95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5357

by Rep. James D. Brosnahan

SYNOPSIS AS INTRODUCED:

235 ILCS 5/6-15

from Ch. 43, par. 130

Amends the Liquor Control Act of 1934. Makes a technical change in a Section concerning the sale or delivery of alcoholic liquor in public buildings.

LRB095 19182 KBJ 45423 b

AN ACT concerning liquor. 1

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

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

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

7 Sec. 6-15. No alcoholic liquors shall be sold or delivered in any building belonging to or under the the control of the 8 9 State or any political subdivision thereof except as provided 10 in this Act. The corporate authorities of any city, village, incorporated town or township may provide by ordinance, 11 however, that alcoholic liquor may be sold or delivered in any 12 specifically designated building belonging to or under the 13 14 control of the municipality or township, or in any building located on land under the control of the municipality; provided 15 16 that such township complies with all applicable local 17 ordinances in any incorporated area of the township. Alcoholic liquor may be delivered to and sold under the authority of a 18 19 special use permit on any property owned by a conservation district organized under the Conservation District Act, 20 21 provided that (i) the alcoholic liquor is sold only at an event authorized by the governing board of the conservation district, 22 (ii) the issuance of the special use permit is authorized by 23

the local liquor control commissioner of the territory in which 1 2 the property is located, and (iii) the special use permit authorizes the sale of alcoholic liquor for one day or less. 3 Alcoholic liquors may be delivered to and sold at any airport 4 5 belonging to or under the control of a municipality of more 6 than 25,000 inhabitants, or in any building or on any golf course owned by a park district organized under the Park 7 8 District Code, subject to the approval of the governing board 9 of the district, or in any building or on any golf course owned 10 by a forest preserve district organized under the Downstate 11 Forest Preserve District Act, subject to the approval of the 12 governing board of the district, or on the grounds within 500 feet of any building owned by a forest preserve district 13 14 organized under the Downstate Forest Preserve District Act 15 during times when food is dispensed for consumption within 500 16 feet of the building from which the food is dispensed, subject 17 to the approval of the governing board of the district, or in a building owned by a Local Mass Transit District organized under 18 19 the Local Mass Transit District Act, subject to the approval of the governing Board of the District, or in Bicentennial Park, 20 or on the premises of the City of Mendota Lake Park located 21 22 adjacent to Route 51 in Mendota, Illinois, or on the premises 23 of Camden Park in Milan, Illinois, or in the community center owned by the City of Loves Park that is located at 1000 River 24 25 Park Drive in Loves Park, Illinois, or, in connection with the 26 operation of an established food serving facility during times

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

1 shall be limited to the use of the convention or conference 2 participants or participants in cultural, political or educational activities held in such facilities, and provided 3 further that the faculty or staff of the State university or a 4 5 public community college district, or members of an 6 organization of students, alumni, faculty or staff of the State 7 university or a public community college district are active 8 participants in the conference or convention, or in Memorial 9 Stadium on the campus of the University of Illinois at 10 Urbana-Champaign during games in which the Chicago Bears 11 professional football team is playing in that stadium during 12 the renovation of Soldier Field, not more than one and a half 13 hours before the start of the game and not after the end of the 14 third quarter of the game, or in the Pavilion Facility on the 15 campus of the University of Illinois at Chicago during games in 16 which the Chicago Storm professional soccer team is playing in 17 that facility, not more than one and a half hours before the start of the game and not after the end of the third guarter of 18 19 the game, or in the Pavilion Facility on the campus of the 20 University of Illinois at Chicago during games in which the 21 WNBA professional women's basketball team is playing in that 22 facility, not more than one and a half hours before the start 23 of the game and not after the 10-minute mark of the second half 24 of the game, or by a catering establishment which has rented facilities from a board of trustees of a public community 25 26 college district, or in a restaurant that is operated by a

