



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

HB3450

Introduced 2/24/2011, by Rep. Frank J. Mautino

#### SYNOPSIS AS INTRODUCED:

235 ILCS 5/7-1

from Ch. 43, par. 145

235 ILCS 5/7-15 new

Amends the Liquor Control Act of 1934. Provides that beginning on January 1, 2012, the State Commission shall send, through electronic mail, all licensees a reminder of the date each State license expires. Provides that the State Commission shall notify each licensee through electronic mail 30 days prior to the expiration date of his or her license. Provides that the State Commission is not required to comply with this notification requirement if the licensee does not provide the State Commission his or her electronic mail address. Effective immediately.

LRB097 08792 ASK 48922 b

FISCAL NOTE ACT  
MAY APPLY

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. The Liquor Control Act of 1934 is amended by  
5 changing Section 7-1 and by adding Section 7-15 as follows:

6 (235 ILCS 5/7-1) (from Ch. 43, par. 145)

7 Sec. 7-1. An applicant for a retail license from the State  
8 Commission shall submit to the State Commission an application  
9 in writing under oath stating:

10 (1) The applicant's name, ~~and~~ mailing address and, if  
11 applicable, the applicant's electronic mail address;

12 (2) The name and address of the applicant's business;

13 (3) If applicable, the date of the filing of the  
14 "assumed name" of the business with the County Clerk;

15 (4) In case of a copartnership, the date of the  
16 formation of the partnership; in the case of an Illinois  
17 corporation, the date of its incorporation; or in the case  
18 of a foreign corporation, the State where it was  
19 incorporated and the date of its becoming qualified under  
20 the Business Corporation Act of 1983 to transact business  
21 in the State of Illinois;

22 (5) The number, the date of issuance and the date of  
23 expiration of the applicant's current local retail liquor

1 license;

2 (6) The name of the city, village, or county that  
3 issued the local retail liquor license;

4 (7) The name and address of the landlord if the  
5 premises are leased;

6 (8) The date of the applicant's first request for a  
7 State liquor license and whether it was granted, denied or  
8 withdrawn;

9 (9) The address of the applicant when the first  
10 application for a State liquor license was made;

11 (10) The applicant's current State liquor license  
12 number;

13 (11) The date the applicant began liquor sales at his  
14 place of business;

15 (12) The address of the applicant's warehouse if he  
16 warehouses liquor;

17 (13) The applicant's Retailer's Occupation Tax (ROT)  
18 Registration Number;

19 (14) The applicant's document locator number on his  
20 Federal Special Tax Stamp;

21 (15) Whether the applicant is delinquent in the payment  
22 of the Retailer's Occupational Tax (Sales Tax), and if so,  
23 the reasons therefor;

24 (16) Whether the applicant is delinquent under the cash  
25 beer law, and if so, the reasons therefor;

26 (17) In the case of a retailer, whether he is

1 delinquent under the 30 day credit law, and if so, the  
2 reasons therefor;

3 (18) In the case of a distributor, whether he is  
4 delinquent under the 15 day credit law, and if so, the  
5 reasons therefor;

6 (19) Whether the applicant has made an application for  
7 a liquor license which has been denied, and if so, the  
8 reasons therefor;

9 (20) Whether the applicant has ever had any previous  
10 liquor license suspended or revoked, and if so, the reasons  
11 therefor;

12 (21) Whether the applicant has ever been convicted of a  
13 gambling offense or felony, and if so, the particulars  
14 thereof;

15 (22) Whether the applicant possesses a current Federal  
16 Wagering Stamp, and if so, the reasons therefor;

17 (23) Whether the applicant, or any other person,  
18 directly in his place of business is a public official, and  
19 if so, the particulars thereof;

20 (24) The applicant's name, sex, date of birth, social  
21 security number, position and percentage of ownership in  
22 the business; and the name, sex, date of birth, social  
23 security number, position and percentage of ownership in  
24 the business of every sole owner, partner, corporate  
25 officer, director, manager and any person who owns 5% or  
26 more of the shares of the applicant business entity or

1 parent corporations of the applicant business entity; and

2 (25) That he has not received or borrowed money or  
3 anything else of value, and that he will not receive or  
4 borrow money or anything else of value (other than  
5 merchandising credit in the ordinary course of business for  
6 a period not to exceed 90 days as herein expressly  
7 permitted under Section 6-5 hereof), directly or  
8 indirectly, from any manufacturer, importing distributor  
9 or distributor or from any representative of any such  
10 manufacturer, importing distributor or distributor, nor be  
11 a party in any way, directly or indirectly, to any  
12 violation by a manufacturer, distributor or importing  
13 distributor of Section 6-6 of this Act.

14 In addition to any other requirement of this Section, an  
15 applicant for a special use permit license and a special event  
16 retailer's license shall also submit (A) proof satisfactory to  
17 the Commission that the applicant has a resale number issued  
18 under Section 2c of the Retailer's Occupation Tax Act or that  
19 the applicant is registered under Section 2a of the Retailer's  
20 Occupation Tax Act, (B) proof satisfactory to the Commission  
21 that the applicant has a current, valid exemption  
22 identification number issued under Section 1g of the Retailers'  
23 Occupation Tax Act and a certification to the Commission that  
24 the purchase of alcoholic liquors will be a tax-exempt  
25 purchase, or (C) a statement that the applicant is not  
26 registered under Section 2a of the Retailers' Occupation Tax

1 Act, does not hold a resale number under Section 2c of the  
2 Retailers' Occupation Tax Act, and does not hold an exemption  
3 number under Section 1g of the Retailers' Occupation Tax Act.  
4 The applicant shall also submit proof of adequate dram shop  
5 insurance for the special event prior to being issued a  
6 license.

7 In addition to the foregoing information, such application  
8 shall contain such other and further information as the State  
9 Commission and the local commission may, by rule or regulation  
10 not inconsistent with law, prescribe.

11 If the applicant reports a felony conviction as required  
12 under paragraph (21) of this Section, such conviction may be  
13 considered by the Commission in determining qualifications for  
14 licensing, but shall not operate as a bar to licensing.

15 If said application is made in behalf of a partnership,  
16 firm, association, club or corporation, then the same shall be  
17 signed by one member of such partnership or the president or  
18 secretary of such corporation or an authorized agent of said  
19 partnership or corporation.

20 All other applications shall be on forms prescribed by the  
21 State Commission, and which may exclude any of the above  
22 requirements which the State Commission rules to be  
23 inapplicable.

24 (Source: P.A. 90-596, eff. 6-24-98; 91-357, eff. 7-29-99.)

25 (235 ILCS 5/7-15 new)

1       Sec. 7-15. License renewal notification. Beginning on  
2       January 1, 2012, the State Commission shall send, through  
3       electronic mail, all licensees a reminder of the date each  
4       State license expires. The State Commission shall notify each  
5       licensee through electronic mail 30 days prior to the  
6       expiration date of his or her license. The State Commission is  
7       not required to comply with this Section if the licensee does  
8       not provide the State Commission his or her electronic mail  
9       address.

10       Section 99. Effective date. This Act takes effect upon  
11       becoming law.