



Sen. Antonio Muñoz

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09700HB3450sam001

LRB097 08792 MGM 72917 a

1 AMENDMENT TO HOUSE BILL 3450

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3450 by replacing  
3 everything after the enacting clause with the following:

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,

- 1 (d) Retailer's license,
- 2 (e) Special Event Retailer's license (not-for-profit),
- 3 (f) Railroad license,
- 4 (g) Boat license,
- 5 (h) Non-Beverage User's license,
- 6 (i) Wine-maker's premises license,
- 7 (j) Airplane license,
- 8 (k) Foreign importer's license,
- 9 (l) Broker's license,
- 10 (m) Non-resident dealer's license,
- 11 (n) Brew Pub license,
- 12 (o) Auction liquor license,
- 13 (p) Caterer retailer license,
- 14 (q) Special use permit license,
- 15 (r) Winery shipper's license.

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

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

24 Class 1. A Distiller may make sales and deliveries of  
25 alcoholic liquor to distillers, rectifiers, importing  
26 distributors, distributors and non-beverage users and to no

1 other licensees.

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

6 Class 3. A Brewer may make sales and deliveries of beer to  
7 importing distributors and distributors and may make sales as  
8 authorized under subsection (e) of Section 6-4 of this Act.

9 Class 4. A first class wine-manufacturer may make sales and  
10 deliveries of up to 50,000 gallons of wine to manufacturers,  
11 importing distributors and distributors, and to no other  
12 licensees.

13 Class 5. A second class Wine manufacturer may make sales  
14 and deliveries of more than 50,000 gallons of wine to  
15 manufacturers, importing distributors and distributors and to  
16 no other licensees.

17 Class 6. A first-class wine-maker's license shall allow the  
18 manufacture of up to 50,000 gallons of wine per year, and the  
19 storage and sale of such wine to distributors in the State and  
20 to persons without the State, as may be permitted by law. A  
21 person who, prior to the effective date of this amendatory Act  
22 of the 95th General Assembly, is a holder of a first-class  
23 wine-maker's license and annually produces more than 25,000  
24 gallons of its own wine and who distributes its wine to  
25 licensed retailers shall cease this practice on or before July  
26 1, 2008 in compliance with this amendatory Act of the 95th

1 General Assembly.

2 Class 7. A second-class wine-maker's license shall allow  
3 the manufacture of between 50,000 and 150,000 gallons of wine  
4 per year, and the storage and sale of such wine to distributors  
5 in this State and to persons without the State, as may be  
6 permitted by law. A person who, prior to the effective date of  
7 this amendatory Act of the 95th General Assembly, is a holder  
8 of a second-class wine-maker's license and annually produces  
9 more than 25,000 gallons of its own wine and who distributes  
10 its wine to licensed retailers shall cease this practice on or  
11 before July 1, 2008 in compliance with this amendatory Act of  
12 the 95th General Assembly.

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

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

1 by the Commission pursuant to Section 6-4 of this Act.

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

7 Class 10. A craft brewer's license, which may only be  
8 issued to a licensed brewer or licensed non-resident dealer,  
9 shall allow the manufacture of up to 465,000 gallons of beer  
10 per year. A craft brewer licensee may make sales and deliveries  
11 to importing distributors and distributors and to retail  
12 licensees in accordance with the conditions set forth in  
13 paragraph (18) of subsection (a) of Section 3-12 of this Act.

14 (a-1) A manufacturer which is licensed in this State to  
15 make sales or deliveries of alcoholic liquor and which enlists  
16 agents, representatives, or individuals acting on its behalf  
17 who contact licensed retailers on a regular and continual basis  
18 in this State must register those agents, representatives, or  
19 persons acting on its behalf with the State Commission.

20 Registration of agents, representatives, or persons acting  
21 on behalf of a manufacturer is fulfilled by submitting a form  
22 to the Commission. The form shall be developed by the  
23 Commission and shall include the name and address of the  
24 applicant, the name and address of the manufacturer he or she  
25 represents, the territory or areas assigned to sell to or  
26 discuss pricing terms of alcoholic liquor, and any other

1 questions deemed appropriate and necessary. All statements in  
2 the forms required to be made by law or by rule shall be deemed  
3 material, and any person who knowingly misstates any material  
4 fact under oath in an application is guilty of a Class B  
5 misdemeanor. Fraud, misrepresentation, false statements,  
6 misleading statements, evasions, or suppression of material  
7 facts in the securing of a registration are grounds for  
8 suspension or revocation of the registration.

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

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

1 importing distributor's license shall permit such licensee to  
2 purchase alcoholic liquor from Illinois licensed non-resident  
3 dealers and foreign importers only.

4 (d) A retailer's license shall allow the licensee to sell  
5 and offer for sale at retail, only in the premises specified in  
6 the license, alcoholic liquor for use or consumption, but not  
7 for resale in any form. Nothing in this amendatory Act of the  
8 95th General Assembly shall deny, limit, remove, or restrict  
9 the ability of a holder of a retailer's license to transfer,  
10 deliver, or ship alcoholic liquor to the purchaser for use or  
11 consumption subject to any applicable local law or ordinance.  
12 Any retail license issued to a manufacturer shall only permit  
13 the manufacturer to sell beer at retail on the premises  
14 actually occupied by the manufacturer. For the purpose of  
15 further describing the type of business conducted at a retail  
16 licensed premises, a retailer's licensee may be designated by  
17 the State Commission as (i) an on premise consumption retailer,  
18 (ii) an off premise sale retailer, or (iii) a combined on  
19 premise consumption and off premise sale retailer.

