

1 AN ACT concerning liquor.

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

4 Section 5. The Liquor Control Act of 1934 is amended by
5 adding Section 6-33 as follows:

6 (235 ILCS 5/6-33 new)

7 Sec. 6-33. Sealing and removal of open wine bottles from a
8 restaurant. Notwithstanding any other provision of this Act, a
9 restaurant licensed to sell alcoholic liquor in this State may
10 permit a patron to remove one unsealed and partially consumed
11 bottle of wine for off-premise consumption provided that the
12 patron has purchased a meal and consumed a portion of the
13 bottle of wine with the meal on the restaurant premises. A
14 partially consumed bottle of wine that is to be removed from
15 the premises pursuant to this Section shall be securely sealed
16 by the licensee or an agent of the licensee prior to removal
17 from the premises and placed in a transparent one-time use
18 tamper-proof bag. The licensee or agent of the licensee shall
19 provide a dated receipt for the bottle of wine to the patron.
20 Wine that is resealed in accordance with the provisions of this
21 Section and not tampered with shall not be deemed an unsealed
22 container for the purposes of Section 11-502 of the Illinois
23 Vehicle Code.

24 Section 10. The Illinois Vehicle Code is amended by
25 changing Section 11-502 as follows:

26 (625 ILCS 5/11-502) (from Ch. 95 1/2, par. 11-502)

27 Sec. 11-502. Transportation or possession of alcoholic
28 liquor in a motor vehicle.

29 (a) Except as provided in paragraph (c) and in Section 6-33
30 of the Liquor Control Act of 1934, no driver may transport,

1 carry, possess or have any alcoholic liquor within the
2 passenger area of any motor vehicle upon a highway in this
3 State except in the original container and with the seal
4 unbroken.

5 (b) Except as provided in paragraph (c) and in Section 6-33
6 of the Liquor Control Act of 1934, no passenger may carry,
7 possess or have any alcoholic liquor within any passenger area
8 of any motor vehicle upon a highway in this State except in the
9 original container and with the seal unbroken.

10 (c) This Section shall not apply to the passengers in a
11 limousine when it is being used for purposes for which a
12 limousine is ordinarily used, the passengers on a chartered bus
13 when it is being used for purposes for which chartered buses
14 are ordinarily used or on a motor home or mini motor home as
15 defined in Section 1-145.01 of this Code. However, the driver
16 of any such vehicle is prohibited from consuming or having any
17 alcoholic liquor in or about the driver's area. Any evidence of
18 alcoholic consumption by the driver shall be prima facie
19 evidence of such driver's failure to obey this Section. For the
20 purposes of this Section, a limousine is a motor vehicle of the
21 first division with the passenger compartment enclosed by a
22 partition or dividing window used in the for-hire
23 transportation of passengers and operated by an individual in
24 possession of a valid Illinois driver's license of the
25 appropriate classification pursuant to Section 6-104 of this
26 Code.

27 (d) The exemption applicable to chartered buses under
28 paragraph (c) does not apply to any chartered bus being used
29 for school purposes.

30 (e) Any driver who is convicted of violating subsection (a)
31 of this Section for a second or subsequent time within one year
32 of a similar conviction shall be subject to suspension of
33 driving privileges as provided, in paragraph 23 of subsection
34 (a) of Section 6-206 of this Code.

35 (f) Any driver, who is less than 21 years of age at the
36 date of the offense and who is convicted of violating

1 subsection (a) of this Section or a similar provision of a
2 local ordinance, shall be subject to the loss of driving
3 privileges as provided in paragraph 13 of subsection (a) of
4 Section 6-205 of this Code and paragraph 33 of subsection (a)
5 of Section 6-206 of this Code.

6 (Source: P.A. 88-209.)