



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4055

Introduced 1/14/2004, by William B. Black

SYNOPSIS AS INTRODUCED:

235 ILCS 5/6-15

from Ch. 43, par. 130

Amends the Liquor Control Act of 1934. Authorizes the sale of alcoholic liquor on any property owned by a conservation district organized under the Conservation District Act, subject to the approval of the governing board of the district. Effective immediately.

LRB093 14973 LRD 40542 b

1 AN ACT in relation to alcoholic liquor.

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

4 Section 5. The Liquor Control Act of 1934 is amended by
5 changing Section 6-15 as follows:

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

7 Sec. 6-15. No alcoholic liquors shall be sold or delivered
8 in any building belonging to or under the control of the State
9 or any political subdivision thereof except as provided in this
10 Act. The corporate authorities of any city, village,
11 incorporated town or township may provide by ordinance,
12 however, that alcoholic liquor may be sold or delivered in any
13 specifically designated building belonging to or under the
14 control of the municipality or township, or in any building
15 located on land under the control of the municipality; provided
16 that such township complies with all applicable local
17 ordinances in any incorporated area of the township. Alcoholic
18 liquors may be delivered to and sold at any airport belonging
19 to or under the control of a municipality of more than 25,000
20 inhabitants, or in any building or on any golf course owned by
21 a park district organized under the Park District Code, subject
22 to the approval of the governing board of the district, or on
23 any property owned by a conservation district organized under
24 the Conservation District Act, subject to the approval of the
25 governing board of the district, or in any building or on any
26 golf course owned by a forest preserve district organized under
27 the Downstate Forest Preserve District Act, subject to the
28 approval of the governing board of the district, or on the
29 grounds within 500 feet of any building owned by a forest
30 preserve district organized under the Downstate Forest
31 Preserve District Act during times when food is dispensed for
32 consumption within 500 feet of the building from which the food

1 is dispensed, subject to the approval of the governing board of
2 the district, or in a building owned by a Local Mass Transit
3 District organized under the Local Mass Transit District Act,
4 subject to the approval of the governing Board of the District,
5 or in Bicentennial Park, or on the premises of the City of
6 Mendota Lake Park located adjacent to Route 51 in Mendota,
7 Illinois, or on the premises of Camden Park in Milan, Illinois,
8 or in the community center owned by the City of Loves Park that
9 is located at 1000 River Park Drive in Loves Park, Illinois,
10 or, in connection with the operation of an established food
11 serving facility during times when food is dispensed for
12 consumption on the premises, and at the following aquarium and
13 museums located in public parks: Art Institute of Chicago,
14 Chicago Academy of Sciences, Chicago Historical Society, Field
15 Museum of Natural History, Museum of Science and Industry,
16 DuSable Museum of African American History, John G. Shedd
17 Aquarium and Adler Planetarium, or at Lakeview Museum of Arts
18 and Sciences in Peoria, or in connection with the operation of
19 the facilities of the Chicago Zoological Society or the Chicago
20 Horticultural Society on land owned by the Forest Preserve
21 District of Cook County, or on any land used for a golf course
22 or for recreational purposes owned by the Forest Preserve
23 District of Cook County, subject to the control of the Forest
24 Preserve District Board of Commissioners and applicable local
25 law, provided that dram shop liability insurance is provided at
26 maximum coverage limits so as to hold the District harmless
27 from all financial loss, damage, and harm, or in any building
28 located on land owned by the Chicago Park District if approved
29 by the Park District Commissioners, or on any land used for a
30 golf course or for recreational purposes and owned by the
31 Illinois International Port District if approved by the
32 District's governing board, or at any airport, golf course,
33 faculty center, or facility in which conference and convention
34 type activities take place belonging to or under control of any
35 State university or public community college district,
36 provided that with respect to a facility for conference and