20 Notwithstanding any other provision of this subsection  
21 (d), a retail licensee may sell alcoholic liquors to a special  
22 event retailer licensee for resale to the extent permitted  
23 under subsection (e).

24 (e) A special event retailer's license (not-for-profit)  
25 shall permit the licensee to purchase alcoholic liquors from an  
26 Illinois licensed distributor (unless the licensee purchases

1 less than \$500 of alcoholic liquors for the special event, in  
2 which case the licensee may purchase the alcoholic liquors from  
3 a licensed retailer) and shall allow the licensee to sell and  
4 offer for sale, at retail, alcoholic liquors for use or  
5 consumption, but not for resale in any form and only at the  
6 location and on the specific dates designated for the special  
7 event in the license. An applicant for a special event retailer  
8 license must (i) furnish with the application: (A) a resale  
9 number issued under Section 2c of the Retailers' Occupation Tax  
10 Act or evidence that the applicant is registered under Section  
11 2a of the Retailers' Occupation Tax Act, (B) a current, valid  
12 exemption identification number issued under Section 1g of the  
13 Retailers' Occupation Tax Act, and a certification to the  
14 Commission that the purchase of alcoholic liquors will be a  
15 tax-exempt purchase, or (C) a statement that the applicant is  
16 not registered under Section 2a of the Retailers' Occupation  
17 Tax Act, does not hold a resale number under Section 2c of the  
18 Retailers' Occupation Tax Act, and does not hold an exemption  
19 number under Section 1g of the Retailers' Occupation Tax Act,  
20 in which event the Commission shall set forth on the special  
21 event retailer's license a statement to that effect; (ii)  
22 submit with the application proof satisfactory to the State  
23 Commission that the applicant will provide dram shop liability  
24 insurance in the maximum limits; and (iii) show proof  
25 satisfactory to the State Commission that the applicant has  
26 obtained local authority approval.



1 (f) A railroad license shall permit the licensee to import  
2 alcoholic liquors into this State from any point in the United  
3 States outside this State and to store such alcoholic liquors  
4 in this State; to make wholesale purchases of alcoholic liquors  
5 directly from manufacturers, foreign importers, distributors  
6 and importing distributors from within or outside this State;  
7 and to store such alcoholic liquors in this State; provided  
8 that the above powers may be exercised only in connection with  
9 the importation, purchase or storage of alcoholic liquors to be  
10 sold or dispensed on a club, buffet, lounge or dining car  
11 operated on an electric, gas or steam railway in this State;  
12 and provided further, that railroad licensees exercising the  
13 above powers shall be subject to all provisions of Article VIII  
14 of this Act as applied to importing distributors. A railroad  
15 license shall also permit the licensee to sell or dispense  
16 alcoholic liquors on any club, buffet, lounge or dining car  
17 operated on an electric, gas or steam railway regularly  
18 operated by a common carrier in this State, but shall not  
19 permit the sale for resale of any alcoholic liquors to any  
20 licensee within this State. A license shall be obtained for  
21 each car in which such sales are made.

22 (g) A boat license shall allow the sale of alcoholic liquor  
23 in individual drinks, on any passenger boat regularly operated  
24 as a common carrier on navigable waters in this State or on any  
25 riverboat operated under the Riverboat Gambling Act, which boat  
26 or riverboat maintains a public dining room or restaurant

1 thereon.

2 (h) A non-beverage user's license shall allow the licensee  
 3 to purchase alcoholic liquor from a licensed manufacturer or  
 4 importing distributor, without the imposition of any tax upon  
 5 the business of such licensed manufacturer or importing  
 6 distributor as to such alcoholic liquor to be used by such  
 7 licensee solely for the non-beverage purposes set forth in  
 8 subsection (a) of Section 8-1 of this Act, and such licenses  
 9 shall be divided and classified and shall permit the purchase,  
 10 possession and use of limited and stated quantities of  
 11 alcoholic liquor as follows:

- 12 Class 1, not to exceed ..... 500 gallons
- 13 Class 2, not to exceed ..... 1,000 gallons
- 14 Class 3, not to exceed ..... 5,000 gallons
- 15 Class 4, not to exceed ..... 10,000 gallons
- 16 Class 5, not to exceed ..... 50,000 gallons

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

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

19 (j) An airplane license shall permit the licensee to import  
20 alcoholic liquors into this State from any point in the United  
21 States outside this State and to store such alcoholic liquors  
22 in this State; to make wholesale purchases of alcoholic liquors  
23 directly from manufacturers, foreign importers, distributors  
24 and importing distributors from within or outside this State;  
25 and to store such alcoholic liquors in this State; provided  
26 that the above powers may be exercised only in connection with

1 the importation, purchase or storage of alcoholic liquors to be  
2 sold or dispensed on an airplane; and provided further, that  
3 airplane licensees exercising the above powers shall be subject  
4 to all provisions of Article VIII of this Act as applied to  
5 importing distributors. An airplane licensee shall also permit  
6 the sale or dispensing of alcoholic liquors on any passenger  
7 airplane regularly operated by a common carrier in this State,  
8 but shall not permit the sale for resale of any alcoholic  
9 liquors to any licensee within this State. A single airplane  
10 license shall be required of an airline company if liquor  
11 service is provided on board aircraft in this State. The annual  
12 fee for such license shall be as determined in Section 5-3.

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

1 provisions apply to manufacturers.

