

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 Sections 5-1, 6-4, 6-11, and 6-15 as follows:

6 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

7 Sec. 5-1. Licenses issued by the Illinois Liquor Control
8 Commission shall be of the following classes:

9 (a) Manufacturer's license - Class 1. Distiller, Class 2.
10 Rectifier, Class 3. Brewer, Class 4. First Class Wine
11 Manufacturer, Class 5. Second Class Wine Manufacturer, Class 6.
12 First Class Winemaker, Class 7. Second Class Winemaker, Class
13 8. Limited Wine Manufacturer, Class 9. Craft Distiller, Class
14 10. Craft Brewer,

15 (b) Distributor's license,

16 (c) Importing Distributor's license,

17 (d) Retailer's license,

18 (e) Special Event Retailer's license (not-for-profit),

19 (f) Railroad license,

20 (g) Boat license,

21 (h) Non-Beverage User's license,

22 (i) Wine-maker's premises license,

23 (j) Airplane license,

- 1 (k) Foreign importer's license,
2 (l) Broker's license,
3 (m) Non-resident dealer's license,
4 (n) Brew Pub license,
5 (o) Auction liquor license,
6 (p) Caterer retailer license,
7 (q) Special use permit license,
8 (r) Winery shipper's license.

9 No person, firm, partnership, corporation, or other legal
10 business entity that is engaged in the manufacturing of wine
11 may concurrently obtain and hold a wine-maker's license and a
12 wine manufacturer's license.

13 (a) A manufacturer's license shall allow the manufacture,
14 importation in bulk, storage, distribution and sale of
15 alcoholic liquor to persons without the State, as may be
16 permitted by law and to licensees in this State as follows:

17 Class 1. A Distiller may make sales and deliveries of
18 alcoholic liquor to distillers, rectifiers, importing
19 distributors, distributors and non-beverage users and to no
20 other licensees.

21 Class 2. A Rectifier, who is not a distiller, as defined
22 herein, may make sales and deliveries of alcoholic liquor to
23 rectifiers, importing distributors, distributors, retailers
24 and non-beverage users and to no other licensees.

25 Class 3. A Brewer may make sales and deliveries of beer to
26 importing distributors and distributors and may make sales as

1 authorized under subsection (e) of Section 6-4 of this Act.

2 Class 4. A first class wine-manufacturer may make sales and
3 deliveries of up to 50,000 gallons of wine to manufacturers,
4 importing distributors and distributors, and to no other
5 licensees.

6 Class 5. A second class Wine manufacturer may make sales
7 and deliveries of more than 50,000 gallons of wine to
8 manufacturers, importing distributors and distributors and to
9 no other licensees.

10 Class 6. A first-class wine-maker's license shall allow the
11 manufacture of up to 50,000 gallons of wine per year, and the
12 storage and sale of such wine to distributors in the State and
13 to persons without the State, as may be permitted by law. A
14 person who, prior to the effective date of this amendatory Act
15 of the 95th General Assembly, is a holder of a first-class
16 wine-maker's license and annually produces more than 25,000
17 gallons of its own wine and who distributes its wine to
18 licensed retailers shall cease this practice on or before July
19 1, 2008 in compliance with this amendatory Act of the 95th
20 General Assembly.

21 Class 7. A second-class wine-maker's license shall allow
22 the manufacture of between 50,000 and 150,000 gallons of wine
23 per year, and the storage and sale of such wine to distributors
24 in this State and to persons without the State, as may be
25 permitted by law. A person who, prior to the effective date of
26 this amendatory Act of the 95th General Assembly, is a holder

1 of a second-class wine-maker's license and annually produces
2 more than 25,000 gallons of its own wine and who distributes
3 its wine to licensed retailers shall cease this practice on or
4 before July 1, 2008 in compliance with this amendatory Act of
5 the 95th General Assembly.

6 Class 8. A limited wine-manufacturer may make sales and
7 deliveries not to exceed 40,000 gallons of wine per year to
8 distributors, and to non-licensees in accordance with the
9 provisions of this Act.

10 Class 9. A craft distiller license shall allow the
11 manufacture of up to 30,000 gallons of spirits by distillation
12 for one year after the effective date of this amendatory Act of
13 the 97th General Assembly and up to 35,000 ~~up to 15,000~~ gallons
14 of spirits by distillation per year thereafter and the storage
15 of such spirits. If a craft distiller licensee is not
16 affiliated with any other manufacturer, then the craft
17 distiller licensee may sell such spirits to distributors in
18 this State and up to 2,500 gallons of such spirits to ~~and~~
19 non-licensees to the extent permitted by any exemption approved
20 by the Commission pursuant to Section 6-4 of this Act.

21 Any craft distiller licensed under this Act who on the
22 effective date of this amendatory Act of the 96th General
23 Assembly was licensed as a distiller and manufactured no more
24 spirits than permitted by this Section shall not be required to
25 pay the initial licensing fee.

26 Class 10. A craft brewer's license, which may only be

1 issued to a licensed brewer or licensed non-resident dealer,
2 shall allow the manufacture of up to 465,000 gallons of beer
3 per year. A craft brewer licensee may make sales and deliveries
4 to importing distributors and distributors and to retail
5 licensees in accordance with the conditions set forth in
6 paragraph (18) of subsection (a) of Section 3-12 of this Act.

7 (a-1) A manufacturer which is licensed in this State to
8 make sales or deliveries of alcoholic liquor and which enlists
9 agents, representatives, or individuals acting on its behalf
10 who contact licensed retailers on a regular and continual basis
11 in this State must register those agents, representatives, or
12 persons acting on its behalf with the State Commission.

13 Registration of agents, representatives, or persons acting
14 on behalf of a manufacturer is fulfilled by submitting a form
15 to the Commission. The form shall be developed by the
16 Commission and shall include the name and address of the
17 applicant, the name and address of the manufacturer he or she
18 represents, the territory or areas assigned to sell to or
19 discuss pricing terms of alcoholic liquor, and any other
20 questions deemed appropriate and necessary. All statements in
21 the forms required to be made by law or by rule shall be deemed
22 material, and any person who knowingly misstates any material
23 fact under oath in an application is guilty of a Class B
24 misdemeanor. Fraud, misrepresentation, false statements,
25 misleading statements, evasions, or suppression of material
26 facts in the securing of a registration are grounds for

1 suspension or revocation of the registration.

2 (b) A distributor's license shall allow the wholesale
3 purchase and storage of alcoholic liquors and sale of alcoholic
4 liquors to licensees in this State and to persons without the
5 State, as may be permitted by law.

6 (c) An importing distributor's license may be issued to and
7 held by those only who are duly licensed distributors, upon the
8 filing of an application by a duly licensed distributor, with
9 the Commission and the Commission shall, without the payment of
10 any fee, immediately issue such importing distributor's
11 license to the applicant, which shall allow the importation of
12 alcoholic liquor by the licensee into this State from any point
13 in the United States outside this State, and the purchase of
14 alcoholic liquor in barrels, casks or other bulk containers and
15 the bottling of such alcoholic liquors before resale thereof,
16 but all bottles or containers so filled shall be sealed,
17 labeled, stamped and otherwise made to comply with all
18 provisions, rules and regulations governing manufacturers in
19 the preparation and bottling of alcoholic liquors. The
20 importing distributor's license shall permit such licensee to
21 purchase alcoholic liquor from Illinois licensed non-resident
22 dealers and foreign importers only.

23 (d) A retailer's license shall allow the licensee to sell
24 and offer for sale at retail, only in the premises specified in
25 the license, alcoholic liquor for use or consumption, but not
26 for resale in any form. Nothing in this amendatory Act of the

1 95th General Assembly shall deny, limit, remove, or restrict
2 the ability of a holder of a retailer's license to transfer,
3 deliver, or ship alcoholic liquor to the purchaser for use or
4 consumption subject to any applicable local law or ordinance.
5 Any retail license issued to a manufacturer shall only permit
6 the manufacturer to sell beer at retail on the premises
7 actually occupied by the manufacturer. For the purpose of
8 further describing the type of business conducted at a retail
9 licensed premises, a retailer's licensee may be designated by
10 the State Commission as (i) an on premise consumption retailer,
11 (ii) an off premise sale retailer, or (iii) a combined on
12 premise consumption and off premise sale retailer.

13 Notwithstanding any other provision of this subsection
14 (d), a retail licensee may sell alcoholic liquors to a special
15 event retailer licensee for resale to the extent permitted
16 under subsection (e).

17 (e) A special event retailer's license (not-for-profit)
18 shall permit the licensee to purchase alcoholic liquors from an
19 Illinois licensed distributor (unless the licensee purchases
20 less than \$500 of alcoholic liquors for the special event, in
21 which case the licensee may purchase the alcoholic liquors from
22 a licensed retailer) and shall allow the licensee to sell and
23 offer for sale, at retail, alcoholic liquors for use or
24 consumption, but not for resale in any form and only at the
25 location and on the specific dates designated for the special
26 event in the license. An applicant for a special event retailer

1 license must (i) furnish with the application: (A) a resale
2 number issued under Section 2c of the Retailers' Occupation Tax
3 Act or evidence that the applicant is registered under Section
4 2a of the Retailers' Occupation Tax Act, (B) a current, valid
5 exemption identification number issued under Section 1g of the
6 Retailers' Occupation Tax Act, and a certification to the
7 Commission that the purchase of alcoholic liquors will be a
8 tax-exempt purchase, or (C) a statement that the applicant is
9 not registered under Section 2a of the Retailers' Occupation
10 Tax Act, does not hold a resale number under Section 2c of the
11 Retailers' Occupation Tax Act, and does not hold an exemption
12 number under Section 1g of the Retailers' Occupation Tax Act,
13 in which event the Commission shall set forth on the special
14 event retailer's license a statement to that effect; (ii)
15 submit with the application proof satisfactory to the State
16 Commission that the applicant will provide dram shop liability
17 insurance in the maximum limits; and (iii) show proof
18 satisfactory to the State Commission that the applicant has
19 obtained local authority approval.