1 convention type activities alcoholic liquors shall be limited
2 to the use of the convention or conference participants or
3 participants in cultural, political or educational activities
4 held in such facilities, and provided further that the faculty
5 or staff of the State university or a public community college
6 district, or members of an organization of students, alumni,
7 faculty or staff of the State university or a public community
8 college district are active participants in the conference or
9 convention, or in Memorial Stadium on the campus of the
10 University of Illinois at Urbana-Champaign during games in
11 which the Chicago Bears professional football team is playing
12 in that stadium during the renovation of Soldier Field, not
13 more than one and a half hours before the start of the game and
14 not after the end of the third quarter of the game, or by a
15 catering establishment which has rented facilities from a board
16 of trustees of a public community college district, or, if
17 approved by the District board, on land owned by the
18 Metropolitan Sanitary District of Greater Chicago and leased to
19 others for a term of at least 20 years. Nothing in this Section
20 precludes the sale or delivery of alcoholic liquor in the form
21 of original packaged goods in premises located at 500 S. Racine
22 in Chicago belonging to the University of Illinois and used
23 primarily as a grocery store by a commercial tenant during the
24 term of a lease that predates the University's acquisition of
25 the premises; but the University shall have no power or
26 authority to renew, transfer, or extend the lease with terms
27 allowing the sale of alcoholic liquor; and the sale of
28 alcoholic liquor shall be subject to all local laws and
29 regulations. After the acquisition by Winnebago County of the
30 property located at 404 Elm Street in Rockford, a commercial
31 tenant who sold alcoholic liquor at retail on a portion of the
32 property under a valid license at the time of the acquisition
33 may continue to do so for so long as the tenant and the County
34 may agree under existing or future leases, subject to all local
35 laws and regulations regarding the sale of alcoholic liquor.
36 Each facility shall provide dram shop liability in maximum

1 insurance coverage limits so as to save harmless the State,
2 municipality, State university, airport, golf course, faculty
3 center, facility in which conference and convention type
4 activities take place, park district, Forest Preserve
5 District, public community college district, aquarium, museum,
6 or sanitary district from all financial loss, damage or harm.
7 Alcoholic liquors may be sold at retail in buildings of golf
8 courses owned by municipalities in connection with the
9 operation of an established food serving facility during times
10 when food is dispensed for consumption upon the premises.
11 Alcoholic liquors may be delivered to and sold at retail in any
12 building owned by a fire protection district organized under
13 the Fire Protection District Act, provided that such delivery
14 and sale is approved by the board of trustees of the district,
15 and provided further that such delivery and sale is limited to
16 fundraising events and to a maximum of 6 events per year.

17 Alcoholic liquor may be delivered to and sold at retail in
18 the Dorchester Senior Business Center owned by the Village of
19 Dolton if the alcoholic liquor is sold or dispensed only in
20 connection with organized functions for which the planned
21 attendance is 20 or more persons, and if the person or facility
22 selling or dispensing the alcoholic liquor has provided dram
23 shop liability insurance in maximum limits so as to hold
24 harmless the Village of Dolton and the State from all financial
25 loss, damage and harm.

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

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

31 (ii) the alcoholic liquor is sold or dispensed only in
32 connection with organized functions held on special
33 occasions;

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

36 (iv) the facility selling or dispensing the alcoholic

1 liquors has provided dram shop liability insurance in
2 maximum limits so as to save harmless the facility and the
3 State from all financial loss, damage or harm.

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

6 (i) the written consent of the Public Building
7 Commission which administers the Chicago Civic Center is
8 filed with the Commission;

9 (ii) the alcoholic liquor is sold or dispensed only in
10 connection with organized functions held on special
11 occasions;

12 (iii) the organized function is one for which the
13 planned attendance is 25 or more persons;

14 (iv) the facility selling or dispensing the alcoholic
15 liquors has provided dram shop liability insurance in
16 maximum limits so as to hold harmless the Civic Center, the
17 City of Chicago and the State from all financial loss,
18 damage or harm; and

19 (v) all applicable local ordinances are complied with.