2 (1) (i) A broker's license shall be required of all persons  
3 who solicit orders for, offer to sell or offer to supply  
4 alcoholic liquor to retailers in the State of Illinois, or who  
5 offer to retailers to ship or cause to be shipped or to make  
6 contact with distillers, rectifiers, brewers or manufacturers  
7 or any other party within or without the State of Illinois in  
8 order that alcoholic liquors be shipped to a distributor,  
9 importing distributor or foreign importer, whether such  
10 solicitation or offer is consummated within or without the  
11 State of Illinois.

12 No holder of a retailer's license issued by the Illinois  
13 Liquor Control Commission shall purchase or receive any  
14 alcoholic liquor, the order for which was solicited or offered  
15 for sale to such retailer by a broker unless the broker is the  
16 holder of a valid broker's license.

17 The broker shall, upon the acceptance by a retailer of the  
18 broker's solicitation of an order or offer to sell or supply or  
19 deliver or have delivered alcoholic liquors, promptly forward  
20 to the Illinois Liquor Control Commission a notification of  
21 said transaction in such form as the Commission may by  
22 regulations prescribe.

23 (ii) A broker's license shall be required of a person  
24 within this State, other than a retail licensee, who, for a fee  
25 or commission, promotes, solicits, or accepts orders for  
26 alcoholic liquor, for use or consumption and not for resale, to

1 be shipped from this State and delivered to residents outside  
2 of this State by an express company, common carrier, or  
3 contract carrier. This Section does not apply to any person who  
4 promotes, solicits, or accepts orders for wine as specifically  
5 authorized in Section 6-29 of this Act.

6 A broker's license under this subsection (1) shall not  
7 entitle the holder to buy or sell any alcoholic liquors for his  
8 own account or to take or deliver title to such alcoholic  
9 liquors.

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

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

19 (m) A non-resident dealer's license shall permit such  
20 licensee to ship into and warehouse alcoholic liquor into this  
21 State from any point outside of this State, and to sell such  
22 alcoholic liquor to Illinois licensed foreign importers and  
23 importing distributors and to no one else in this State;  
24 provided that (i) said non-resident dealer shall register with  
25 the Illinois Liquor Control Commission each and every brand of  
26 alcoholic liquor which it proposes to sell to Illinois

1 licensees during the license period, (ii) it shall comply with  
2 all of the provisions of Section 6-9 hereof with respect to  
3 registration of such Illinois licensees as may be granted the  
4 right to sell such brands at wholesale, and (iii) the  
5 non-resident dealer shall comply with the provisions of  
6 Sections 6-5 and 6-6 of this Act to the same extent that these  
7 provisions apply to manufacturers.

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

1 person.

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

7 (p) An auction liquor license shall allow the licensee to  
8 sell and offer for sale at auction wine and spirits for use or  
9 consumption, or for resale by an Illinois liquor licensee in  
10 accordance with provisions of this Act. An auction liquor  
11 license will be issued to a person and it will permit the  
12 auction liquor licensee to hold the auction anywhere in the  
13 State. An auction liquor license must be obtained for each  
14 auction at least 14 days in advance of the auction date.

15 (q) A special use permit license shall allow an Illinois  
16 licensed retailer to transfer a portion of its alcoholic liquor  
17 inventory from its retail licensed premises to the premises  
18 specified in the license hereby created, and to sell or offer  
19 for sale at retail, only in the premises specified in the  
20 license hereby created, the transferred alcoholic liquor for  
21 use or consumption, but not for resale in any form. A special  
22 use permit license may be granted for the following time  
23 periods: one day or less; 2 or more days to a maximum of 15 days  
24 per location in any 12 month period. An applicant for the  
25 special use permit license must also submit with the  
26 application proof satisfactory to the State Commission that the



1 applicant will provide dram shop liability insurance to the  
2 maximum limits and have local authority approval.

3 (r) A winery shipper's license shall allow a person with a  
4 first-class or second-class wine manufacturer's license, a  
5 first-class or second-class wine-maker's license, or a limited  
6 wine manufacturer's license or who is licensed to make wine  
7 under the laws of another state to ship wine made by that  
8 licensee directly to a resident of this State who is 21 years  
9 of age or older for that resident's personal use and not for  
10 resale. Prior to receiving a winery shipper's license, an  
11 applicant for the license must provide the Commission with a  
12 true copy of its current license in any state in which it is  
13 licensed as a manufacturer of wine. An applicant for a winery  
14 shipper's license must also complete an application form that  
15 provides any other information the Commission deems necessary.  
16 The application form shall include an acknowledgement  
17 consenting to the jurisdiction of the Commission, the Illinois  
18 Department of Revenue, and the courts of this State concerning  
19 the enforcement of this Act and any related laws, rules, and  
20 regulations, including authorizing the Department of Revenue  
21 and the Commission to conduct audits for the purpose of  
22 ensuring compliance with this amendatory Act.

23 A winery shipper licensee must pay to the Department of  
24 Revenue the State liquor gallonage tax under Section 8-1 for  
25 all wine that is sold by the licensee and shipped to a person  
26 in this State. For the purposes of Section 8-1, a winery

1 shipper licensee shall be taxed in the same manner as a  
2 manufacturer of wine. A licensee who is not otherwise required  
3 to register under the Retailers' Occupation Tax Act must  
4 register under the Use Tax Act to collect and remit use tax to  
5 the Department of Revenue for all gallons of wine that are sold  
6 by the licensee and shipped to persons in this State. If a  
7 licensee fails to remit the tax imposed under this Act in  
8 accordance with the provisions of Article VIII of this Act, the  
9 winery shipper's license shall be revoked in accordance with  
10 the provisions of Article VII of this Act. If a licensee fails  
11 to properly register and remit tax under the Use Tax Act or the  
12 Retailers' Occupation Tax Act for all wine that is sold by the  
13 winery shipper and shipped to persons in this State, the winery  
14 shipper's license shall be revoked in accordance with the  
15 provisions of Article VII of this Act.

