28.8. Delivery and carry out of mixed drinks  
9 permitted.

10 (a) In this Section:

11 "Cocktail" or "mixed drink" means any beverage obtained by  
12 combining ingredients alcoholic in nature, whether brewed,  
13 fermented, or distilled, with ingredients non-alcoholic in  
14 nature, such as fruit juice, lemonade, cream, or a carbonated  
15 beverage.

16 "Original container" means, for the purposes of this  
17 Section only, a container that is (i) filled, sealed, and  
18 secured by a retail licensee's employee at the retail  
19 licensee's location with a tamper-evident lid or cap or (ii)  
20 filled and labeled by the manufacturer and secured by the  
21 manufacturer's original unbroken seal.

22 "Sealed container" means a rigid container that contains a  
23 mixed drink or a single serving of wine, is new, has never been  
24 used, has a secured lid or cap designed to prevent consumption  
25 without removal of the lid or cap, and is tamper-evident.

1 "Sealed container" includes a manufacturer's original  
2 container as defined in this subsection. "Sealed container"  
3 does not include a container with a lid with sipping holes or  
4 openings for straws or a container made of plastic, paper, or  
5 polystyrene foam.

6 "Tamper-evident" means a lid or cap that has been sealed  
7 with tamper-evident covers, including, but not limited to, wax  
8 dip or heat shrink wrap.

9 (b) A cocktail, mixed drink, or single serving of wine  
10 placed in a sealed container by a retail licensee at the retail  
11 licensee's location or a manufacturer's original container may  
12 be transferred and sold for off-premises consumption if the  
13 following requirements are met:

14 (1) the cocktail, mixed drink, or single serving of  
15 wine is transferred within the licensed premises, by a  
16 curbside pickup, or by delivery by an employee of the  
17 retail licensee who:

18 (A) has been trained in accordance with Section  
19 6-27.1 at the time of the sale;

20 (B) is at least 21 years of age; and

21 (C) upon delivery, verifies the age of the person  
22 to whom the cocktail, mixed drink, or single serving  
23 of wine is being delivered;

24 (2) if the employee delivering the cocktail, mixed  
25 drink, or single serving of wine is not able to safely  
26 verify a person's age or level of intoxication upon

1 delivery, the employee shall cancel the sale of alcohol  
2 and return the product to the retail license holder;

3 (3) the sealed container is placed in the trunk of the  
4 vehicle or if there is no trunk, in the vehicle's rear  
5 compartment that is not readily accessible to the  
6 passenger area;

7 (4) except for a manufacturer's original container, a  
8 container filled and sealed at a retail licensee's  
9 location shall be affixed with a label or tag that  
10 contains the following information:

11 (A) the cocktail or mixed drink ingredients, type,  
12 and name of the alcohol;

13 (B) the name, license number, and address of the  
14 retail licensee that filled the original container and  
15 sold the product;

16 (C) the volume of the cocktail, mixed drink, or  
17 single serving of wine in the sealed container; and

18 (D) the sealed container was filled less than 7  
19 days before the date of sale; and

20 (5) a manufacturer's original container shall be  
21 affixed with a label or tag that contains the name,  
22 license number, and address of the retail licensee that  
23 sold the product.

24 (c) Third-party delivery services are not permitted to  
25 deliver cocktails and mixed drinks under this Section.

26 (d) If there is an executive order of the Governor in

1 effect during a disaster, the employee delivering the mixed  
2 drink, cocktail, or single serving of wine must comply with  
3 any requirements of that executive order, including, but not  
4 limited to, wearing gloves and a mask and maintaining  
5 distancing requirements when interacting with the public.

6 (e) Delivery or carry out of a cocktail, mixed drink, or  
7 single serving of wine is prohibited if:

8 (1) a third party delivers the cocktail or mixed  
9 drink;

10 (2) a container of a mixed drink, cocktail, or single  
11 serving of wine is not tamper-evident and sealed;

12 (3) a container of a mixed drink, cocktail, or single  
13 serving of wine is transported in the passenger area of a  
14 vehicle;

15 (4) a mixed drink, cocktail, or single serving of wine  
16 is delivered by a person under the age of 21 or to a person  
17 who is under the age of 18, or between the ages of 18 and  
18 21 without a parent or guardian present 21; or

19 (5) the person delivering a mixed drink, cocktail, or  
20 single serving of wine fails to verify the age of the  
21 person to whom the mixed drink or cocktail is being  
22 delivered.