20 Alcoholic liquors may be delivered or sold in any building
21 belonging to or under the control of any city, village or
22 incorporated town where more than 75% of the physical
23 properties of the building is used for commercial or
24 recreational purposes, and the building is located upon a pier
25 extending into or over the waters of a navigable lake or stream
26 or on the shore of a navigable lake or stream. Alcoholic liquor
27 may be sold in buildings under the control of the Department of
28 Natural Resources when written consent to the issuance of a
29 license to sell alcoholic liquor in such buildings is filed
30 with the Commission by the Department of Natural Resources.
31 Alcoholic liquor may be served or delivered in buildings and
32 facilities under the control of the Department of Natural
33 Resources upon the written approval of the Director of Natural
34 Resources acting as the controlling government authority. The
35 Director of Natural Resources may specify conditions on that
36 approval, including but not limited to requirements for

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

21 Beer and wine may be sold and dispensed at professional
22 sporting events and at professional concerts and other
23 entertainment events conducted on premises owned by the Forest
24 Preserve District of Kane County, subject to the control of the
25 District Commissioners and applicable local law, provided that
26 dram shop liability insurance is provided at maximum coverage
27 limits so as to hold the District harmless from all financial
28 loss, damage and harm.

29 Nothing in this Section shall preclude the sale or delivery
30 of beer and wine at a State or county fair or the sale or
31 delivery of beer or wine at a city fair in any otherwise lawful
32 manner.

33 Alcoholic liquors may be sold at retail in buildings in
34 State parks under the control of the Department of Natural
35 Resources, provided:

36 a. the State park has overnight lodging facilities with

1 some restaurant facilities or, not having overnight
2 lodging facilities, has restaurant facilities which serve
3 complete luncheon and dinner or supper meals,

4 b. consent to the issuance of a license to sell
5 alcoholic liquors in the buildings has been filed with the
6 commission by the Department of Natural Resources, and

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

13 Alcoholic liquors may be sold at retail in buildings on
14 properties under the control of the Historic Sites and
15 Preservation Division of the Historic Preservation Agency or
16 the Abraham Lincoln Presidential Library and Museum provided:

17 a. the property has overnight lodging facilities with
18 some restaurant facilities or, not having overnight
19 lodging facilities, has restaurant facilities which serve
20 complete luncheon and dinner or supper meals,

21 b. consent to the issuance of a license to sell
22 alcoholic liquors in the buildings has been filed with the
23 commission by the Historic Sites and Preservation Division
24 of the Historic Preservation Agency or the Abraham Lincoln
25 Presidential Library and Museum, and

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

29 The sale of alcoholic liquors pursuant to this Section does
30 not authorize the establishment and operation of facilities
31 commonly called taverns, saloons, bars, cocktail lounges, and
32 the like except as a part of lodge and restaurant facilities in
33 State parks or golf courses owned by Forest Preserve Districts
34 with a population of less than 3,000,000 or municipalities or
35 park districts.

36 Alcoholic liquors may be sold at retail in the Springfield

1 Administration Building of the Department of Transportation
2 and the Illinois State Armory in Springfield; provided, that
3 the controlling government authority may consent to such sales
4 only if

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

6 b. such sales would not impede normal operations of the
7 departments involved;

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

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

14 e. the consent is in writing.

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

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

30 Alcoholic liquors may be delivered to and dispensed in
31 State housing assigned to employees of the Department of
32 Corrections. No person shall furnish or allow to be furnished
33 any alcoholic liquors to any prisoner confined in any jail,
34 reformatory, prison or house of correction except upon a
35 physician's prescription for medicinal purposes.

36 Alcoholic liquors may be sold at retail or dispensed at the

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

8 a. Obtains written consent from the controlling
9 government authority;

10 b. Sells or dispenses the alcoholic liquors in a manner
11 that does not impair normal operations of State offices
12 located in the building;

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

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

21 Nothing in this Act shall prevent a not-for-profit
22 organization or agency of the State from employing the services
23 of a catering establishment for the selling or dispensing of
24 alcoholic liquors at authorized functions.

25 The controlling government authority for the Willard Ice
26 Building in Springfield shall be the Director of the Department
27 of Revenue. The controlling government authority for Illinois
28 State Museum facilities shall be the Director of the Illinois
29 State Museum. The controlling government authority for the
30 State Library in Springfield shall be the Secretary of State.

