

HB0701



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0701

Introduced 2/6/2007, by Rep. Paul D. Froehlich

SYNOPSIS AS INTRODUCED:

235 ILCS 5/6-28

from Ch. 43, par. 144d

Amends the Liquor Control Act of 1934 if and only if Senate Bill 948 of the 94th General Assembly becomes law. In a provision involving a prohibition against happy hours, provides that nothing in the provision shall be construed to prohibit a licensee from selling bottles of spirits and delivered to 4 or more people at one time. Effective immediately.

LRB095 06525 KBJ 26627 b

A BILL FOR

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. If and only if Senate Bill 948 of the 94th
5 General Assembly becomes law, the Liquor Control Act of 1934 is
6 amended by changing Section 6-28 as follows:

7 (235 ILCS 5/6-28) (from Ch. 43, par. 144d)

8 Sec. 6-28. Happy hours prohibited. (a) All retail licensees
9 shall maintain a schedule of the prices charged for all drinks
10 of alcoholic liquor to be served and consumed on the licensed
11 premises or in any room or part thereof. Whenever a hotel or
12 multi-use establishment which holds a valid retailer's license
13 operates on its premises more than one establishment at which
14 drinks of alcoholic liquor are sold at retail, the hotel or
15 multi-use establishment shall maintain at each such
16 establishment a separate schedule of the prices charged for
17 such drinks at that establishment.

18 (b) No retail licensee or employee or agent of such
19 licensee shall:

20 (1) serve 2 or more drinks of alcoholic liquor at one
21 time to one person for consumption by that one person,
22 except conducting product sampling pursuant to Section
23 6-31 or selling or delivering wine by the bottle or carafe;

1 (2) sell, offer to sell or serve to any person an
2 unlimited number of drinks of alcoholic liquor during any
3 set period of time for a fixed price, except at private
4 functions not open to the general public;

5 (3) sell, offer to sell or serve any drink of alcoholic
6 liquor to any person on any one date at a reduced price
7 other than that charged other purchasers of drinks on that
8 day where such reduced price is a promotion to encourage
9 consumption of alcoholic liquor, except as authorized in
10 paragraph (7) of subsection (c);

11 (4) increase the volume of alcoholic liquor contained
12 in a drink, or the size of a drink of alcoholic liquor,
13 without increasing proportionately the price regularly
14 charged for the drink on that day;

15 (5) encourage or permit, on the licensed premises, any
16 game or contest which involves drinking alcoholic liquor or
17 the awarding of drinks of alcoholic liquor as prizes for
18 such game or contest on the licensed premises; or

19 (6) advertise or promote in any way, whether on or off
20 the licensed premises, any of the practices prohibited
21 under paragraphs (1) through (5).

22 (c) Nothing in subsection (b) shall be construed to
23 prohibit a licensee from:

24 (1) offering free food or entertainment at any time;

25 (2) including drinks of alcoholic liquor as part of a
26 meal package;

1 (3) including drinks of alcoholic liquor as part of a
2 hotel package;

3 (4) negotiating drinks of alcoholic liquor as part of a
4 contract between a hotel or multi-use establishment and
5 another group for the holding of any function, meeting,
6 convention or trade show;

7 (5) providing room service to persons renting rooms at
8 a hotel;

9 (6) selling pitchers (or the equivalent, including but
10 not limited to buckets), carafes, or bottles of alcoholic
11 liquor which are customarily sold in such manner, ~~or~~
12 ~~selling bottles of spirits,~~ and delivered to 2 or more
13 persons at one time; ~~or~~

14 (7) increasing prices of drinks of alcoholic liquor in
15 lieu of, in whole or in part, a cover charge to offset the
16 cost of special entertainment not regularly scheduled; or ~~or~~

17 (8) selling bottles of spirits and delivered to 4 or
18 more persons at one time.

19 (d) A violation of this Act shall be grounds for suspension
20 or revocation of the retailer's license as provided by this
21 Act.

22 (Source: 94SB0948enr.)

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.