16 A winery shipper licensee must collect, maintain, and  
17 submit to the Commission on a semi-annual basis the total  
18 number of cases per resident of wine shipped to residents of  
19 this State. A winery shipper licensed under this subsection (r)  
20 must comply with the requirements of Section 6-29 of this  
21 amendatory Act.

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

24 (235 ILCS 5/6-4) (from Ch. 43, par. 121)

25 Sec. 6-4. (a) No person licensed by any licensing authority

1 as a distiller, or a wine manufacturer, or any subsidiary or  
2 affiliate thereof, or any officer, associate, member, partner,  
3 representative, employee, agent or shareholder owning more  
4 than 5% of the outstanding shares of such person shall be  
5 issued an importing distributor's or distributor's license,  
6 nor shall any person licensed by any licensing authority as an  
7 importing distributor, distributor or retailer, or any  
8 subsidiary or affiliate thereof, or any officer or associate,  
9 member, partner, representative, employee, agent or  
10 shareholder owning more than 5% of the outstanding shares of  
11 such person be issued a distiller's license or a wine  
12 manufacturer's license; and no person or persons licensed as a  
13 distiller by any licensing authority shall have any interest,  
14 directly or indirectly, with such distributor or importing  
15 distributor.

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

25 (b) The foregoing provisions shall not apply to any person  
26 licensed by any licensing authority as a distiller or wine

1 manufacturer, or to any subsidiary or affiliate of any  
2 distiller or wine manufacturer who shall have been heretofore  
3 licensed by the State Commission as either an importing  
4 distributor or distributor during the annual licensing period  
5 expiring June 30, 1947, and shall actually have made sales  
6 regularly to retailers.

7 (c) Provided, however, that in such instances where a  
8 distributor's or importing distributor's license has been  
9 issued to any distiller or wine manufacturer or to any  
10 subsidiary or affiliate of any distiller or wine manufacturer  
11 who has, during the licensing period ending June 30, 1947, sold  
12 or distributed as such licensed distributor or importing  
13 distributor alcoholic liquors and wines to retailers, such  
14 distiller or wine manufacturer or any subsidiary or affiliate  
15 of any distiller or wine manufacturer holding such  
16 distributor's or importing distributor's license may continue  
17 to sell or distribute to retailers such alcoholic liquors and  
18 wines which are manufactured, distilled, processed or marketed  
19 by distillers and wine manufacturers whose products it sold or  
20 distributed to retailers during the whole or any part of its  
21 licensing periods; and such additional brands and additional  
22 products may be added to the line of such distributor or  
23 importing distributor, provided, that such brands and such  
24 products were not sold or distributed by any distributor or  
25 importing distributor licensed by the State Commission during  
26 the licensing period ending June 30, 1947, but can not sell or

1 distribute to retailers any other alcoholic liquors or wines.

2 (d) It shall be unlawful for any distiller licensed  
3 anywhere to have any stock ownership or interest in any  
4 distributor's or importing distributor's license wherein any  
5 other person has an interest therein who is not a distiller and  
6 does not own more than 5% of any stock in any distillery.  
7 Nothing herein contained shall apply to such distillers or  
8 their subsidiaries or affiliates, who had a distributor's or  
9 importing distributor's license during the licensing period  
10 ending June 30, 1947, which license was owned in whole by such  
11 distiller, or subsidiaries or affiliates of such distiller.

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

1 any subsidiary or affiliate thereof, or any officer, associate,  
2 member, partner, representative or agent, or shareholder be  
3 issued a manufacturer's license or importing distributor's  
4 license.

5 A person licensed as a craft distiller not affiliated with  
6 any other person manufacturing spirits may be authorized by the  
7 Commission to sell up to 2,500 gallons of spirits produced by  
8 the person to non-licensees for on or off-premises consumption  
9 ~~permitted to receive one retailer's license~~ for the premises in  
10 which he or she actually conducts business permitting only the  
11 retail sale of spirits manufactured at such premises. Such  
12 sales shall be limited to on-premises, in-person sales only,  
13 for lawful consumption on or off premises, and such  
14 authorization shall be considered a privilege granted by the  
15 craft distiller license. A craft distiller licensed for retail  
16 sale shall secure liquor liability insurance coverage in an  
17 amount at least equal to the maximum liability amounts set  
18 forth in subsection (a) of Section 6-21 of this Act.

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

22 (i) to any hotel, motel or restaurant whose principal  
23 business is not the sale of alcoholic liquors if said  
24 retailer's sales of any alcoholic liquors manufactured,  
25 sold, distributed or controlled, directly or indirectly,  
26 by any affiliate, subsidiary, officer, associate, member,

1 partner, representative, employee, agent or shareholder  
2 owning more than 5% of the outstanding shares of such  
3 person does not exceed 10% of the total alcoholic liquor  
4 sales of said retail licensee; and

5 (ii) where the Commission determines, having  
6 considered the public welfare, the economic impact upon the  
7 State and the entirety of the facts and circumstances  
8 involved, that the purpose and intent of this Section would  
9 not be violated by granting an exemption.