31 Alcoholic liquors may be delivered to and sold at retail or
32 dispensed at any facility, property or building under the
33 jurisdiction of the Historic Sites and Preservation Division of
34 the Historic Preservation Agency or the Abraham Lincoln
35 Presidential Library and Museum where the delivery, sale or
36 dispensing is by (1) an agency of the State, whether

1 legislative, judicial or executive, provided that such agency
2 first obtains written permission to sell or dispense alcoholic
3 liquors from a controlling government authority, or by (2) a
4 not-for-profit organization provided that such organization:

5 a. Obtains written consent from the controlling
6 government authority;

7 b. Sells or dispenses the alcoholic liquors in a manner
8 that does not impair normal workings of State offices or
9 operations located at the facility, property or building;

10 c. Sells or dispenses alcoholic liquors only in
11 connection with an official activity of the not-for-profit
12 organization in the facility, property or building;

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

19 The controlling government authority for the Historic
20 Sites and Preservation Division of the Historic Preservation
21 Agency shall be the Director of the Historic Sites and
22 Preservation, and the controlling government authority for the
23 Abraham Lincoln Presidential Library and Museum shall be the
24 Director of the Abraham Lincoln Presidential Library and
25 Museum.

26 Alcoholic liquors may be sold at retail or dispensed at the
27 James R. Thompson Center in Chicago, subject to the provisions
28 of Section 7.4 of the State Property Control Act, and 222 South
29 College Street in Springfield, Illinois by (1) a commercial
30 tenant or subtenant conducting business on the premises under a
31 lease or sublease made pursuant to Section 405-315 of the
32 Department of Central Management Services Law (20 ILCS
33 405/405-315), provided that such tenant or subtenant who sells
34 or dispenses alcoholic liquors shall procure and maintain dram
35 shop liability insurance in maximum coverage limits and in
36 which the carrier agrees to defend, indemnify and save harmless

1 the State of Illinois from all financial loss, damage or harm
2 arising out of the sale or dispensing of alcoholic liquors, or
3 by (2) an agency of the State, whether legislative, judicial or
4 executive, provided that such agency first obtains written
5 permission to sell or dispense alcoholic liquors from the
6 Director of Central Management Services, or by (3) a
7 not-for-profit organization, provided that such organization:

8 a. Obtains written consent from the Department of
9 Central Management Services;

10 b. Sells or dispenses the alcoholic liquors in a manner
11 that does not impair normal operations of State offices
12 located in the building;

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

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

21 Nothing in this Act shall prevent a not-for-profit
22 organization or agency of the State from employing the services
23 of a catering establishment for the selling or dispensing of
24 alcoholic liquors at functions authorized by the Director of
25 Central Management Services.

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

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

1 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 manner
5 that does not impair normal operations of State offices
6 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 services
17 of a catering establishment for the selling or dispensing of
18 alcoholic liquors at functions authorized by the Department of
19 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
27 this Section. The regulation of the sale and delivery of
28 alcoholic liquor in a building that is owned by McLean County,
29 situated on land owned by the county, and used by the McLean
30 County Historical Society as provided in this paragraph is an
31 exclusive power and function of the State and is a denial and
32 limitation under Article VII, Section 6, subsection (h) of the
33 Illinois Constitution of the power of a home rule municipality
34 to regulate that sale and delivery.

35 Alcoholic liquors may be sold or delivered in any building
36 situated on land held in trust for any school district

1 organized under Article 34 of the School Code, if the building
2 is not used for school purposes and if the sale or delivery is
3 approved by the board of education.

4 Alcoholic liquors may be sold or delivered in buildings
5 owned by the Community Building Complex Committee of Boone
6 County, Illinois if the person or facility selling or
7 dispensing the alcoholic liquor has provided dram shop
8 liability insurance with coverage and in amounts that the
9 Committee reasonably determines are necessary.

10 Alcoholic liquors may be sold or delivered in the building
11 located at 1200 Centerville Avenue in Belleville, Illinois and
12 occupied by either the Belleville Area Special Education
13 District or the Belleville Area Special Services Cooperative.

14 (Source: P.A. 92-512, eff. 1-1-02; 92-583, eff. 6-26-02;
15 92-600, eff. 7-1-02; 93-19, eff. 6-20-03; 93-103, eff. 1-1-04;
16 revised 8-1-03.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.