20 (f) A railroad license shall permit the licensee to import
21 alcoholic liquors into this State from any point in the United
22 States outside this State and to store such alcoholic liquors
23 in this State; to make wholesale purchases of alcoholic liquors
24 directly from manufacturers, foreign importers, distributors
25 and importing distributors from within or outside this State;
26 and to store such alcoholic liquors in this State; provided

1 that the above powers may be exercised only in connection with
2 the importation, purchase or storage of alcoholic liquors to be
3 sold or dispensed on a club, buffet, lounge or dining car
4 operated on an electric, gas or steam railway in this State;
5 and provided further, that railroad licensees exercising the
6 above powers shall be subject to all provisions of Article VIII
7 of this Act as applied to importing distributors. A railroad
8 license shall also permit the licensee to sell or dispense
9 alcoholic liquors on any club, buffet, lounge or dining car
10 operated on an electric, gas or steam railway regularly
11 operated by a common carrier in this State, but shall not
12 permit the sale for resale of any alcoholic liquors to any
13 licensee within this State. A license shall be obtained for
14 each car in which such sales are made.

15 (g) A boat license shall allow the sale of alcoholic liquor
16 in individual drinks, on any passenger boat regularly operated
17 as a common carrier on navigable waters in this State or on any
18 riverboat operated under the Riverboat Gambling Act, which boat
19 or riverboat maintains a public dining room or restaurant
20 thereon.

21 (h) A non-beverage user's license shall allow the licensee
22 to purchase alcoholic liquor from a licensed manufacturer or
23 importing distributor, without the imposition of any tax upon
24 the business of such licensed manufacturer or importing
25 distributor as to such alcoholic liquor to be used by such
26 licensee solely for the non-beverage purposes set forth in

1 subsection (a) of Section 8-1 of this Act, and such licenses
 2 shall be divided and classified and shall permit the purchase,
 3 possession and use of limited and stated quantities of
 4 alcoholic liquor as follows:

- 5 Class 1, not to exceed 500 gallons
- 6 Class 2, not to exceed 1,000 gallons
- 7 Class 3, not to exceed 5,000 gallons
- 8 Class 4, not to exceed 10,000 gallons
- 9 Class 5, not to exceed 50,000 gallons

10 (i) A wine-maker's premises license shall allow a licensee
 11 that concurrently holds a first-class wine-maker's license to
 12 sell and offer for sale at retail in the premises specified in
 13 such license not more than 50,000 gallons of the first-class
 14 wine-maker's wine that is made at the first-class wine-maker's
 15 licensed premises per year for use or consumption, but not for
 16 resale in any form. A wine-maker's premises license shall allow
 17 a licensee who concurrently holds a second-class wine-maker's
 18 license to sell and offer for sale at retail in the premises
 19 specified in such license up to 100,000 gallons of the
 20 second-class wine-maker's wine that is made at the second-class
 21 wine-maker's licensed premises per year for use or consumption
 22 but not for resale in any form. A wine-maker's premises license
 23 shall allow a licensee that concurrently holds a first-class
 24 wine-maker's license or a second-class wine-maker's license to
 25 sell and offer for sale at retail at the premises specified in
 26 the wine-maker's premises license, for use or consumption but

1 not for resale in any form, any beer, wine, and spirits
2 purchased from a licensed distributor. Upon approval from the
3 State Commission, a wine-maker's premises license shall allow
4 the licensee to sell and offer for sale at (i) the wine-maker's
5 licensed premises and (ii) at up to 2 additional locations for
6 use and consumption and not for resale. Each location shall
7 require additional licensing per location as specified in
8 Section 5-3 of this Act. A wine-maker's premises licensee shall
9 secure liquor liability insurance coverage in an amount at
10 least equal to the maximum liability amounts set forth in
11 subsection (a) of Section 6-21 of this Act.

12 (j) An airplane license shall permit the licensee to import
13 alcoholic liquors into this State from any point in the United
14 States outside this State and to store such alcoholic liquors
15 in this State; to make wholesale purchases of alcoholic liquors
16 directly from manufacturers, foreign importers, distributors
17 and importing distributors from within or outside this State;
18 and to store such alcoholic liquors in this State; provided
19 that the above powers may be exercised only in connection with
20 the importation, purchase or storage of alcoholic liquors to be
21 sold or dispensed on an airplane; and provided further, that
22 airplane licensees exercising the above powers shall be subject
23 to all provisions of Article VIII of this Act as applied to
24 importing distributors. An airplane licensee shall also permit
25 the sale or dispensing of alcoholic liquors on any passenger
26 airplane regularly operated by a common carrier in this State,

1 but shall not permit the sale for resale of any alcoholic
2 liquors to any licensee within this State. A single airplane
3 license shall be required of an airline company if liquor
4 service is provided on board aircraft in this State. The annual
5 fee for such license shall be as determined in Section 5-3.

6 (k) A foreign importer's license shall permit such licensee
7 to purchase alcoholic liquor from Illinois licensed
8 non-resident dealers only, and to import alcoholic liquor other
9 than in bulk from any point outside the United States and to
10 sell such alcoholic liquor to Illinois licensed importing
11 distributors and to no one else in Illinois; provided that (i)
12 the foreign importer registers with the State Commission every
13 brand of alcoholic liquor that it proposes to sell to Illinois
14 licensees during the license period, (ii) the foreign importer
15 complies with all of the provisions of Section 6-9 of this Act
16 with respect to registration of such Illinois licensees as may
17 be granted the right to sell such brands at wholesale, and
18 (iii) the foreign importer complies with the provisions of
19 Sections 6-5 and 6-6 of this Act to the same extent that these
20 provisions apply to manufacturers.

21 (l) (i) A broker's license shall be required of all persons
22 who solicit orders for, offer to sell or offer to supply
23 alcoholic liquor to retailers in the State of Illinois, or who
24 offer to retailers to ship or cause to be shipped or to make
25 contact with distillers, rectifiers, brewers or manufacturers
26 or any other party within or without the State of Illinois in

1 order that alcoholic liquors be shipped to a distributor,
2 importing distributor or foreign importer, whether such
3 solicitation or offer is consummated within or without the
4 State of Illinois.

5 No holder of a retailer's license issued by the Illinois
6 Liquor Control Commission shall purchase or receive any
7 alcoholic liquor, the order for which was solicited or offered
8 for sale to such retailer by a broker unless the broker is the
9 holder of a valid broker's license.

10 The broker shall, upon the acceptance by a retailer of the
11 broker's solicitation of an order or offer to sell or supply or
12 deliver or have delivered alcoholic liquors, promptly forward
13 to the Illinois Liquor Control Commission a notification of
14 said transaction in such form as the Commission may by
15 regulations prescribe.

16 (ii) A broker's license shall be required of a person
17 within this State, other than a retail licensee, who, for a fee
18 or commission, promotes, solicits, or accepts orders for
19 alcoholic liquor, for use or consumption and not for resale, to
20 be shipped from this State and delivered to residents outside
21 of this State by an express company, common carrier, or
22 contract carrier. This Section does not apply to any person who
23 promotes, solicits, or accepts orders for wine as specifically
24 authorized in Section 6-29 of this Act.

25 A broker's license under this subsection (1) shall not
26 entitle the holder to buy or sell any alcoholic liquors for his

1 own account or to take or deliver title to such alcoholic
2 liquors.

3 This subsection (1) shall not apply to distributors,
4 employees of distributors, or employees of a manufacturer who
5 has registered the trademark, brand or name of the alcoholic
6 liquor pursuant to Section 6-9 of this Act, and who regularly
7 sells such alcoholic liquor in the State of Illinois only to
8 its registrants thereunder.

9 Any agent, representative, or person subject to
10 registration pursuant to subsection (a-1) of this Section shall
11 not be eligible to receive a broker's license.

12 (m) A non-resident dealer's license shall permit such
13 licensee to ship into and warehouse alcoholic liquor into this
14 State from any point outside of this State, and to sell such
15 alcoholic liquor to Illinois licensed foreign importers and
16 importing distributors and to no one else in this State;
17 provided that (i) said non-resident dealer shall register with
18 the Illinois Liquor Control Commission each and every brand of
19 alcoholic liquor which it proposes to sell to Illinois
20 licensees during the license period, (ii) it shall comply with
21 all of the provisions of Section 6-9 hereof with respect to
22 registration of such Illinois licensees as may be granted the
23 right to sell such brands at wholesale, and (iii) the
24 non-resident dealer shall comply with the provisions of
25 Sections 6-5 and 6-6 of this Act to the same extent that these
26 provisions apply to manufacturers.

1 (n) A brew pub license shall allow the licensee (i) to
2 manufacture beer only on the premises specified in the license,
3 (ii) to make sales of the beer manufactured on the premises or,
4 with the approval of the Commission, beer manufactured on
5 another brew pub licensed premises that is substantially owned
6 and operated by the same licensee to importing distributors,
7 distributors, and to non-licensees for use and consumption,
8 (iii) to store the beer upon the premises, and (iv) to sell and
9 offer for sale at retail from the licensed premises, provided
10 that a brew pub licensee shall not sell for off-premises
11 consumption more than 50,000 gallons per year. A person who
12 holds a brew pub license may simultaneously hold a craft brewer
13 license if he or she otherwise qualifies for the craft brewer
14 license and the craft brewer license is for a location separate
15 from the brew pub's licensed premises. A brew pub license shall
16 permit a person who has received prior approval from the
17 Commission to annually transfer no more than a total of 50,000
18 gallons of beer manufactured on premises to all other licensed
19 brew pubs that are substantially owned and operated by the same
20 person.

21 (o) A caterer retailer license shall allow the holder to
22 serve alcoholic liquors as an incidental part of a food service
23 that serves prepared meals which excludes the serving of snacks
24 as the primary meal, either on or off-site whether licensed or
25 unlicensed.

26 (p) An auction liquor license shall allow the licensee to

1 sell and offer for sale at auction wine and spirits for use or
2 consumption, or for resale by an Illinois liquor licensee in
3 accordance with provisions of this Act. An auction liquor
4 license will be issued to a person and it will permit the
5 auction liquor licensee to hold the auction anywhere in the
6 State. An auction liquor license must be obtained for each
7 auction at least 14 days in advance of the auction date.