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

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

18 (235 ILCS 5/6-11)

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

20 (a) No license shall be issued for the sale at retail of  
21 any alcoholic liquor within 100 feet of any church, school  
22 other than an institution of higher learning, hospital, home  
23 for aged or indigent persons or for veterans, their spouses or  
24 children or any military or naval station, provided, that this  
25 prohibition shall not apply to hotels offering restaurant

1 service, regularly organized clubs, or to restaurants, food  
2 shops or other places where sale of alcoholic liquors is not  
3 the principal business carried on if the place of business so  
4 exempted is not located in a municipality of more than 500,000  
5 persons, unless required by local ordinance; nor to the renewal  
6 of a license for the sale at retail of alcoholic liquor on  
7 premises within 100 feet of any church or school where the  
8 church or school has been established within such 100 feet  
9 since the issuance of the original license. In the case of a  
10 church, the distance of 100 feet shall be measured to the  
11 nearest part of any building used for worship services or  
12 educational programs and not to property boundaries.

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

23 (c) Nothing in this Section shall prohibit the issuance of  
24 a retail license authorizing the sale of alcoholic liquor  
25 incidental to a restaurant if (1) the primary business of the  
26 restaurant consists of the sale of food where the sale of



1 liquor is incidental to the sale of food and the applicant is a  
2 completely new owner of the restaurant, (2) the immediately  
3 prior owner or operator of the premises where the restaurant is  
4 located operated the premises as a restaurant and held a valid  
5 retail license authorizing the sale of alcoholic liquor at the  
6 restaurant for at least part of the 24 months before the change  
7 of ownership, and (3) the restaurant is located 75 or more feet  
8 from a school.

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

1 more than 90 feet but less than 100 feet from a high school  
2 that opened in 1928 as a junior high school and became a senior  
3 high school in 1933, and in each of these cases if the sale of  
4 alcoholic liquors is not the principal business carried on by  
5 the licensee.

6 For purposes of this Section, a "banquet facility" is any  
7 part of a building that caters to private parties and where the  
8 sale of alcoholic liquors is not the principal business.

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

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

26 (g) Nothing in this Section shall prohibit the issuance of

1 a retail license authorizing the sale of alcoholic liquor at  
2 premises within 100 feet, but not less than 90 feet, of a  
3 public school if (1) the premises have been continuously  
4 licensed to sell alcoholic liquor for a period of at least 50  
5 years, (2) the premises are located in a municipality having a  
6 population of over 500,000 inhabitants, (3) the licensee is an  
7 individual who is a member of a family that has held the  
8 previous 3 licenses for that location for more than 25 years,  
9 (4) the principal of the school and the alderman of the ward in  
10 which the school is located have delivered a written statement  
11 to the local liquor control commissioner stating that they do  
12 not object to the issuance of a license under this subsection  
13 (g), and (5) the local liquor control commissioner has received  
14 the written consent of a majority of the registered voters who  
15 live within 200 feet of the premises.

16 (h) Notwithstanding any provision of 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 within premises and at an outdoor patio area attached to  
20 premises that are located in a municipality with a population  
21 in excess of 300,000 inhabitants and that are within 100 feet  
22 of a church if:

23 (1) the sale of alcoholic liquor at the premises is  
24 incidental to the sale of food,

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

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

2 (4) the premises are owned by the University of  
3 Illinois,

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

7 (6) 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.

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

16 (1) the primary entrance of the premises and the  
17 primary entrance of the church, synagogue, or other place  
18 of worship are at least 100 feet apart, on parallel  
19 streets, and separated by an alley; and

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

23 (j) Notwithstanding any provision in this Section to the  
24 contrary, nothing in this Section shall prohibit the issuance  
25 of a retail license authorizing the sale of alcoholic liquor at  
26 a theater that is within 100 feet of a church if (1) the church

1 owns the theater, (2) the church leases the theater to one or  
2 more entities, and (3) the theater is used by at least 5  
3 different not-for-profit theater groups.

4 (k) Notwithstanding any provision in 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 at a premises that is located within a municipality with  
8 a population in excess of 1,000,000 inhabitants and is within  
9 100 feet of a school if:

10 (1) the primary entrance of the premises and the  
11 primary entrance of the school are parallel, on different  
12 streets, and separated by an alley;

13 (2) the southeast corner of the premises are at least  
14 350 feet from the southwest corner of the school;

15 (3) the school was built in 1978;

16 (4) the sale of alcoholic liquor at the premises is  
17 incidental to the sale of food;

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

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

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

26 (l) Notwithstanding any provision in this Section to the

1 contrary, nothing in this Section shall prohibit the issuance  
2 or renewal of a license authorizing the sale of alcoholic  
3 liquor at a premises that is located within a municipality with  
4 a population in excess of 1,000,000 inhabitants and is within  
5 100 feet of a church or school if:

6 (1) the primary entrance of the premises and the  
7 closest entrance of the church or school is at least 90  
8 feet apart and no greater than 95 feet apart;

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

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

16 (4) the sale of alcoholic liquor at the premises is  
17 incidental to the sale of food;

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

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

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

25 (m) Notwithstanding any provision in this Section to the  
26 contrary, nothing in this Section shall prohibit the issuance

1 or renewal of a license authorizing the sale of alcoholic  
2 liquor at a premises that is located within a municipality with  
3 a population in excess of 1,000,000 inhabitants and is within  
4 100 feet of a church if:

5 (1) the premises and the church are perpendicular, and  
6 the primary entrance of the premises faces South while the  
7 primary entrance of the church faces West and the distance  
8 between the two entrances is more than 100 feet;

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

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

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

16 (5) the sale of alcoholic liquor at the premises is  
17 incidental to the sale of food;

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

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

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

5 (2) the school is located within subarea E of City of  
6 Chicago Residential Business Planned Development Number  
7 70;

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

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

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

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

21 (1) the sale of alcoholic liquor at the premises is  
22 incidental to the sale of food;

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

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



1           (4) the primary entrance of the premises is at least  
2           100 feet from the primary entrance of the church;

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

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

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

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

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

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

21                 (2) the church was established at the current location  
22                 in 1889; and

23                 (3) liquor has been sold on the premises since at least  
24                 1985.