23 (f) Violations of this Section shall be subject to any  
24 applicable penalties, including, but not limited to, the  
25 penalties specified under Section 11-502 of the Illinois  
26 Vehicle Code.



1 (f-5) This Section is not intended to prohibit or preempt  
2 the ability of a brew pub, tap room, or distilling pub to  
3 continue to temporarily deliver alcoholic liquor pursuant to  
4 guidance issued by the State Commission on March 19, 2020  
5 entitled "Illinois Liquor Control Commission, COVID-19 Related  
6 Actions, Guidance on Temporary Delivery of Alcoholic Liquor".  
7 This Section shall only grant authorization to holders of  
8 State of Illinois retail liquor licenses but not to licensees  
9 that simultaneously hold any licensure or privilege to  
10 manufacture alcoholic liquors within or outside of the State  
11 of Illinois.

12 (g) This Section is not a denial or limitation of home rule  
13 powers and functions under Section 6 of Article VII of the  
14 Illinois Constitution.

15 (h) This Section is repealed on August 1, 2028.

16 (Source: P.A. 102-8, eff. 6-2-21; 103-4, eff. 5-31-23.)

17 (235 ILCS 5/10-1) (from Ch. 43, par. 183)

18 Sec. 10-1. Violations; penalties. Whereas a substantial  
19 threat to the sound and careful control, regulation, and  
20 taxation of the manufacture, sale, and distribution of  
21 alcoholic liquors exists by virtue of individuals who  
22 manufacture, import, distribute, or sell alcoholic liquors  
23 within the State without having first obtained a valid license  
24 to do so, and whereas such threat is especially serious along  
25 the borders of this State, and whereas such threat requires

1 immediate correction by this Act, by active investigation and  
2 prosecution by the State Commission, law enforcement  
3 officials, and prosecutors, and by prompt and strict  
4 enforcement through the courts of this State to punish  
5 violators and to deter such conduct in the future:

6 (a) Any person who manufactures, imports for distribution  
7 or use, transports from outside this State into this State, or  
8 distributes or sells 108 liters (28.53 gallons) or more of  
9 wine, 45 liters (11.88 gallons) or more of distilled spirits,  
10 or 118 liters (31.17 gallons) or more of beer at any place  
11 within the State without having first obtained a valid license  
12 to do so under the provisions of this Act shall be guilty of a  
13 Class 4 felony for each offense. However, any person who was  
14 duly licensed under this Act and whose license expired within  
15 30 days prior to a violation shall be guilty of a business  
16 offense and fined not more than \$1,000 for the first such  
17 offense and shall be guilty of a Class 4 felony for each  
18 subsequent offense.

19 Any person who manufactures, imports for distribution,  
20 transports from outside this State into this State for sale or  
21 resale in this State, or distributes or sells less than 108  
22 liters (28.53 gallons) of wine, less than 45 liters (11.88  
23 gallons) of distilled spirits, or less than 118 liters (31.17  
24 gallons) of beer at any place within the State without having  
25 first obtained a valid license to do so under the provisions of  
26 this Act shall be guilty of a business offense and fined not

1 more than \$1,000 for the first such offense and shall be guilty  
2 of a Class 4 felony for each subsequent offense. This  
3 subsection does not apply to a motor carrier or freight  
4 forwarder, as defined in Section 13102 of Title 49 of the  
5 United States Code, an air carrier, as defined in Section  
6 40102 of Title 49 of the United States Code, or a rail carrier,  
7 as defined in Section 10102 of Title 49 of the United States  
8 Code.