8 (q) A special use permit license shall allow an Illinois
9 licensed retailer to transfer a portion of its alcoholic liquor
10 inventory from its retail licensed premises to the premises
11 specified in the license hereby created, and to sell or offer
12 for sale at retail, only in the premises specified in the
13 license hereby created, the transferred alcoholic liquor for
14 use or consumption, but not for resale in any form. A special
15 use permit license may be granted for the following time
16 periods: one day or less; 2 or more days to a maximum of 15 days
17 per location in any 12 month period. An applicant for the
18 special use permit license must also submit with the
19 application proof satisfactory to the State Commission that the
20 applicant will provide dram shop liability insurance to the
21 maximum limits and have local authority approval.

22 (r) A winery shipper's license shall allow a person with a
23 first-class or second-class wine manufacturer's license, a
24 first-class or second-class wine-maker's license, or a limited
25 wine manufacturer's license or who is licensed to make wine
26 under the laws of another state to ship wine made by that

1 licensee directly to a resident of this State who is 21 years
2 of age or older for that resident's personal use and not for
3 resale. Prior to receiving a winery shipper's license, an
4 applicant for the license must provide the Commission with a
5 true copy of its current license in any state in which it is
6 licensed as a manufacturer of wine. An applicant for a winery
7 shipper's license must also complete an application form that
8 provides any other information the Commission deems necessary.
9 The application form shall include an acknowledgement
10 consenting to the jurisdiction of the Commission, the Illinois
11 Department of Revenue, and the courts of this State concerning
12 the enforcement of this Act and any related laws, rules, and
13 regulations, including authorizing the Department of Revenue
14 and the Commission to conduct audits for the purpose of
15 ensuring compliance with this amendatory Act.

16 A winery shipper licensee must pay to the Department of
17 Revenue the State liquor gallonage tax under Section 8-1 for
18 all wine that is sold by the licensee and shipped to a person
19 in this State. For the purposes of Section 8-1, a winery
20 shipper licensee shall be taxed in the same manner as a
21 manufacturer of wine. A licensee who is not otherwise required
22 to register under the Retailers' Occupation Tax Act must
23 register under the Use Tax Act to collect and remit use tax to
24 the Department of Revenue for all gallons of wine that are sold
25 by the licensee and shipped to persons in this State. If a
26 licensee fails to remit the tax imposed under this Act in

1 accordance with the provisions of Article VIII of this Act, the
2 winery shipper's license shall be revoked in accordance with
3 the provisions of Article VII of this Act. If a licensee fails
4 to properly register and remit tax under the Use Tax Act or the
5 Retailers' Occupation Tax Act for all wine that is sold by the
6 winery shipper and shipped to persons in this State, the winery
7 shipper's license shall be revoked in accordance with the
8 provisions of Article VII of this Act.

9 A winery shipper licensee must collect, maintain, and
10 submit to the Commission on a semi-annual basis the total
11 number of cases per resident of wine shipped to residents of
12 this State. A winery shipper licensed under this subsection (r)
13 must comply with the requirements of Section 6-29 of this
14 amendatory Act.

15 (Source: P.A. 96-1367, eff. 7-28-10; 97-5, eff. 6-1-11; 97-455,
16 eff. 8-19-11; 97-813, eff. 7-13-12.)

17 (235 ILCS 5/6-4) (from Ch. 43, par. 121)

18 Sec. 6-4. (a) No person licensed by any licensing authority
19 as a distiller, or a wine manufacturer, or any subsidiary or
20 affiliate thereof, or any officer, associate, member, partner,
21 representative, employee, agent or shareholder owning more
22 than 5% of the outstanding shares of such person shall be
23 issued an importing distributor's or distributor's license,
24 nor shall any person licensed by any licensing authority as an
25 importing distributor, distributor or retailer, or any

1 subsidiary or affiliate thereof, or any officer or associate,
2 member, partner, representative, employee, agent or
3 shareholder owning more than 5% of the outstanding shares of
4 such person be issued a distiller's license or a wine
5 manufacturer's license; and no person or persons licensed as a
6 distiller by any licensing authority shall have any interest,
7 directly or indirectly, with such distributor or importing
8 distributor.

9 However, an importing distributor or distributor, which on
10 January 1, 1985 is owned by a brewer, or any subsidiary or
11 affiliate thereof or any officer, associate, member, partner,
12 representative, employee, agent or shareholder owning more
13 than 5% of the outstanding shares of the importing distributor
14 or distributor referred to in this paragraph, may own or
15 acquire an ownership interest of more than 5% of the
16 outstanding shares of a wine manufacturer and be issued a wine
17 manufacturer's license by any licensing authority.

18 (b) The foregoing provisions shall not apply to any person
19 licensed by any licensing authority as a distiller or wine
20 manufacturer, or to any subsidiary or affiliate of any
21 distiller or wine manufacturer who shall have been heretofore
22 licensed by the State Commission as either an importing
23 distributor or distributor during the annual licensing period
24 expiring June 30, 1947, and shall actually have made sales
25 regularly to retailers.

26 (c) Provided, however, that in such instances where a

1 distributor's or importing distributor's license has been
2 issued to any distiller or wine manufacturer or to any
3 subsidiary or affiliate of any distiller or wine manufacturer
4 who has, during the licensing period ending June 30, 1947, sold
5 or distributed as such licensed distributor or importing
6 distributor alcoholic liquors and wines to retailers, such
7 distiller or wine manufacturer or any subsidiary or affiliate
8 of any distiller or wine manufacturer holding such
9 distributor's or importing distributor's license may continue
10 to sell or distribute to retailers such alcoholic liquors and
11 wines which are manufactured, distilled, processed or marketed
12 by distillers and wine manufacturers whose products it sold or
13 distributed to retailers during the whole or any part of its
14 licensing periods; and such additional brands and additional
15 products may be added to the line of such distributor or
16 importing distributor, provided, that such brands and such
17 products were not sold or distributed by any distributor or
18 importing distributor licensed by the State Commission during
19 the licensing period ending June 30, 1947, but can not sell or
20 distribute to retailers any other alcoholic liquors or wines.

21 (d) It shall be unlawful for any distiller licensed
22 anywhere to have any stock ownership or interest in any
23 distributor's or importing distributor's license wherein any
24 other person has an interest therein who is not a distiller and
25 does not own more than 5% of any stock in any distillery.
26 Nothing herein contained shall apply to such distillers or

1 their subsidiaries or affiliates, who had a distributor's or
2 importing distributor's license during the licensing period
3 ending June 30, 1947, which license was owned in whole by such
4 distiller, or subsidiaries or affiliates of such distiller.

5 (e) Any person having been licensed as a manufacturer shall
6 be permitted to receive one retailer's license for the premises
7 in which he or she actually conducts such business, permitting
8 only the retail sale of beer manufactured at such premises and
9 only on such premises, but no such person shall be entitled to
10 more than one retailer's license in any event, and, other than
11 a manufacturer of beer as stated above, no manufacturer or
12 distributor or importing distributor, excluding airplane
13 licensees exercising powers provided in paragraph (i) of
14 Section 5-1 of this Act, or any subsidiary or affiliate
15 thereof, or any officer, associate, member, partner,
16 representative, employee or agent, or shareholder shall be
17 issued a retailer's license, nor shall any person having a
18 retailer's license, excluding airplane licensees exercising
19 powers provided in paragraph (i) of Section 5-1 of this Act, or
20 any subsidiary or affiliate thereof, or any officer, associate,
21 member, partner, representative or agent, or shareholder be
22 issued a manufacturer's license or importing distributor's
23 license.

24 A person licensed as a craft distiller not affiliated with
25 any other person manufacturing spirits may be authorized by the
26 Commission to sell up to 2,500 gallons of spirits produced by

1 the person to non-licensees for on or off-premises consumption
2 ~~permitted to receive one retailer's license~~ for the premises in
3 which he or she actually conducts business permitting only the
4 retail sale of spirits manufactured at such premises. Such
5 sales shall be limited to on-premises, in-person sales only,
6 for lawful consumption on or off premises, and such
7 authorization shall be considered a privilege granted by the
8 craft distiller license. A craft distiller licensed for retail
9 sale shall secure liquor liability insurance coverage in an
10 amount at least equal to the maximum liability amounts set
11 forth in subsection (a) of Section 6-21 of this Act.

12 (f) However, the foregoing prohibitions against any person
13 licensed as a distiller or wine manufacturer being issued a
14 retailer's license shall not apply:

15 (i) to any hotel, motel or restaurant whose principal
16 business is not the sale of alcoholic liquors if said
17 retailer's sales of any alcoholic liquors manufactured,
18 sold, distributed or controlled, directly or indirectly,
19 by any affiliate, subsidiary, officer, associate, member,
20 partner, representative, employee, agent or shareholder
21 owning more than 5% of the outstanding shares of such
22 person does not exceed 10% of the total alcoholic liquor
23 sales of said retail licensee; and

24 (ii) where the Commission determines, having
25 considered the public welfare, the economic impact upon the
26 State and the entirety of the facts and circumstances

1 involved, that the purpose and intent of this Section would
2 not be violated by granting an exemption.

3 (g) Notwithstanding any of the foregoing prohibitions, a
4 limited wine manufacturer may sell at retail at its
5 manufacturing site for on or off premises consumption and may
6 sell to distributors. A limited wine manufacturer licensee
7 shall secure liquor liability insurance coverage in an amount
8 at least equal to the maximum liability amounts set forth in
9 subsection (a) of Section 6-21 of this Act.

10 (Source: P.A. 96-1367, eff. 7-28-10; 97-606, eff. 8-26-11.)