25          (q) Notwithstanding any provision of this Section to the  
26          contrary, nothing in this Section shall prohibit the issuance

1 or renewal of a license authorizing the sale of alcoholic  
2 liquor within a premises that is located in a municipality with  
3 a population in excess of 1,000,000 inhabitants and within 100  
4 feet of a church-owned property if:

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

7 (2) the area of the premises does not exceed 720 square  
8 feet and the area of the larger building exceeds 18,000  
9 square feet;

10 (3) the larger building containing the premises is  
11 within 100 feet of the nearest property line of a  
12 church-owned property on which a church-affiliated school  
13 is located;

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

16 (5) the primary entrance of the larger building and the  
17 premises and the primary entrance of the church-affiliated  
18 school are on different, parallel streets, and the distance  
19 between the 2 primary entrances is more than 100 feet;

20 (6) the larger building is separated from the  
21 church-owned property and church-affiliated school by an  
22 alley;

23 (7) the larger building containing the premises and the  
24 church building front are on perpendicular streets and are  
25 separated by a street; and

26 (8) (Blank).

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

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

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

13           (3) the primary business of the restaurant consists of  
14 the sale of food where the sale of liquor is incidental to  
15 the sale of food;

16           (4) the sale of alcoholic liquor is conducted primarily  
17 in the below-grade level of the restaurant to which the  
18 only public access is by a staircase located inside the  
19 restaurant; and

20           (5) the restaurant has held a license authorizing the  
21 sale of alcoholic liquor on the premises for more than 40  
22 years.

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

1 than 5,000 and less than 10,000 and is within 100 feet of a  
2 church if:

3 (1) the church was established at the location within  
4 100 feet of the premises after a license for the sale of  
5 alcoholic liquor at the premises was first issued;

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

8 (3) a license for the sale of alcoholic liquor on the  
9 premises has been continuously in effect since January 1,  
10 2007, except for interruptions between licenses of no more  
11 than 90 days.

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

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

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

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

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

26 (5) the construction of the building in which the

1 restaurant is located was completed in 2006;

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

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

5 (8) the building is north of the school and separated  
6 by an alley; and

7 (9) the principal religious leader of the church and  
8 either the alderman of the ward in which the school is  
9 located or the principal of the school have delivered a  
10 written statement to the local liquor control commissioner  
11 stating that he or she does not object to the issuance of a  
12 license under this subsection (t).

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

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

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

22 (3) the sale of alcoholic liquor is incidental to the  
23 sale of food;

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

26 (5) the premises occupy the first floor of a 3-story

1 building that is at least 90 years old;

2 (6) the rear lot of the school and the rear corner of  
3 the building that the premises occupy are separated by an  
4 alley;

5 (7) the distance from the southwest corner of the  
6 property line of the school and the northeast corner of the  
7 building that the premises occupy is at least 16 feet, 5  
8 inches;

9 (8) the distance from the rear door of the premises to  
10 the southwest corner of the property line of the school is  
11 at least 93 feet;

12 (9) the school is a City of Chicago School District 299  
13 school;

14 (10) the school's main structure was erected in 1902  
15 and an addition was built to the main structure in 1959;  
16 and

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

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

26 (1) the total land area of the premises for which the

1 license or renewal is sought is more than 600,000 square  
2 feet;

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

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

8 (4) the property line of the premises for which the  
9 license or renewal is sought is separated from the property  
10 line of the school by a street;

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

14 (6) as of the effective date of this amendatory Act of  
15 the 97th General Assembly, the premises for which the  
16 license or renewal is sought is located in the Illinois  
17 Medical District.

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

24 (1) the sale of alcoholic liquor at the premises is  
25 incidental to the sale of food;

26 (2) the sale of alcoholic liquor is not the principal

1 business carried on by the licensee at the premises;

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

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

6 (5) the premises is located directly west of the  
7 church, on perpendicular streets, and separated by an  
8 alley;

9 (6) the distance between the property line of the  
10 premises and the property line of the church is at least 20  
11 feet;

12 (7) the distance between the primary entrance of the  
13 premises and the primary entrance of the church is at least  
14 130 feet; and

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

17 (x) 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 at a premises that is located within a municipality with  
21 a population in excess of 1,000,000 inhabitants and within 100  
22 feet of a church if:

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

25 (2) the church has been operating in its current  
26 location since 1973;



1           (3) the premises has been operating in its current  
2 location since 1988;

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

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

7           (6) the primary entrance to the premises and the  
8 primary entrance to the church are located on the same  
9 street;

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

12          (8) the premises is a 2-story building of approximately  
13 23,000 square feet; and

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

16          (y) Notwithstanding any provision of 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 within 100  
21 feet of a school if:

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

24           (2) the sale of alcoholic liquor at the premises is  
25 incidental to the sale of food;

26           (3) according to the municipality, the distance

1 between the east property line of the premises and the west  
2 property line of the school is 97.8 feet;

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

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

6 (6) the primary entrance to the premises and the  
7 primary entrance to the school are located on the same  
8 street;

9 (7) the street on which the entrances of the premises  
10 and the school are located is a major diagonal  
11 thoroughfare;

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

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

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

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

23 (2) the licensee shall only sell packaged liquors at  
24 the premises;