commercial tenant in the North Campus Parking Deck building 1 2 that (1) is located at 1201 West University Avenue, Urbana, Illinois and (2) is owned by the Board of Trustees of the 3 University of Illinois, or, if approved by the District board, 4 5 on land owned by the Metropolitan Sanitary District of Greater 6 Chicago and leased to others for a term of at least 20 years. 7 Nothing in this Section precludes the sale or delivery of 8 alcoholic liquor in the form of original packaged goods in 9 premises located at 500 S. Racine in Chicago belonging to the 10 University of Illinois and used primarily as a grocery store by 11 a commercial tenant during the term of a lease that predates 12 University's acquisition of the premises; the but the University shall have no power or authority to renew, transfer, 13 or extend the lease with terms allowing the sale of alcoholic 14 15 liquor; and the sale of alcoholic liquor shall be subject to 16 all local laws and regulations. After the acquisition by 17 Winnebago County of the property located at 404 Elm Street in Rockford, a commercial tenant who sold alcoholic liquor at 18 retail on a portion of the property under a valid license at 19 20 the time of the acquisition may continue to do so for so long 21 as the tenant and the County may agree under existing or future 22 leases, subject to all local laws and regulations regarding the 23 sale of alcoholic liquor. Each facility shall provide dram shop 24 liability in maximum insurance coverage limits so as to save 25 harmless the State, municipality, State university, airport, 26 golf course, faculty center, facility in which conference and

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

15 Alcoholic liquor may be delivered to and sold at retail in 16 the Dorchester Senior Business Center owned by the Village of 17 Dolton if the alcoholic liquor is sold or dispensed only in connection with organized functions for which the planned 18 attendance is 20 or more persons, and if the person or facility 19 20 selling or dispensing the alcoholic liquor has provided dram shop liability insurance in maximum limits so as to hold 21 22 harmless the Village of Dolton and the State from all financial 23 loss, damage and harm.

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

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(i) the Adjutant General's written consent to the

1 issuance of a license to sell alcoholic liquor in such 2 building is filed with the Commission;

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

6 (iii) the organized function is one for which the 7 planned attendance is 25 or more persons; and

8 (iv) the facility selling or dispensing the alcoholic 9 liquors has provided dram shop liability insurance in 10 maximum limits so as to save harmless the facility and the 11 State from all financial loss, damage or harm.

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

14 (i) the written consent of the Public Building 15 Commission which administers the Chicago Civic Center is 16 filed with the Commission;

17 (ii) the alcoholic liquor is sold or dispensed only in 18 connection with organized functions held on special 19 occasions;

20 (iii) the organized function is one for which the 21 planned attendance is 25 or more persons;

(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to hold harmless the Civic Center, the City of Chicago and the State from all financial loss, damage or harm; and - 8 - LRB095 19182 KBJ 45423 b

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(v) all applicable local ordinances are complied with. 1 Alcoholic liquors may be delivered or sold in any building 2 belonging to or under the control of any city, village or 3 incorporated town where more than 75% of the 4 physical 5 properties of the building is used for commercial or 6 recreational purposes, and the building is located upon a pier 7 extending into or over the waters of a navigable lake or stream 8 or on the shore of a navigable lake or stream. Alcoholic liquor 9 may be sold in buildings under the control of the Department of 10 Natural Resources when written consent to the issuance of a 11 license to sell alcoholic liquor in such buildings is filed 12 with the Commission by the Department of Natural Resources. 13 Alcoholic liquor may be served or delivered in buildings and 14 facilities under the control of the Department of Natural 15 Resources upon the written approval of the Director of Natural 16 Resources acting as the controlling government authority. The 17 Director of Natural Resources may specify conditions on that approval, including but not limited to requirements 18 for 19 insurance and hours of operation. Notwithstanding any other 20 provision of this Act, alcoholic liquor sold by a United States Army Corps of Engineers or Department of Natural Resources 21 22 concessionaire who was operating on June 1, 1991 for 23 on-premises consumption only is not subject to the provisions of Articles IV and IX. Beer and wine may be sold on the 24 premises of the Joliet Park District Stadium owned by the 25 Joliet Park District when written consent to the issuance of a 26

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license to sell beer and wine in such premises is filed with 1 2 the local liquor commissioner by the Joliet Park District. Beer and wine may be sold in buildings on the grounds of State 3 veterans' homes when written consent to the issuance of a 4 5 license to sell beer and wine in such buildings is filed with the Commission by the Department of Veterans' Affairs, and the 6 7 facility shall provide dram shop liability in maximum insurance 8 coverage limits so as to save the facility harmless from all 9 financial loss, damage or harm. Such liquors may be delivered 10 to and sold at any property owned or held under lease by a 11 Metropolitan Pier and Exposition Authority or Metropolitan 12 Exposition and Auditorium Authority.

13 Beer and wine may be sold and dispensed at professional 14 sporting events and at professional concerts and other 15 entertainment events conducted on premises owned by the Forest 16 Preserve District of Kane County, subject to the control of the 17 District Commissioners and applicable local law, provided that dram shop liability insurance is provided at maximum coverage 18 limits so as to hold the District harmless from all financial 19 20 loss, damage and harm.