11 (235 ILCS 5/6-11)

12 Sec. 6-11. Sale near churches, schools, and hospitals.

13 (a) No license shall be issued for the sale at retail of
14 any alcoholic liquor within 100 feet of any church, school
15 other than an institution of higher learning, hospital, home
16 for aged or indigent persons or for veterans, their spouses or
17 children or any military or naval station, provided, that this
18 prohibition shall not apply to hotels offering restaurant
19 service, regularly organized clubs, or to restaurants, food
20 shops or other places where sale of alcoholic liquors is not
21 the principal business carried on if the place of business so
22 exempted is not located in a municipality of more than 500,000
23 persons, unless required by local ordinance; nor to the renewal
24 of a license for the sale at retail of alcoholic liquor on
25 premises within 100 feet of any church or school where the

1 church or school has been established within such 100 feet
2 since the issuance of the original license. In the case of a
3 church, the distance of 100 feet shall be measured to the
4 nearest part of any building used for worship services or
5 educational programs and not to property boundaries.

6 (b) Nothing in this Section shall prohibit the issuance of
7 a retail license authorizing the sale of alcoholic liquor to a
8 restaurant, the primary business of which is the sale of goods
9 baked on the premises if (i) the restaurant is newly
10 constructed and located on a lot of not less than 10,000 square
11 feet, (ii) the restaurant costs at least \$1,000,000 to
12 construct, (iii) the licensee is the titleholder to the
13 premises and resides on the premises, and (iv) the construction
14 of the restaurant is completed within 18 months of the
15 effective date of this amendatory Act of 1998.

16 (c) Nothing in this Section shall prohibit the issuance of
17 a retail license authorizing the sale of alcoholic liquor
18 incidental to a restaurant if (1) the primary business of the
19 restaurant consists of the sale of food where the sale of
20 liquor is incidental to the sale of food and the applicant is a
21 completely new owner of the restaurant, (2) the immediately
22 prior owner or operator of the premises where the restaurant is
23 located operated the premises as a restaurant and held a valid
24 retail license authorizing the sale of alcoholic liquor at the
25 restaurant for at least part of the 24 months before the change
26 of ownership, and (3) the restaurant is located 75 or more feet

1 from a school.

2 (d) In the interest of further developing Illinois' economy
3 in the area of commerce, tourism, convention, and banquet
4 business, nothing in this Section shall prohibit issuance of a
5 retail license authorizing the sale of alcoholic beverages to a
6 restaurant, banquet facility, grocery store, or hotel having
7 not fewer than 150 guest room accommodations located in a
8 municipality of more than 500,000 persons, notwithstanding the
9 proximity of such hotel, restaurant, banquet facility, or
10 grocery store to any church or school, if the licensed premises
11 described on the license are located within an enclosed mall or
12 building of a height of at least 6 stories, or 60 feet in the
13 case of a building that has been registered as a national
14 landmark, or in a grocery store having a minimum of 56,010
15 square feet of floor space in a single story building in an
16 open mall of at least 3.96 acres that is adjacent to a public
17 school that opened as a boys technical high school in 1934, or
18 in a grocery store having a minimum of 31,000 square feet of
19 floor space in a single story building located a distance of
20 more than 90 feet but less than 100 feet from a high school
21 that opened in 1928 as a junior high school and became a senior
22 high school in 1933, and in each of these cases if the sale of
23 alcoholic liquors is not the principal business carried on by
24 the licensee.

25 For purposes of this Section, a "banquet facility" is any
26 part of a building that caters to private parties and where the

1 sale of alcoholic liquors is not the principal business.

2 (e) Nothing in this Section shall prohibit the issuance of
3 a license to a church or private school to sell at retail
4 alcoholic liquor if any such sales are limited to periods when
5 groups are assembled on the premises solely for the promotion
6 of some common object other than the sale or consumption of
7 alcoholic liquors.

8 (f) Nothing in this Section shall prohibit a church or
9 church affiliated school located in a home rule municipality or
10 in a municipality with 75,000 or more inhabitants from locating
11 within 100 feet of a property for which there is a preexisting
12 license to sell alcoholic liquor at retail. In these instances,
13 the local zoning authority may, by ordinance adopted
14 simultaneously with the granting of an initial special use
15 zoning permit for the church or church affiliated school,
16 provide that the 100-foot restriction in this Section shall not
17 apply to that church or church affiliated school and future
18 retail liquor licenses.

19 (g) Nothing in this Section shall prohibit the issuance of
20 a retail license authorizing the sale of alcoholic liquor at
21 premises within 100 feet, but not less than 90 feet, of a
22 public school if (1) the premises have been continuously
23 licensed to sell alcoholic liquor for a period of at least 50
24 years, (2) the premises are located in a municipality having a
25 population of over 500,000 inhabitants, (3) the licensee is an
26 individual who is a member of a family that has held the

1 previous 3 licenses for that location for more than 25 years,
2 (4) the principal of the school and the alderman of the ward in
3 which the school is located have delivered a written statement
4 to the local liquor control commissioner stating that they do
5 not object to the issuance of a license under this subsection
6 (g), and (5) the local liquor control commissioner has received
7 the written consent of a majority of the registered voters who
8 live within 200 feet of the premises.

9 (h) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license authorizing the sale of alcoholic
12 liquor within premises and at an outdoor patio area attached to
13 premises that are located in a municipality with a population
14 in excess of 300,000 inhabitants and that are within 100 feet
15 of a church if:

16 (1) the sale of alcoholic liquor at the premises is
17 incidental to the sale of food,

18 (2) the sale of liquor is not the principal business
19 carried on by the licensee at the premises,

20 (3) the premises are less than 1,000 square feet,

21 (4) the premises are owned by the University of
22 Illinois,

23 (5) the premises are immediately adjacent to property
24 owned by a church and are not less than 20 nor more than 40
25 feet from the church space used for worship services, and

26 (6) the principal religious leader at the place of

1 worship has indicated his or her support for the issuance
2 of the license in writing.

3 (i) Notwithstanding any provision in this Section to the
4 contrary, nothing in this Section shall prohibit the issuance
5 or renewal of a license to sell alcoholic liquor at a premises
6 that is located within a municipality with a population in
7 excess of 300,000 inhabitants and is within 100 feet of a
8 church, synagogue, or other place of worship if:

9 (1) the primary entrance of the premises and the
10 primary entrance of the church, synagogue, or other place
11 of worship are at least 100 feet apart, on parallel
12 streets, and separated by an alley; and

13 (2) the principal religious leader at the place of
14 worship has not indicated his or her opposition to the
15 issuance or renewal of the license in writing.

16 (j) Notwithstanding any provision in this Section to the
17 contrary, nothing in this Section shall prohibit the issuance
18 of a retail license authorizing the sale of alcoholic liquor at
19 a theater that is within 100 feet of a church if (1) the church
20 owns the theater, (2) the church leases the theater to one or
21 more entities, and (3) the theater is used by at least 5
22 different not-for-profit theater groups.

23 (k) Notwithstanding any provision in this Section to the
24 contrary, nothing in this Section shall prohibit the issuance
25 or renewal of a license authorizing the sale of alcoholic
26 liquor at a premises that is located within a municipality with

1 a population in excess of 1,000,000 inhabitants and is within
2 100 feet of a school if:

3 (1) the primary entrance of the premises and the
4 primary entrance of the school are parallel, on different
5 streets, and separated by an alley;

6 (2) the southeast corner of the premises are at least
7 350 feet from the southwest corner of the school;

8 (3) the school was built in 1978;

9 (4) the sale of alcoholic liquor at the premises is
10 incidental to the sale of food;

11 (5) the sale of alcoholic liquor is not the principal
12 business carried on by the licensee at the premises;

13 (6) the applicant is the owner of the restaurant and
14 has held a valid license authorizing the sale of alcoholic
15 liquor for the business to be conducted on the premises at
16 a different location for more than 7 years; and

17 (7) the premises is at least 2,300 square feet and sits
18 on a lot that is between 6,100 and 6,150 square feet.

19 (1) Notwithstanding any provision in this Section to the
20 contrary, nothing in this Section shall prohibit the issuance
21 or renewal of a license authorizing the sale of alcoholic
22 liquor at a premises that is located within a municipality with
23 a population in excess of 1,000,000 inhabitants and is within
24 100 feet of a church or school if:

25 (1) the primary entrance of the premises and the
26 closest entrance of the church or school is at least 90

1 feet apart and no greater than 95 feet apart;

2 (2) the shortest distance between the premises and the
3 church or school is at least 80 feet apart and no greater
4 than 85 feet apart;

5 (3) the applicant is the owner of the restaurant and on
6 November 15, 2006 held a valid license authorizing the sale
7 of alcoholic liquor for the business to be conducted on the
8 premises for at least 14 different locations;

9 (4) the sale of alcoholic liquor at the premises is
10 incidental to the sale of food;

11 (5) the sale of alcoholic liquor is not the principal
12 business carried on by the licensee at the premises;

13 (6) the premises is at least 3,200 square feet and sits
14 on a lot that is between 7,150 and 7,200 square feet; and

15 (7) the principal religious leader at the place of
16 worship has not indicated his or her opposition to the
17 issuance or renewal of the license in writing.

18 (m) Notwithstanding any provision in this Section to the
19 contrary, nothing in this Section shall prohibit the issuance
20 or renewal of a license authorizing the sale of alcoholic
21 liquor at a premises that is located within a municipality with
22 a population in excess of 1,000,000 inhabitants and is within
23 100 feet of a church if:

24 (1) the premises and the church are perpendicular, and
25 the primary entrance of the premises faces South while the
26 primary entrance of the church faces West and the distance

1 between the two entrances is more than 100 feet;

2 (2) the shortest distance between the premises lot line
3 and the exterior wall of the church is at least 80 feet;

4 (3) the church was established at the current location
5 in 1916 and the present structure was erected in 1925;

6 (4) the premises is a single story, single use building
7 with at least 1,750 square feet and no more than 2,000
8 square feet;

9 (5) the sale of alcoholic liquor at the premises is
10 incidental to the sale of food;

11 (6) the sale of alcoholic liquor is not the principal
12 business carried on by the licensee at the premises; and

13 (7) the principal religious leader at the place of
14 worship has not indicated his or her opposition to the
15 issuance or renewal of the license in writing.