9 Any person who: (1) has been issued an initial cease and  
10 desist notice from the State Commission; and (2) for  
11 compensation, does any of the following: (i) ships alcoholic  
12 liquor into this State without a license authorized by Section  
13 5-1 issued by the State Commission or in violation of that  
14 license; or (ii) manufactures, imports for distribution,  
15 transports from outside this State into this State for sale or  
16 resale in this State, or distributes or sells alcoholic  
17 liquors at any place without having first obtained a valid  
18 license to do so is guilty of a Class 4 felony for each  
19 offense.

20 (b) (1) Any retailer, caterer retailer, brew pub, special  
21 event retailer, special use permit holder, homebrewer special  
22 event permit holder, or craft distiller tasting permit holder  
23 who knowingly causes alcoholic liquors to be imported directly  
24 into the State of Illinois from outside of the State for the  
25 purpose of furnishing, giving, or selling to another, except  
26 when having received the product from a duly licensed

1 distributor or importing distributor, shall have his license  
2 suspended for 30 days for the first offense and for the second  
3 offense, shall have his license revoked by the Commission.

4 (2) In the event the State Commission receives a certified  
5 copy of a final order from a foreign jurisdiction that an  
6 Illinois retail licensee has been found to have violated that  
7 foreign jurisdiction's laws, rules, or regulations concerning  
8 the importation of alcoholic liquor into that foreign  
9 jurisdiction, the violation may be grounds for the State  
10 Commission to revoke, suspend, or refuse to issue or renew a  
11 license, to impose a fine, or to take any additional action  
12 provided by this Act with respect to the Illinois retail  
13 license or licensee. Any such action on the part of the State  
14 Commission shall be in accordance with this Act and  
15 implementing rules.

16 For the purposes of paragraph (2): (i) "foreign  
17 jurisdiction" means a state, territory, or possession of the  
18 United States, the District of Columbia, or the Commonwealth  
19 of Puerto Rico, and (ii) "final order" means an order or  
20 judgment of a court or administrative body that determines the  
21 rights of the parties respecting the subject matter of the  
22 proceeding, that remains in full force and effect, and from  
23 which no appeal can be taken.

24 (c) Any person who shall make any false statement or  
25 otherwise violates any of the provisions of this Act in  
26 obtaining any license hereunder, or who having obtained a

1 license hereunder shall violate any of the provisions of this  
2 Act with respect to the manufacture, possession, distribution  
3 or sale of alcoholic liquor, or with respect to the  
4 maintenance of the licensed premises, or shall violate any  
5 other provision of this Act, shall for a first offense be  
6 guilty of a petty offense and fined not more than \$500, and for  
7 a second or subsequent offense shall be guilty of a Class B  
8 misdemeanor.

9 (c-5) Any owner of an establishment that serves alcohol on  
10 its premises, if more than 50% of the establishment's gross  
11 receipts within the prior 3 months is from the sale of alcohol,  
12 who knowingly fails to prohibit concealed firearms on its  
13 premises or who knowingly makes a false statement or record to  
14 avoid the prohibition of concealed firearms on its premises  
15 under the Firearm Concealed Carry Act shall be guilty of a  
16 business offense with a fine up to \$5,000.

17 (d) Each day any person engages in business as a  
18 manufacturer, foreign importer, importing distributor,  
19 distributor or retailer in violation of the provisions of this  
20 Act shall constitute a separate offense.

21 (e) Any person ~~7~~ under the age of 18 21 years or between the  
22 ages of 18 and 21 without a parent or guardian present who, for  
23 the purpose of buying, accepting or receiving alcoholic liquor  
24 from a licensee, represents that he is 21 years of age or over,  
25 or between the ages of 18 and 21 and has a parent or guardian  
26 present, shall be guilty of a Class A misdemeanor.

1 (f) In addition to the penalties herein provided, any  
2 person licensed as a wine-maker in either class who  
3 manufactures more wine than authorized by his license shall be  
4 guilty of a business offense and shall be fined \$1 for each  
5 gallon so manufactured.