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

Alcoholic liquors may be sold at retail in buildings in State parks under the control of the Department of Natural

1 Resources, provided:

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

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

9 c. the alcoholic liquors are sold by the State park 10 lodge or restaurant concessionaire only during the hours 11 from 11 o'clock a.m. until 12 o'clock midnight. 12 Notwithstanding any other provision of this Act, alcoholic 13 liquor sold by the State park or restaurant concessionaire 14 is not subject to the provisions of Articles IV and IX.

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

19 a. the property has overnight lodging facilities with 20 some restaurant facilities or, not having overnight 21 lodging facilities, has restaurant facilities which serve 22 complete luncheon and dinner or supper meals,

23 b. consent to the issuance of a license to sell 24 alcoholic liquors in the buildings has been filed with the 25 commission by the Historic Sites and Preservation Division 26 of the Historic Preservation Agency or the Abraham Lincoln

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Presidential Library and Museum, and

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

5 The sale of alcoholic liquors pursuant to this Section does 6 not authorize the establishment and operation of facilities 7 commonly called taverns, saloons, bars, cocktail lounges, and 8 the like except as a part of lodge and restaurant facilities in 9 State parks or golf courses owned by Forest Preserve Districts 10 with a population of less than 3,000,000 or municipalities or 11 park districts.

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

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a. the request is from a not-for-profit organization;b. such sales would not impede normal operations of the departments involved;

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

24 d. no such sale shall be made during normal working25 hours of the State of Illinois; and

e. the consent is in writing.

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

8 Alcoholic liquors may be provided in long term care 9 facilities owned or operated by a county under Division 5-21 or 10 5-22 of the Counties Code, when approved by the facility operator and not in conflict with the regulations of the 11 12 Illinois Department of Public Health, to residents of the 13 facility who have had their consumption of the alcoholic liquors provided approved in writing by a physician licensed to 14 15 practice medicine in all its branches.

16 Alcoholic liquors may be delivered to and dispensed in 17 State housing assigned to employees of the Department of 18 Corrections. No person shall furnish or allow to be furnished 19 any alcoholic liquors to any prisoner confined in any jail, 20 reformatory, prison or house of correction except upon a 21 physician's prescription for medicinal purposes.

Alcoholic liquors may be sold at retail or dispensed at the Willard Ice Building in Springfield, at the State Library in Springfield, and at Illinois State Museum facilities by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written

permission to sell or dispense alcoholic liquors from the controlling government authority, or by (2) a not-for-profit organization, provided that such organization:

a. Obtains written consent from the controlling
government authority;

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

9 c. Sells or dispenses alcoholic liquors only in 10 connection with an official activity in the building;

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

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

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

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Alcoholic liquors may be delivered to and sold at retail or 1 dispensed at any facility, property or building under the 2 jurisdiction of the Historic Sites and Preservation Division of 3 the Historic Preservation Agency or the Abraham Lincoln 4 5 Presidential Library and Museum where the delivery, sale or 6 dispensing is by (1) an agency of the State, whether 7 legislative, judicial or executive, provided that such agency 8 first obtains written permission to sell or dispense alcoholic 9 liquors from a controlling government authority, or by (2) an 10 individual or organization provided that such individual or 11 organization:

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a. Obtains written consent from the controlling government authority;

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

17 c. Sells or dispenses alcoholic liquors only in 18 connection with an official activity of the individual or 19 organization in the facility, property or 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 The controlling government authority for the Historic

1 Sites and Preservation Division of the Historic Preservation 2 Agency shall be the Director of the Historic Sites and 3 Preservation, and the controlling government authority for the 4 Abraham Lincoln Presidential Library and Museum shall be the 5 Director of the Abraham Lincoln Presidential Library and 6 Museum.

7 Alcoholic liquors may be delivered to and sold at retail or 8 dispensed for consumption at the Michael Bilandic Building at 9 160 North LaSalle Street, Chicago IL 60601, after the normal 10 business hours of any day care or child care facility located 11 in the building, by (1) a commercial tenant or subtenant 12 conducting business on the premises under a lease made pursuant to Section 405-315 of the Department of Central Management 13 Services Law (20 ILCS 405/405-315), provided that such tenant 14 or subtenant who accepts delivery of, sells, or dispenses 15 16 alcoholic liquors shall procure and maintain dram shop 17 liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify, and save harmless the 18 19 State of Illinois from all financial loss, damage, or harm arising out of the delivery, sale, or dispensing of alcoholic 20 21 liquors, or by (2) an agency of the State, whether legislative, 22 judicial, or executive, provided that such agency first obtains 23 written permission to accept delivery of and sell or dispense alcoholic liquors from the Director of Central Management 24 25 Services, or by (3) a not-for-profit organization, provided 26 that such organization:

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

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

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

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.