16 (n) Notwithstanding any provision in this Section to the
17 contrary, nothing in this Section shall prohibit the issuance
18 or renewal of a license authorizing the sale of alcoholic
19 liquor at a premises that is located within a municipality with
20 a population in excess of 1,000,000 inhabitants and is within
21 100 feet of a school if:

22 (1) the school is a City of Chicago School District 299
23 school;

24 (2) the school is located within subarea E of City of
25 Chicago Residential Business Planned Development Number
26 70;

1 (3) the sale of alcoholic liquor is not the principal
2 business carried on by the licensee on the premises;

3 (4) the sale of alcoholic liquor at the premises is
4 incidental to the sale of food; and

5 (5) the administration of City of Chicago School
6 District 299 has expressed, in writing, its support for the
7 issuance of the license.

8 (o) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a retail license authorizing the sale of
11 alcoholic liquor at a premises that is located within a
12 municipality in excess of 1,000,000 inhabitants and within 100
13 feet of a church if:

14 (1) the sale of alcoholic liquor at the premises is
15 incidental to the sale of food;

16 (2) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises;

18 (3) the premises is located on a street that runs
19 perpendicular to the street on which the church is located;

20 (4) the primary entrance of the premises is at least
21 100 feet from the primary entrance of the church;

22 (5) the shortest distance between any part of the
23 premises and any part of the church is at least 60 feet;

24 (6) the premises is between 3,600 and 4,000 square feet
25 and sits on a lot that is between 3,600 and 4,000 square
26 feet; and

1 (7) the premises was built in the year 1909.

2 For purposes of this subsection (o), "premises" means a
3 place of business together with a privately owned outdoor
4 location that is adjacent to the place of business.

5 (p) Notwithstanding any provision in this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor at a premises that is located within a municipality with
9 a population in excess of 1,000,000 inhabitants and within 100
10 feet of a church if:

11 (1) the shortest distance between the backdoor of the
12 premises, which is used as an emergency exit, and the
13 church is at least 80 feet;

14 (2) the church was established at the current location
15 in 1889; and

16 (3) liquor has been sold on the premises since at least
17 1985.

18 (q) Notwithstanding any provision of this Section to the
19 contrary, nothing in this Section shall prohibit the issuance
20 or renewal of a license authorizing the sale of alcoholic
21 liquor within a premises that is located in a municipality with
22 a population in excess of 1,000,000 inhabitants and within 100
23 feet of a church-owned property if:

24 (1) the premises is located within a larger building
25 operated as a grocery store;

26 (2) the area of the premises does not exceed 720 square

1 feet and the area of the larger building exceeds 18,000
2 square feet;

3 (3) the larger building containing the premises is
4 within 100 feet of the nearest property line of a
5 church-owned property on which a church-affiliated school
6 is located;

7 (4) the sale of liquor is not the principal business
8 carried on within the larger building;

9 (5) the primary entrance of the larger building and the
10 premises and the primary entrance of the church-affiliated
11 school are on different, parallel streets, and the distance
12 between the 2 primary entrances is more than 100 feet;

13 (6) the larger building is separated from the
14 church-owned property and church-affiliated school by an
15 alley;

16 (7) the larger building containing the premises and the
17 church building front are on perpendicular streets and are
18 separated by a street; and

19 (8) (Blank).

20 (r) Notwithstanding any provision of this Section to the
21 contrary, nothing in this Section shall prohibit the issuance,
22 renewal, or maintenance of a license authorizing the sale of
23 alcoholic liquor incidental to the sale of food within a
24 restaurant established in a premises that is located in a
25 municipality with a population in excess of 1,000,000
26 inhabitants and within 100 feet of a church if:

1 (1) the primary entrance of the church and the primary
2 entrance of the restaurant are at least 100 feet apart;

3 (2) the restaurant has operated on the ground floor and
4 lower level of a multi-story, multi-use building for more
5 than 40 years;

6 (3) the primary business of the restaurant consists of
7 the sale of food where the sale of liquor is incidental to
8 the sale of food;

9 (4) the sale of alcoholic liquor is conducted primarily
10 in the below-grade level of the restaurant to which the
11 only public access is by a staircase located inside the
12 restaurant; and

13 (5) the restaurant has held a license authorizing the
14 sale of alcoholic liquor on the premises for more than 40
15 years.

16 (s) Notwithstanding any provision of this Section to the
17 contrary, nothing in this Section shall prohibit renewal of a
18 license authorizing the sale of alcoholic liquor at a premises
19 that is located within a municipality with a population more
20 than 5,000 and less than 10,000 and is within 100 feet of a
21 church if:

22 (1) the church was established at the location within
23 100 feet of the premises after a license for the sale of
24 alcoholic liquor at the premises was first issued;

25 (2) a license for sale of alcoholic liquor at the
26 premises was first issued before January 1, 2007; and

1 (3) a license for the sale of alcoholic liquor on the
2 premises has been continuously in effect since January 1,
3 2007, except for interruptions between licenses of no more
4 than 90 days.

5 (t) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor incidental to the sale of food within a restaurant that
9 is established in a premises that is located in a municipality
10 with a population in excess of 1,000,000 inhabitants and within
11 100 feet of a school and a church if:

12 (1) the restaurant is located inside a five-story
13 building with over 16,800 square feet of commercial space;

14 (2) the area of the premises does not exceed 31,050
15 square feet;

16 (3) the area of the restaurant does not exceed 5,800
17 square feet;

18 (4) the building has no less than 78 condominium units;

19 (5) the construction of the building in which the
20 restaurant is located was completed in 2006;

21 (6) the building has 10 storefront properties, 3 of
22 which are used for the restaurant;

23 (7) the restaurant will open for business in 2010;

24 (8) the building is north of the school and separated
25 by an alley; and

26 (9) the principal religious leader of the church and

1 either the alderman of the ward in which the school is
2 located or the principal of the school have delivered a
3 written statement to the local liquor control commissioner
4 stating that he or she does not object to the issuance of a
5 license under this subsection (t).

6 (u) Notwithstanding any provision in this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license to sell alcoholic liquor at a premises
9 that is located within a municipality with a population in
10 excess of 1,000,000 inhabitants and within 100 feet of a school
11 if:

12 (1) the premises operates as a restaurant and has been
13 in operation since February 2008;

14 (2) the applicant is the owner of the premises;

15 (3) the sale of alcoholic liquor is incidental to the
16 sale of food;

17 (4) the sale of alcoholic liquor is not the principal
18 business carried on by the licensee on the premises;

19 (5) the premises occupy the first floor of a 3-story
20 building that is at least 90 years old;

21 (6) the rear lot of the school and the rear corner of
22 the building that the premises occupy are separated by an
23 alley;

24 (7) the distance from the southwest corner of the
25 property line of the school and the northeast corner of the
26 building that the premises occupy is at least 16 feet, 5

1 inches;

2 (8) the distance from the rear door of the premises to
3 the southwest corner of the property line of the school is
4 at least 93 feet;

5 (9) the school is a City of Chicago School District 299
6 school;

7 (10) the school's main structure was erected in 1902
8 and an addition was built to the main structure in 1959;
9 and

10 (11) the principal of the school and the alderman in
11 whose district the premises are located have expressed, in
12 writing, their support for the issuance of the license.

13 (v) Notwithstanding any provision in this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of a license authorizing the sale of alcoholic
16 liquor at a premises that is located within a municipality with
17 a population in excess of 1,000,000 inhabitants and is within
18 100 feet of a school if:

19 (1) the total land area of the premises for which the
20 license or renewal is sought is more than 600,000 square
21 feet;

22 (2) the premises for which the license or renewal is
23 sought has more than 600 parking stalls;

24 (3) the total area of all buildings on the premises for
25 which the license or renewal is sought exceeds 140,000
26 square feet;

1 (4) the property line of the premises for which the
2 license or renewal is sought is separated from the property
3 line of the school by a street;

4 (5) the distance from the school's property line to the
5 property line of the premises for which the license or
6 renewal is sought is at least 60 feet;

7 (6) as of the effective date of this amendatory Act of
8 the 97th General Assembly, the premises for which the
9 license or renewal is sought is located in the Illinois
10 Medical District.

11 (w) Notwithstanding any provision in this Section to the
12 contrary, nothing in this Section shall prohibit the issuance
13 or renewal of a license to sell alcoholic liquor at a premises
14 that is located within a municipality with a population in
15 excess of 1,000,000 inhabitants and within 100 feet of a church
16 if:

17 (1) the sale of alcoholic liquor at the premises is
18 incidental to the sale of food;

19 (2) the sale of alcoholic liquor is not the principal
20 business carried on by the licensee at the premises;

21 (3) the premises occupy the first floor and basement of
22 a 2-story building that is 106 years old;

23 (4) the premises is at least 7,000 square feet and
24 located on a lot that is at least 11,000 square feet;

25 (5) the premises is located directly west of the
26 church, on perpendicular streets, and separated by an

1 alley;

2 (6) the distance between the property line of the
3 premises and the property line of the church is at least 20
4 feet;

5 (7) the distance between the primary entrance of the
6 premises and the primary entrance of the church is at least
7 130 feet; and

8 (8) the church has been at its location for at least 40
9 years.

10 (x) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at a premises that is located within a municipality with
14 a population in excess of 1,000,000 inhabitants and within 100
15 feet of a church if:

16 (1) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises;

18 (2) the church has been operating in its current
19 location since 1973;

20 (3) the premises has been operating in its current
21 location since 1988;

22 (4) the church and the premises are owned by the same
23 parish;

24 (5) the premises is used for cultural and educational
25 purposes;

26 (6) the primary entrance to the premises and the

1 primary entrance to the church are located on the same
2 street;

3 (7) the principal religious leader of the church has
4 indicated his support of the issuance of the license;

5 (8) the premises is a 2-story building of approximately
6 23,000 square feet; and

7 (9) the premises houses a ballroom on its ground floor
8 of approximately 5,000 square feet.