25 (3) the licensee is a national retail chain having over  
26 100 locations within the municipality;

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

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

3 (6) the premises is located in the North-East quadrant  
4 of the municipality;

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

7 (8) the premises has approximately 14,490 square feet  
8 of retail space;

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

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

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

16 (aa) Notwithstanding any provision of 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 within 100  
21 feet of a church if:

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

24 (2) the licensee shall only sell packaged liquors at  
25 the premises;

26 (3) the licensee is a national retail chain having over

1 100 locations within the municipality;

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

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

4 (6) the premises is located in the North-East quadrant  
5 of the municipality;

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

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

10 (9) the premises has approximately 992 square feet of  
11 pharmacy space;

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

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

17 (bb) 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 at a premises that is located within a municipality with  
21 a population in excess of 1,000,000 inhabitants and within 100  
22 feet of a church if:

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

25 (2) the sale of alcoholic liquor at the premises is  
26 incidental to the sale of food;

1           (3) the primary entrance to the premises and the  
2 primary entrance to the church are located on the same  
3 street;

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

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

7           (6) the church is an elder-led and Bible-based Assyrian  
8 church;

9           (7) the premises and the church are both single-story  
10 buildings;

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

13           (9) the distance between the northern-most property  
14 line of the premises and the southern-most property line of  
15 the church is 65 feet.

16           (cc) Notwithstanding any provision of 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 within 100  
21 feet of a school if:

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

24           (2) the licensee shall only sell packaged liquors at  
25 the premises;

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

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

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

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

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

13           (dd) 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 within a full-service grocery store at a premises that  
17 is located within a municipality with a population in excess of  
18 1,000,000 inhabitants and is within 100 feet of a school if:

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

21           (2) the premises is constructed on land that was  
22 previously used as a parking facility for public safety  
23 employees;

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

26           (4) the main entrance to the store is more than 100

1 feet from the main entrance to the school;

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

3 (6) the school is a private school;

4 (7) the principal of the school has given written  
5 approval for the license;

6 (8) the alderman of the ward where the premises is  
7 located has given written approval of the issuance of the  
8 license;

9 (9) the grocery store level of the premises is between  
10 60,000 and 70,000 square feet; and

11 (10) the owner and operator of the grocery store  
12 operates 2 other grocery stores that have alcoholic liquor  
13 licenses within the same municipality.

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

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

23 (2) the premises is located on land that has undergone  
24 environmental remediation;

25 (3) the premises is located within a retail complex  
26 containing retail stores where some of the stores sell

1 alcoholic beverages;

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

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

7 (6) the entrance to any business that sells alcoholic  
8 liquor is more than 100 feet from the entrance to the  
9 school;

10 (7) the alderman of the ward where the premises is  
11 located has given written approval of the issuance of the  
12 license; and

13 (8) the principal of the school has given written  
14 consent to the issuance of the license.

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

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

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

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



1 (4) the school is a City of Chicago School District 299  
2 school;

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

6 (6) the alderman of the ward in which the premises is  
7 located has expressed, in writing, his support for the  
8 issuance of the license; and

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

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

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

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

25 (3) the property on which the premises are located  
26 contains one or more multi-story buildings that are at

1 least 95 years old and have no more than three stories;

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

4 (5) the property on which the church is located is  
5 immediately adjacent to and west of the property on which  
6 the premises are located;

7 (6) the western boundary of the property on which the  
8 premises are located is no less than 118 feet in length and  
9 no more than 122 feet in length;

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

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

17 (9) the alderman in whose district the premises are  
18 located has expressed his or her support for the issuance  
19 of the license in writing.

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

24 (hh) Notwithstanding any provision of this Section to the  
25 contrary, nothing in this Section shall prohibit the issuance  
26 or renewal of a license authorizing the sale of alcoholic

1 liquor within a hotel and at an outdoor patio area attached to  
2 the hotel that are located in a municipality with a population  
3 in excess of 1,000,000 inhabitants and that are within 100 feet  
4 of a hospital if:

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

7 (2) the hotel is located within the City of Chicago  
8 Business Planned Development Number 468; and

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

11 (ii) Notwithstanding any provision of this Section to the  
12 contrary, nothing in this Section shall prohibit the issuance  
13 or renewal of a license authorizing the sale of alcoholic  
14 liquor within a restaurant and at an outdoor patio area  
15 attached to the restaurant that are located in a municipality  
16 with a population in excess of 1,000,000 inhabitants and that  
17 are within 100 feet of a church if:

18 (1) the sale of alcoholic liquor at the premises is not  
19 the principal business carried on by the licensee and is  
20 incidental to the sale of food;

21 (2) the restaurant has been operated on the street  
22 level of a 2-story building located on a corner lot since  
23 2008;

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

1           (4) the primary entrance to the restaurant and the  
2           primary entrance to the church are located on the same  
3           street;

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

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

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

10           (8) the principal religious leader at the place of  
11           worship has indicated his or her consent to the issuance of  
12           the license in writing.

13           (Source: P.A. 96-283, eff. 8-11-09; 96-744, eff. 8-25-09;  
14           96-851, eff. 12-23-09; 96-871, eff. 1-21-10; 96-1051, eff.  
15           7-14-10; 97-9, eff. 6-14-11; 97-12, eff. 6-14-11; 97-634, eff.  
16           12-16-11; 97-774, eff. 7-13-12; 97-780, eff. 7-13-12; 97-806,  
17           eff. 7-13-12; revised 7-23-12.)