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

Alcoholic liquors may be sold at retail or dispensed at the James R. Thompson Center in Chicago, subject to the provisions of Section 7.4 of the State Property Control Act, and 222 South College Street in Springfield, Illinois by (1) a commercial tenant or subtenant conducting business on the premises under a lease or sublease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS

405/405-315), provided that such tenant or subtenant who sells 1 2 or dispenses alcoholic liquors shall procure and maintain dram 3 shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, indemnify and save harmless 4 5 the State of Illinois from all financial loss, damage or harm arising out of the sale or dispensing of alcoholic liquors, or 6 7 by (2) an agency of the State, whether legislative, judicial or 8 executive, provided that such agency first obtains written 9 permission to 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:

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

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

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

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

Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the services

of a catering establishment for the selling or dispensing of
 alcoholic liquors at functions authorized by the Director of
 Central Management Services.

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

9 Alcoholic liquors may be sold at retail or dispensed at the 10 Rockford State Office Building by (1) an agency of the State, 11 whether legislative, judicial or executive, provided that such 12 agency first obtains written permission to sell or dispense 13 alcoholic liquors from the Department of Central Management 14 Services, or by (2) a not-for-profit organization, provided 15 that such organization:

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

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

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

d. Provides, or its catering service provides, dram
shop liability insurance in maximum coverage limits and in
which the carrier agrees to defend, save harmless and
indemnify the State of Illinois from all financial loss,

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damage or harm arising out of the selling or dispensing of
 alcoholic liquors.

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

Alcoholic liquors may be sold or delivered in a building 8 9 that is owned by McLean County, situated on land owned by the 10 county in the City of Bloomington, and used by the McLean 11 County Historical Society if the sale or delivery is approved 12 by an ordinance adopted by the county board, and the municipality in which the building is located may not prohibit 13 that sale or delivery, notwithstanding any other provision of 14 15 this Section. The regulation of the sale and delivery of 16 alcoholic liquor in a building that is owned by McLean County, 17 situated on land owned by the county, and used by the McLean County Historical Society as provided in this paragraph is an 18 exclusive power and function of the State and is a denial and 19 limitation under Article VII, Section 6, subsection (h) of the 20 Illinois Constitution of the power of a home rule municipality 21 22 to regulate that sale and delivery.

Alcoholic liquors may be sold or delivered in any building situated on land held in trust for any school district organized under Article 34 of the School Code, if the building is not used for school purposes and if the sale or delivery is HB5357 - 20 - LRB095 19182 KBJ 45423 b

1 approved by the board of education.

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

8 Alcoholic liquors may be sold or delivered in the building 9 located at 1200 Centerville Avenue in Belleville, Illinois and 10 occupied by either the Belleville Area Special Education 11 District or the Belleville Area Special Services Cooperative.

12 Alcoholic liquors may be delivered to and sold at the Louis 13 Joliet Renaissance Center, City Center Campus, located at 214 14 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts 15 Department facilities, Main Campus, located at 1215 Houbolt 16 Road, Joliet, owned by or under the control of Joliet Junior 17 College, Illinois Community College District No. 525.

Alcoholic liquors may be delivered to and sold at the 18 building located at 446 East Hickory Avenue in Apple River, 19 20 Illinois, owned by the Apple River Fire Protection District, and occupied by the Apple River Community Association if the 21 22 alcoholic liquor is sold or dispensed only in connection with 23 organized functions approved by the Apple River Community Association for which the planned attendance is 20 or more 24 25 persons and if the person or facility selling or dispensing the 26 alcoholic liquor has provided dram shop liability insurance in

1 maximum limits so as to hold harmless the Apple River Fire 2 Protection District, the Village of Apple River, and the Apple 3 River Community Association from all financial loss, damage, 4 and harm.

5 (Source: P.A. 93-19, eff. 6-20-03; 93-103, eff. 1-1-04; 93-627, 6 eff. 6-1-04; 93-844, eff. 7-30-04; 94-300, eff. 7-21-05; 7 94-382, eff. 7-29-05; 94-463, eff. 8-4-05; 94-1015, eff. 8 7-7-06.)