9 (y) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license authorizing the sale of alcoholic
12 liquor at a premises that is located within a municipality with
13 a population in excess of 1,000,000 inhabitants and within 100
14 feet of a school if:

15 (1) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (2) the sale of alcoholic liquor at the premises is
18 incidental to the sale of food;

19 (3) according to the municipality, the distance
20 between the east property line of the premises and the west
21 property line of the school is 97.8 feet;

22 (4) the school is a City of Chicago School District 299
23 school;

24 (5) the school has been operating since 1959;

25 (6) the primary entrance to the premises and the
26 primary entrance to the school are located on the same

1 street;

2 (7) the street on which the entrances of the premises
3 and the school are located is a major diagonal
4 thoroughfare;

5 (8) the premises is a single-story building of
6 approximately 2,900 square feet; and

7 (9) the premises is used for commercial purposes only.

8 (z) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at a premises that is located within a municipality with
12 a population in excess of 1,000,000 inhabitants and within 100
13 feet of a mosque if:

14 (1) the sale of alcoholic liquor is not the principal
15 business carried on by the licensee at the premises;

16 (2) the licensee shall only sell packaged liquors at
17 the premises;

18 (3) the licensee is a national retail chain having over
19 100 locations within the municipality;

20 (4) the licensee has over 8,000 locations nationwide;

21 (5) the licensee has locations in all 50 states;

22 (6) the premises is located in the North-East quadrant
23 of the municipality;

24 (7) the premises is a free-standing building that has
25 "drive-through" pharmacy service;

26 (8) the premises has approximately 14,490 square feet

1 of retail space;

2 (9) the premises has approximately 799 square feet of
3 pharmacy space;

4 (10) the premises is located on a major arterial street
5 that runs east-west and accepts truck traffic; and

6 (11) the alderman of the ward in which the premises is
7 located has expressed, in writing, his or her support for
8 the issuance of the license.

9 (aa) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license authorizing the sale of alcoholic
12 liquor at a premises that is located within a municipality with
13 a population in excess of 1,000,000 inhabitants and within 100
14 feet of a church if:

15 (1) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (2) the licensee shall only sell packaged liquors at
18 the premises;

19 (3) the licensee is a national retail chain having over
20 100 locations within the municipality;

21 (4) the licensee has over 8,000 locations nationwide;

22 (5) the licensee has locations in all 50 states;

23 (6) the premises is located in the North-East quadrant
24 of the municipality;

25 (7) the premises is located across the street from a
26 national grocery chain outlet;

1 (8) the premises has approximately 16,148 square feet
2 of retail space;

3 (9) the premises has approximately 992 square feet of
4 pharmacy space;

5 (10) the premises is located on a major arterial street
6 that runs north-south and accepts truck traffic; and

7 (11) the alderman of the ward in which the premises is
8 located has expressed, in writing, his or her support for
9 the issuance of the license.

10 (bb) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at a premises that is located within a municipality with
14 a population in excess of 1,000,000 inhabitants and within 100
15 feet of a church if:

16 (1) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises;

18 (2) the sale of alcoholic liquor at the premises is
19 incidental to the sale of food;

20 (3) the primary entrance to the premises and the
21 primary entrance to the church are located on the same
22 street;

23 (4) the premises is across the street from the church;

24 (5) the street on which the premises and the church are
25 located is a major arterial street that runs east-west;

26 (6) the church is an elder-led and Bible-based Assyrian

1 church;

2 (7) the premises and the church are both single-story
3 buildings;

4 (8) the storefront directly west of the church is being
5 used as a restaurant; and

6 (9) the distance between the northern-most property
7 line of the premises and the southern-most property line of
8 the church is 65 feet.

9 (cc) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license authorizing the sale of alcoholic
12 liquor at a premises that is located within a municipality with
13 a population in excess of 1,000,000 inhabitants and within 100
14 feet of a school if:

15 (1) the sale of alcoholic liquor is not the principal
16 business carried on by the licensee at the premises;

17 (2) the licensee shall only sell packaged liquors at
18 the premises;

19 (3) the licensee is a national retail chain;

20 (4) as of October 25, 2011, the licensee has 1,767
21 stores operating nationwide, 87 stores operating in the
22 State, and 10 stores operating within the municipality;

23 (5) the licensee shall occupy approximately 124,000
24 square feet of space in the basement and first and second
25 floors of a building located across the street from a
26 school;

1 (6) the school opened in August of 2009 and occupies
2 approximately 67,000 square feet of space; and

3 (7) the building in which the premises shall be located
4 has been listed on the National Register of Historic Places
5 since April 17, 1970.

6 (dd) Notwithstanding any provision in this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor within a full-service grocery store at a premises that
10 is located within a municipality with a population in excess of
11 1,000,000 inhabitants and is within 100 feet of a school if:

12 (1) the premises is constructed on land that was
13 purchased from the municipality at a fair market price;

14 (2) the premises is constructed on land that was
15 previously used as a parking facility for public safety
16 employees;

17 (3) the sale of alcoholic liquor is not the principal
18 business carried on by the licensee at the premises;

19 (4) the main entrance to the store is more than 100
20 feet from the main entrance to the school;

21 (5) the premises is to be new construction;

22 (6) the school is a private school;

23 (7) the principal of the school has given written
24 approval for the license;

25 (8) the alderman of the ward where the premises is
26 located has given written approval of the issuance of the

1 license;

2 (9) the grocery store level of the premises is between
3 60,000 and 70,000 square feet; and

4 (10) the owner and operator of the grocery store
5 operates 2 other grocery stores that have alcoholic liquor
6 licenses within the same municipality.

7 (ee) Notwithstanding any provision in this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor within a full-service grocery store at a premises that
11 is located within a municipality with a population in excess of
12 1,000,000 inhabitants and is within 100 ~~hundred~~ feet of a
13 school if:

14 (1) the premises is constructed on land that once
15 contained an industrial steel facility;

16 (2) the premises is located on land that has undergone
17 environmental remediation;

18 (3) the premises is located within a retail complex
19 containing retail stores where some of the stores sell
20 alcoholic beverages;

21 (4) the principal activity of any restaurant in the
22 retail complex is the sale of food, and the sale of
23 alcoholic liquor is incidental to the sale of food;

24 (5) the sale of alcoholic liquor is not the principal
25 business carried on by the grocery store;

26 (6) the entrance to any business that sells alcoholic

1 liquor is more than 100 feet from the entrance to the
2 school;

3 (7) the alderman of the ward where the premises is
4 located has given written approval of the issuance of the
5 license; and

6 (8) the principal of the school has given written
7 consent to the issuance of the license.

8 (ff) ~~(dd)~~ Notwithstanding any provision of this Section to
9 the contrary, nothing in this Section shall prohibit the
10 issuance or renewal of a license authorizing the sale of
11 alcoholic liquor at a premises that is located within a
12 municipality with a population in excess of 1,000,000
13 inhabitants and within 100 feet of a school if:

14 (1) the sale of alcoholic liquor is not the principal
15 business carried on at the premises;

16 (2) the sale of alcoholic liquor at the premises is
17 incidental to the operation of a theater;

18 (3) the premises is a one and one-half-story building
19 of approximately 10,000 square feet;

20 (4) the school is a City of Chicago School District 299
21 school;

22 (5) the primary entrance of the premises and the
23 primary entrance of the school are at least 300 feet apart
24 and no more than 400 feet apart;

25 (6) the alderman of the ward in which the premises is
26 located has expressed, in writing, his support for the

1 issuance of the license; and

2 (7) the principal of the school has expressed, in
3 writing, that there is no objection to the issuance of a
4 license under this subsection (ff) ~~(dd)~~.

5 (gg) Notwithstanding any provision of this Section to the
6 contrary, nothing in this Section shall prohibit the issuance
7 or renewal of a license authorizing the sale of alcoholic
8 liquor incidental to the sale of food within a restaurant or
9 banquet facility established in a premises that is located in a
10 municipality with a population in excess of 1,000,000
11 inhabitants and within 100 feet of a church if:

12 (1) the sale of alcoholic liquor is not the principal
13 business carried on by the licensee at the premises;

14 (2) the property on which the church is located and the
15 property on which the premises are located are both within
16 a district originally listed on the National Register of
17 Historic Places on February 14, 1979;

18 (3) the property on which the premises are located
19 contains one or more multi-story buildings that are at
20 least 95 years old and have no more than three stories;

21 (4) the building in which the church is located is at
22 least 120 years old;

23 (5) the property on which the church is located is
24 immediately adjacent to and west of the property on which
25 the premises are located;

26 (6) the western boundary of the property on which the

1 premises are located is no less than 118 feet in length and
2 no more than 122 feet in length;

3 (7) as of December 31, 2012, both the church property
4 and the property on which the premises are located are
5 within 250 feet of City of Chicago Business-Residential
6 Planned Development Number 38;

7 (8) the principal religious leader at the place of
8 worship has indicated his or her support for the issuance
9 of the license in writing; and

10 (9) the alderman in whose district the premises are
11 located has expressed his or her support for the issuance
12 of the license in writing.

13 For the purposes of this subsection, "banquet facility"
14 means the part of the building that is located on the floor
15 above a restaurant and caters to private parties and where the
16 sale of alcoholic liquors is not the principal business.

17 (hh) Notwithstanding any provision of this Section to the
18 contrary, nothing in this Section shall prohibit the issuance
19 or renewal of a license authorizing the sale of alcoholic
20 liquor within a hotel and at an outdoor patio area attached to
21 the hotel that are located in a municipality with a population
22 in excess of 1,000,000 inhabitants and that are within 100 feet
23 of a hospital if:

24 (1) the sale of alcoholic liquor is not the principal
25 business carried on by the licensee at the hotel;

26 (2) the hotel is located within the City of Chicago

1 Business Planned Development Number 468; and

2 (3) the hospital is located within the City of Chicago
3 Institutional Planned Development Number 3.

4 (ii) Notwithstanding any provision of this Section to the
5 contrary, nothing in this Section shall prohibit the issuance
6 or renewal of a license authorizing the sale of alcoholic
7 liquor within a restaurant and at an outdoor patio area
8 attached to the restaurant that are located in a municipality
9 with a population in excess of 1,000,000 inhabitants and that
10 are within 100 feet of a church if:

11 (1) the sale of alcoholic liquor at the premises is not
12 the principal business carried on by the licensee and is
13 incidental to the sale of food;

14 (2) the restaurant has been operated on the street
15 level of a 2-story building located on a corner lot since
16 2008;

17 (3) the restaurant is between 3,700 and 4,000 square
18 feet and sits on a lot that is no more than 6,200 square
19 feet;

20 (4) the primary entrance to the restaurant and the
21 primary entrance to the church are located on the same
22 street;

23 (5) the street on which the restaurant and the church
24 are located is a major east-west street;

25 (6) the restaurant and the church are separated by a
26 one-way northbound street;

1 (7) the church is located to the west of and no more
2 than 65 feet from the restaurant; and

3 (8) the principal religious leader at the place of
4 worship has indicated his or her consent to the issuance of
5 the license in writing.