6 (g) A person shall be exempt from prosecution for a  
7 violation of this Act if he is a peace officer in the  
8 enforcement of the criminal laws and such activity is approved  
9 in writing by one of the following:

10 (1) In all counties, the respective State's Attorney;

11 (2) The Director of the Illinois State Police under  
12 Section 2605-10, 2605-15, 2605-51, 2605-52, 2605-75,  
13 2605-190, 2605-200, 2605-205, 2605-210, 2605-215,  
14 2605-250, 2605-275, 2605-305, 2605-315, 2605-325,  
15 2605-335, 2605-340, 2605-350, 2605-355, 2605-360,  
16 2605-365, 2605-375, 2605-400, 2605-405, 2605-420,  
17 2605-430, 2605-435, 2605-525, or 2605-550 of the Illinois  
18 State Police Law; or

19 (3) In cities over 1,000,000, the Superintendent of  
20 Police.

21 (Source: P.A. 101-37, eff. 7-3-19; 102-538, eff. 8-20-21.)

22 Section 15. The Innkeeper Protection Act is amended by  
23 changing Sections 10 and 11 as follows:

24 (740 ILCS 90/10)

1           Sec. 10. Refusal of admission. A proprietor or manager of  
2 a hotel may refuse to admit or refuse service or  
3 accommodations to a person who:

4           (1) while on the premises of the hotel, destroys or  
5 threatens to destroy hotel property or causes or threatens  
6 to cause a public disturbance; or

7           (2) is seeking accommodations for the unlawful  
8 possession or use of controlled substances or the use of  
9 the premises for the consumption of alcoholic liquor by a  
10 person under the age of 18 or between the ages of 18 and 21  
11 without a parent or guardian present ~~21~~.

12       (Source: P.A. 103-147, eff. 8-29-23.)

13           (740 ILCS 90/11)

14           Sec. 11. Right to eject.

15           (a) A proprietor or manager of a hotel may remove or cause  
16 to be removed from a hotel a guest or other person who:

17           (1) refuses to pay for accommodations or services;

18           (2) while on the premises of the hotel, destroys or  
19 threatens to destroy hotel property, verbally or  
20 physically threatens employees or guests, or causes or  
21 threatens to cause a public disturbance;

22           (3) is using the premises for the unlawful possession  
23 or use of controlled substances by the person or using the  
24 premises for the consumption of alcoholic liquor by a  
25 person under the age of 18 ~~21~~ years of age or between the

1 ages of 18 and 21 without a parent or guardian present;

2 (4) violates any federal, State, or local laws,  
3 ordinances, or rules relating to the hotel;

4 (5) violates a rule of the hotel that is clearly and  
5 conspicuously posted at or near the front desk or posted  
6 online where the guest can view it before making a  
7 reservation at the hotel; or

8 (6) uses verbally abusive language toward the hotel's  
9 employees or guests. As used in this Section, "verbally  
10 abusive language" means any language that would reasonably  
11 be found to be threatening or demeaning.

12 (b) If the guest has paid in advance, the proprietor or  
13 manager of a hotel shall tender to the guest any unused portion  
14 of the advance payment at the time of removal.

15 (c) Nothing in this Section shall be used as a pretext to  
16 discriminate against a guest on the basis of characteristics  
17 protected under local, State, or federal antidiscrimination  
18 laws. This Section does not limit any rights or protections  
19 that a guest or other person may have under local, State, or  
20 federal antidiscrimination or civil rights laws.

21 (d) A proprietor or manager of a hotel shall not eject a  
22 guest while the area the hotel is located in is under a severe  
23 weather warning without first giving a verbal or written  
24 warning to the guest that the guest may be ejected for the  
25 guest's behavior. As used in this subsection, "severe weather  
26 warning" means a tornado warning, severe thunderstorm warning,



1 flash flood warning, or winter storm warning issued by the  
2 National Weather Service.

3 (e) Nothing in this Section shall be used as a pretext to  
4 terminate a month-to-month, yearly, or any other term lease,  
5 written or oral, of a permanent resident. A proprietor or  
6 manager of a hotel shall not terminate the lease of a permanent  
7 resident without first going through the appropriate legal  
8 process required to lawfully terminate such lease. This  
9 Section does not limit any rights or protections a permanent  
10 resident may have under local, State, or federal landlord or  
11 tenant laws or fair housing laws.

12 (Source: P.A. 103-147, eff. 8-29-23.)