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 changing Section 6-35 as follows:
- 6 (235 ILCS 5/6-35)

7 (This Section may contain text from a Public Act with a8 delayed effective date)

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## Sec. 6-35. Alcopops Alcopop advertising.

For purposes of this Section, "alcopop" means a 10 (a) flavored alcoholic beverage or flavored malt beverage that 11 includes (i) a malt beverage containing a malt base or beer and 12 13 added natural or artificial blending material, such as fruit 14 juices, flavors, flavorings, colorings, or preservatives where such blending material constitutes .5% or more of the alcohol 15 16 by volume contained in the finished beverage; (ii) a beverage 17 containing wine and more than 15% added natural or artificial blending material, such as fruit juices, flavors, flavorings, 18 19 adjuncts, water (plain, carbonated, or sparkling), or 20 colorings, or preservatives; or (iii) a beverage containing 21 distilled alcohol and added natural or artificial blending 22 fruit juices, flavors, flavorings, material, such as colorings, or preservatives; or (iv) an alcohol malt beverage 23

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<u>containing caffeine, guarana, taurine, or ginseng, where the</u>
 beverage constitutes 0.5% or more of alcohol by volume.

3 (b) No entity may advertise, promote, or market any alcopop 4 beverages toward children. Advertise, promote, or market 5 includes, but is not limited to the following:

6 (1) the use of cartoons and youth-orientated photos in 7 advertising, promotion, packaging, or labeling of alcohol 8 products;

9 (2) sponsorships of athletic events where the intended
10 audience is primarily children;

(3) billboards advertising alcopops, as defined in items (i), (ii), and (iii) of subsection (a) of this Section, placed within 500 feet of schools, public parks, amusement parks, and places of worship; and

(4) the display of any alcopop beverage in any
videogame, theater production, or other live performances
where the intended audience is primarily children.

18 (c) No entity shall sell for consumption an alcohol malt 19 beverage containing caffeine, quarana, taurine, or ginseng, 20 where the beverage constitutes 0.5% or more of alcohol by 21 volume, unless individual containers of the beverage have 22 imprinted on each individual container the following:

23 24

## (1) the words "contains alcohol"; and

(2) the alcohol content of the beverage.

25 (d) (c) Any person who violates this Section is guilty of a
 26 business offense and shall be fined \$500 for a first offense

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 and \$1,000 for a second or subsequent offense.
 (e) Nothing in this Section shall be construed to be
 inconsistent with any other provision of this Section or any

4 other State or federal laws, rules, or regulations regarding

5 the labeling of alcoholic beverages.

6 (Source: P.A. 95-618, eff. 6-1-08.)

7 Section 99. Effective date. This Act takes effect January8 1, 2009.