6 (Source: P.A. 96-283, eff. 8-11-09; 96-744, eff. 8-25-09;
7 96-851, eff. 12-23-09; 96-871, eff. 1-21-10; 96-1051, eff.
8 7-14-10; 97-9, eff. 6-14-11; 97-12, eff. 6-14-11; 97-634, eff.
9 12-16-11; 97-774, eff. 7-13-12; 97-780, eff. 7-13-12; 97-806,
10 eff. 7-13-12; revised 7-23-12.)

11 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

12 Sec. 6-15. No alcoholic liquors shall be sold or delivered
13 in any building belonging to or under the control of the State
14 or any political subdivision thereof except as provided in this
15 Act. The corporate authorities of any city, village,
16 incorporated town, township, or county may provide by
17 ordinance, however, that alcoholic liquor may be sold or
18 delivered in any specifically designated building belonging to
19 or under the control of the municipality, township, or county,
20 or in any building located on land under the control of the
21 municipality, township, or county; provided that such township
22 or county complies with all applicable local ordinances in any
23 incorporated area of the township or county. Alcoholic liquor
24 may be delivered to and sold under the authority of a special
25 use permit on any property owned by a conservation district

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

1 of Camden Park in Milan, Illinois, or in the community center
2 owned by the City of Loves Park that is located at 1000 River
3 Park Drive in Loves Park, Illinois, or, in connection with the
4 operation of an established food serving facility during times
5 when food is dispensed for consumption on the premises, and at
6 the following aquarium and museums located in public parks: Art
7 Institute of Chicago, Chicago Academy of Sciences, Chicago
8 Historical Society, Field Museum of Natural History, Museum of
9 Science and Industry, DuSable Museum of African American
10 History, John G. Shedd Aquarium and Adler Planetarium, or at
11 Lakeview Museum of Arts and Sciences in Peoria, or in
12 connection with the operation of the facilities of the Chicago
13 Zoological Society or the Chicago Horticultural Society on land
14 owned by the Forest Preserve District of Cook County, or on any
15 land used for a golf course or for recreational purposes owned
16 by the Forest Preserve District of Cook County, subject to the
17 control of the Forest Preserve District Board of Commissioners
18 and applicable local law, provided that dram shop liability
19 insurance is provided at maximum coverage limits so as to hold
20 the District harmless from all financial loss, damage, and
21 harm, or in any building located on land owned by the Chicago
22 Park District if approved by the Park District Commissioners,
23 or on any land used for a golf course or for recreational
24 purposes and owned by the Illinois International Port District
25 if approved by the District's governing board, or at any
26 airport, golf course, faculty center, or facility in which

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

1 of the game and not after the 10-minute mark of the second half
2 of the game, or by a catering establishment which has rented
3 facilities from a board of trustees of a public community
4 college district, or in a restaurant that is operated by a
5 commercial tenant in the North Campus Parking Deck building
6 that (1) is located at 1201 West University Avenue, Urbana,
7 Illinois and (2) is owned by the Board of Trustees of the
8 University of Illinois, or, if approved by the District board,
9 on land owned by the Metropolitan Sanitary District of Greater
10 Chicago and leased to others for a term of at least 20 years.
11 Nothing in this Section precludes the sale or delivery of
12 alcoholic liquor in the form of original packaged goods in
13 premises located at 500 S. Racine in Chicago belonging to the
14 University of Illinois and used primarily as a grocery store by
15 a commercial tenant during the term of a lease that predates
16 the University's acquisition of the premises; but the
17 University shall have no power or authority to renew, transfer,
18 or extend the lease with terms allowing the sale of alcoholic
19 liquor; and the sale of alcoholic liquor shall be subject to
20 all local laws and regulations. After the acquisition by
21 Winnebago County of the property located at 404 Elm Street in
22 Rockford, a commercial tenant who sold alcoholic liquor at
23 retail on a portion of the property under a valid license at
24 the time of the acquisition may continue to do so for so long
25 as the tenant and the County may agree under existing or future
26 leases, subject to all local laws and regulations regarding the

1 sale of alcoholic liquor. Alcoholic liquors may be delivered to
2 and sold at Memorial Hall, located at 211 North Main Street,
3 Rockford, under conditions approved by Winnebago County and
4 subject to all local laws and regulations regarding the sale of
5 alcoholic liquor. Each facility shall provide dram shop
6 liability in maximum insurance coverage limits so as to save
7 harmless the State, municipality, State university, airport,
8 golf course, faculty center, facility in which conference and
9 convention type activities take place, park district, Forest
10 Preserve District, public community college district,
11 aquarium, museum, or sanitary district from all financial loss,
12 damage or harm. Alcoholic liquors may be sold at retail in
13 buildings of golf courses owned by municipalities or Illinois
14 State University in connection with the operation of an
15 established food serving facility during times when food is
16 dispensed for consumption upon the premises. Alcoholic liquors
17 may be delivered to and sold at retail in any building owned by
18 a fire protection district organized under the Fire Protection
19 District Act, provided that such delivery and sale is approved
20 by the board of trustees of the district, and provided further
21 that such delivery and sale is limited to fundraising events
22 and to a maximum of 6 events per year.

23 Alcoholic liquors may be served or sold in buildings under
24 the control of the Board of Trustees of the University of
25 Illinois for events that the Board may determine are public
26 events and not related student activities. The Board of

1 Trustees shall issue a written policy within 6 months of the
2 effective date of this amendatory Act of the 95th General
3 Assembly concerning the types of events that would be eligible
4 for an exemption. Thereafter, the Board of Trustees may issue
5 revised, updated, new, or amended policies as it deems
6 necessary and appropriate. In preparing its written policy, the
7 Board of Trustees shall, among other factors it considers
8 relevant and important, give consideration to the following:
9 (i) whether the event is a student activity or student related
10 activity; (ii) whether the physical setting of the event is
11 conducive to control of liquor sales and distribution; (iii)
12 the ability of the event operator to ensure that the sale or
13 serving of alcoholic liquors and the demeanor of the
14 participants are in accordance with State law and University
15 policies; (iv) regarding the anticipated attendees at the
16 event, the relative proportion of individuals under the age of
17 21 to individuals age 21 or older; (v) the ability of the venue
18 operator to prevent the sale or distribution of alcoholic
19 liquors to individuals under the age of 21; (vi) whether the
20 event prohibits participants from removing alcoholic beverages
21 from the venue; and (vii) whether the event prohibits
22 participants from providing their own alcoholic liquors to the
23 venue. In addition, any policy submitted by the Board of
24 Trustees to the Illinois Liquor Control Commission must require
25 that any event at which alcoholic liquors are served or sold in
26 buildings under the control of the Board of Trustees shall

1 require the prior written approval of the Office of the
2 Chancellor for the University campus where the event is
3 located. The Board of Trustees shall submit its policy, and any
4 subsequently revised, updated, new, or amended policies, to the
5 Illinois Liquor Control Commission, and any University event,
6 or location for an event, exempted under such policies shall
7 apply for a license under the applicable Sections of this Act.

8 Alcoholic liquors may be served or sold in buildings under
9 the control of the Board of Trustees of Northern Illinois
10 University for events that the Board may determine are public
11 events and not student-related activities. The Board of
12 Trustees shall issue a written policy within 6 months after
13 June 28, 2011 (the effective date of Public Act 97-45)
14 concerning the types of events that would be eligible for an
15 exemption. Thereafter, the Board of Trustees may issue revised,
16 updated, new, or amended policies as it deems necessary and
17 appropriate. In preparing its written policy, the Board of
18 Trustees shall, in addition to other factors it considers
19 relevant and important, give consideration to the following:
20 (i) whether the event is a student activity or student-related
21 activity; (ii) whether the physical setting of the event is
22 conducive to control of liquor sales and distribution; (iii)
23 the ability of the event operator to ensure that the sale or
24 serving of alcoholic liquors and the demeanor of the
25 participants are in accordance with State law and University
26 policies; (iv) the anticipated attendees at the event and the

1 relative proportion of individuals under the age of 21 to
2 individuals age 21 or older; (v) the ability of the venue
3 operator to prevent the sale or distribution of alcoholic
4 liquors to individuals under the age of 21; (vi) whether the
5 event prohibits participants from removing alcoholic beverages
6 from the venue; and (vii) whether the event prohibits
7 participants from providing their own alcoholic liquors to the
8 venue.

9 Alcoholic liquors may be served or sold in buildings under
10 the control of the Board of Trustees of Illinois State
11 University for events that the Board may determine are public
12 events and not student-related activities. The Board of
13 Trustees shall issue a written policy within 6 months after the
14 effective date of this amendatory Act of the 97th General
15 Assembly concerning the types of events that would be eligible
16 for an exemption. Thereafter, the Board of Trustees may issue
17 revised, updated, new, or amended policies as it deems
18 necessary and appropriate. In preparing its written policy, the
19 Board of Trustees shall, in addition to other factors it
20 considers relevant and important, give consideration to the
21 following: (i) whether the event is a student activity or
22 student-related activity; (ii) whether the physical setting of
23 the event is conducive to control of liquor sales and
24 distribution; (iii) the ability of the event operator to ensure
25 that the sale or serving of alcoholic liquors and the demeanor
26 of the participants are in accordance with State law and

1 University policies; (iv) the anticipated attendees at the
2 event and the relative proportion of individuals under the age
3 of 21 to individuals age 21 or older; (v) the ability of the
4 venue operator to prevent the sale or distribution of alcoholic
5 liquors to individuals under the age of 21; (vi) whether the
6 event prohibits participants from removing alcoholic beverages
7 from the venue; and (vii) whether the event prohibits
8 participants from providing their own alcoholic liquors to the
9 venue.

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

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

21 (i) the Adjutant General's written consent to the
22 issuance of a license to sell alcoholic liquor in such
23 building is filed with the Commission;

24 (ii) the alcoholic liquor is sold or dispensed only in
25 connection with organized functions held on special
26 occasions;

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

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

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

9 (i) the written consent of the Public Building
10 Commission which administers the Chicago Civic Center is
11 filed with the Commission;

12 (ii) the alcoholic liquor is sold or dispensed only in
13 connection with organized functions held on special
14 occasions;

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

17 (iv) the facility selling or dispensing the alcoholic
18 liquors has provided dram shop liability insurance in
19 maximum limits so as to hold harmless the Civic Center, the
20 City of Chicago and the State from all financial loss,
21 damage or harm; and

22 (v) all applicable local ordinances are complied with.

23 Alcoholic liquors may be delivered or sold in any building
24 belonging to or under the control of any city, village or
25 incorporated town where more than 75% of the physical
26 properties of the building is used for commercial or

1 recreational purposes, and the building is located upon a pier
2 extending into or over the waters of a navigable lake or stream
3 or on the shore of a navigable lake or stream. In accordance
4 with a license issued under this Act, alcoholic liquor may be
5 sold, served, or delivered in buildings and facilities under
6 the control of the Department of Natural Resources during
7 events or activities lasting no more than 7 continuous days
8 upon the written approval of the Director of Natural Resources
9 acting as the controlling government authority. The Director of
10 Natural Resources may specify conditions on that approval,
11 including but not limited to requirements for insurance and
12 hours of operation. Notwithstanding any other provision of this
13 Act, alcoholic liquor sold by a United States Army Corps of
14 Engineers or Department of Natural Resources concessionaire
15 who was operating on June 1, 1991 for on-premises consumption
16 only is not subject to the provisions of Articles IV and IX.
17 Beer and wine may be sold on the premises of the Joliet Park
18 District Stadium owned by the Joliet Park District when written
19 consent to the issuance of a license to sell beer and wine in
20 such premises is filed with the local liquor commissioner by
21 the Joliet Park District. Beer and wine may be sold in
22 buildings on the grounds of State veterans' homes when written
23 consent to the issuance of a license to sell beer and wine in
24 such buildings is filed with the Commission by the Department
25 of Veterans' Affairs, and the facility shall provide dram shop
26 liability in maximum insurance coverage limits so as to save

1 the facility harmless from all financial loss, damage or harm.
2 Such liquors may be delivered to and sold at any property owned
3 or held under lease by a Metropolitan Pier and Exposition
4 Authority or Metropolitan Exposition and Auditorium Authority.

5 Beer and wine may be sold and dispensed at professional
6 sporting events and at professional concerts and other
7 entertainment events conducted on premises owned by the Forest
8 Preserve District of Kane County, subject to the control of the
9 District Commissioners and applicable local law, provided that
10 dram shop liability insurance is provided at maximum coverage
11 limits so as to hold the District harmless from all financial
12 loss, damage and harm.

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

17 Alcoholic liquors may be sold at retail in buildings in
18 State parks under the control of the Department of Natural
19 Resources, provided:

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

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

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

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

11 a. the property has overnight lodging facilities with
12 some restaurant facilities or, not having overnight
13 lodging facilities, has restaurant facilities which serve
14 complete luncheon and dinner or supper meals,

15 b. consent to the issuance of a license to sell
16 alcoholic liquors in the buildings has been filed with the
17 commission by the Historic Sites and Preservation Division
18 of the Historic Preservation Agency or the Abraham Lincoln
19 Presidential Library and Museum, and

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

23 The sale of alcoholic liquors pursuant to this Section does
24 not authorize the establishment and operation of facilities
25 commonly called taverns, saloons, bars, cocktail lounges, and
26 the like except as a part of lodge and restaurant facilities in

1 State parks or golf courses owned by Forest Preserve Districts
2 with a population of less than 3,000,000 or municipalities or
3 park districts.

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

9 a. the request is from a not-for-profit organization;

10 b. such sales would not impede normal operations of the
11 departments involved;

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

16 d. no such sale shall be made during normal working
17 hours of the State of Illinois; and

18 e. the consent is in writing.

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

26 Alcoholic liquors may be provided in long term care

1 facilities owned or operated by a county under Division 5-21 or
2 5-22 of the Counties Code, when approved by the facility
3 operator and not in conflict with the regulations of the
4 Illinois Department of Public Health, to residents of the
5 facility who have had their consumption of the alcoholic
6 liquors provided approved in writing by a physician licensed to
7 practice medicine in all its branches.

8 Alcoholic liquors may be delivered to and dispensed in
9 State housing assigned to employees of the Department of
10 Corrections. No person shall furnish or allow to be furnished
11 any alcoholic liquors to any prisoner confined in any jail,
12 reformatory, prison or house of correction except upon a
13 physician's prescription for medicinal purposes.

14 Alcoholic liquors may be sold at retail or dispensed at the
15 Willard Ice Building in Springfield, at the State Library in
16 Springfield, and at Illinois State Museum facilities by (1) an
17 agency of the State, whether legislative, judicial or
18 executive, provided that such agency first obtains written
19 permission to sell or dispense alcoholic liquors from the
20 controlling government authority, or by (2) a not-for-profit
21 organization, provided that such organization:

22 a. Obtains written consent from the controlling
23 government authority;

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

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

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

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

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

19 Alcoholic liquors may be delivered to and sold at retail or
20 dispensed at any facility, property or building under the
21 jurisdiction of the Historic Sites and Preservation Division of
22 the Historic Preservation Agency or the Abraham Lincoln
23 Presidential Library and Museum where the delivery, sale or
24 dispensing is by (1) an agency of the State, whether
25 legislative, judicial or executive, provided that such agency
26 first obtains written permission to sell or dispense alcoholic

1 liquors from a controlling government authority, or by (2) an
2 individual or organization provided that such individual or
3 organization:

4 a. Obtains written consent from the controlling
5 government authority;

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

9 c. Sells or dispenses alcoholic liquors only in
10 connection with an official activity of the individual or
11 organization in the facility, property or building;

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

18 The controlling government authority for the Historic
19 Sites and Preservation Division of the Historic Preservation
20 Agency shall be the Director of the Historic Sites and
21 Preservation, and the controlling government authority for the
22 Abraham Lincoln Presidential Library and Museum shall be the
23 Director of the Abraham Lincoln Presidential Library and
24 Museum.

25 Alcoholic liquors may be delivered to and sold at retail or
26 dispensed for consumption at the Michael Bilandic Building at

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

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

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

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

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

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

12 Alcoholic liquors may be sold at retail or dispensed at the
13 James R. Thompson Center in Chicago, subject to the provisions
14 of Section 7.4 of the State Property Control Act, and 222 South
15 College Street in Springfield, Illinois by (1) a commercial
16 tenant or subtenant conducting business on the premises under a
17 lease or sublease made pursuant to Section 405-315 of the
18 Department of Central Management Services Law (20 ILCS
19 405/405-315), provided that such tenant or subtenant who sells
20 or dispenses alcoholic liquors shall procure and maintain dram
21 shop liability insurance in maximum coverage limits and in
22 which the carrier agrees to defend, indemnify and save harmless
23 the State of Illinois from all financial loss, damage or harm
24 arising out of the sale or dispensing of alcoholic liquors, or
25 by (2) an agency of the State, whether legislative, judicial or
26 executive, provided that such agency first obtains written

1 permission to sell or dispense alcoholic liquors from the
2 Director of Central Management Services, or by (3) a
3 not-for-profit organization, provided that such organization:

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

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

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

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

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

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

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

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

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

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

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

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

26 Alcoholic liquors may be sold or delivered in a building

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

15 Alcoholic liquors may be sold or delivered in any building
16 situated on land held in trust for any school district
17 organized under Article 34 of the School Code, if the building
18 is not used for school purposes and if the sale or delivery is
19 approved by the board of education.

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

26 Alcoholic liquors may be sold or delivered in the building

1 located at 1200 Centerville Avenue in Belleville, Illinois and
2 occupied by either the Belleville Area Special Education
3 District or the Belleville Area Special Services Cooperative.

4 Alcoholic liquors may be delivered to and sold at the Louis
5 Joliet Renaissance Center, City Center Campus, located at 214
6 N. Ottawa Street, Joliet, and the Food Services/Culinary Arts
7 Department facilities, Main Campus, located at 1215 Houbolt
8 Road, Joliet, owned by or under the control of Joliet Junior
9 College, Illinois Community College District No. 525.

10 Alcoholic liquors may be delivered to and sold at Triton
11 College, Illinois Community College District No. 504.

12 Alcoholic liquors may be delivered to and sold at the
13 College of DuPage, Illinois Community College District No. 502.

14 Alcoholic liquors may be delivered to and sold at the
15 building located at 446 East Hickory Avenue in Apple River,
16 Illinois, owned by the Apple River Fire Protection District,
17 and occupied by the Apple River Community Association if the
18 alcoholic liquor is sold or dispensed only in connection with
19 organized functions approved by the Apple River Community
20 Association for which the planned attendance is 20 or more
21 persons and if the person or facility selling or dispensing the
22 alcoholic liquor has provided dram shop liability insurance in
23 maximum limits so as to hold harmless the Apple River Fire
24 Protection District, the Village of Apple River, and the Apple
25 River Community Association from all financial loss, damage,
26 and harm.

1 Alcoholic liquors may be delivered to and sold at the Sikia
2 Restaurant, Kennedy King College Campus, located at 740 West
3 63rd Street, Chicago, and at the Food Services in the Great
4 Hall/Washburne Culinary Institute Department facility, Kennedy
5 King College Campus, located at 740 West 63rd Street, Chicago,
6 owned by or under the control of City Colleges of Chicago,
7 Illinois Community College District No. 508.

8 (Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51,
9 eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11;
10 97-395, eff. 8-16-11; 97-813, eff. 7-13-12.)

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