18           (235 ILCS 5/6-15) (from Ch. 43, par. 130)

19           Sec. 6-15. No alcoholic liquors shall be sold or delivered  
20           in any building belonging to or under the control of the State  
21           or any political subdivision thereof except as provided in this  
22           Act. The corporate authorities of any city, village,  
23           incorporated town, township, or county may provide by  
24           ordinance, however, that alcoholic liquor may be sold or  
25           delivered in any specifically designated building belonging to

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

1 feet of the building from which the food is dispensed, subject  
2 to the approval of the governing board of the district, or in a  
3 building owned by a Local Mass Transit District organized under  
4 the Local Mass Transit District Act, subject to the approval of  
5 the governing Board of the District, or in Bicentennial Park,  
6 or on the premises of the City of Mendota Lake Park located  
7 adjacent to Route 51 in Mendota, Illinois, or on the premises  
8 of Camden Park in Milan, Illinois, or in the community center  
9 owned by the City of Loves Park that is located at 1000 River  
10 Park Drive in Loves Park, Illinois, or, in connection with the  
11 operation of an established food serving facility during times  
12 when food is dispensed for consumption on the premises, and at  
13 the following aquarium and museums located in public parks: Art  
14 Institute of Chicago, Chicago Academy of Sciences, Chicago  
15 Historical Society, Field Museum of Natural History, Museum of  
16 Science and Industry, DuSable Museum of African American  
17 History, John G. Shedd Aquarium and Adler Planetarium, or at  
18 Lakeview Museum of Arts and Sciences in Peoria, or in  
19 connection with the operation of the facilities of the Chicago  
20 Zoological Society or the Chicago Horticultural Society on land  
21 owned by the Forest Preserve District of Cook County, or on any  
22 land used for a golf course or for recreational purposes owned  
23 by the Forest Preserve District of Cook County, subject to the  
24 control of the Forest Preserve District Board of Commissioners  
25 and applicable local law, provided that dram shop liability  
26 insurance is provided at maximum coverage limits so as to hold

1 the District harmless from all financial loss, damage, and  
2 harm, or in any building located on land owned by the Chicago  
3 Park District if approved by the Park District Commissioners,  
4 or on any land used for a golf course or for recreational  
5 purposes and owned by the Illinois International Port District  
6 if approved by the District's governing board, or at any  
7 airport, golf course, faculty center, or facility in which  
8 conference and convention type activities take place belonging  
9 to or under control of any State university or public community  
10 college district, provided that with respect to a facility for  
11 conference and convention type activities alcoholic liquors  
12 shall be limited to the use of the convention or conference  
13 participants or participants in cultural, political or  
14 educational activities held in such facilities, and provided  
15 further that the faculty or staff of the State university or a  
16 public community college district, or members of an  
17 organization of students, alumni, faculty or staff of the State  
18 university or a public community college district are active  
19 participants in the conference or convention, or in Memorial  
20 Stadium on the campus of the University of Illinois at  
21 Urbana-Champaign during games in which the Chicago Bears  
22 professional football team is playing in that stadium during  
23 the renovation of Soldier Field, not more than one and a half  
24 hours before the start of the game and not after the end of the  
25 third quarter of the game, or in the Pavilion Facility on the  
26 campus of the University of Illinois at Chicago during games in

1 which the Chicago Storm professional soccer team is playing in  
2 that facility, not more than one and a half hours before the  
3 start of the game and not after the end of the third quarter of  
4 the game, or in the Pavilion Facility on the campus of the  
5 University of Illinois at Chicago during games in which the  
6 WNBA professional women's basketball team is playing in that  
7 facility, not more than one and a half hours before the start  
8 of the game and not after the 10-minute mark of the second half  
9 of the game, or by a catering establishment which has rented  
10 facilities from a board of trustees of a public community  
11 college district, or in a restaurant that is operated by a  
12 commercial tenant in the North Campus Parking Deck building  
13 that (1) is located at 1201 West University Avenue, Urbana,  
14 Illinois and (2) is owned by the Board of Trustees of the  
15 University of Illinois, or, if approved by the District board,  
16 on land owned by the Metropolitan Sanitary District of Greater  
17 Chicago and leased to others for a term of at least 20 years.  
18 Nothing in this Section precludes the sale or delivery of  
19 alcoholic liquor in the form of original packaged goods in  
20 premises located at 500 S. Racine in Chicago belonging to the  
21 University of Illinois and used primarily as a grocery store by  
22 a commercial tenant during the term of a lease that predates  
23 the University's acquisition of the premises; but the  
24 University shall have no power or authority to renew, transfer,  
25 or extend the lease with terms allowing the sale of alcoholic  
26 liquor; and the sale of alcoholic liquor shall be subject to



1 all local laws and regulations. After the acquisition by  
2 Winnebago County of the property located at 404 Elm Street in  
3 Rockford, a commercial tenant who sold alcoholic liquor at  
4 retail on a portion of the property under a valid license at  
5 the time of the acquisition may continue to do so for so long  
6 as the tenant and the County may agree under existing or future  
7 leases, subject to all local laws and regulations regarding the  
8 sale of alcoholic liquor. Alcoholic liquors may be delivered to  
9 and sold at Memorial Hall, located at 211 North Main Street,  
10 Rockford, under conditions approved by Winnebago County and  
11 subject to all local laws and regulations regarding the sale of  
12 alcoholic liquor. Each facility shall provide dram shop  
13 liability in maximum insurance coverage limits so as to save  
14 harmless the State, municipality, State university, airport,  
15 golf course, faculty center, facility in which conference and  
16 convention type activities take place, park district, Forest  
17 Preserve District, public community college district,  
18 aquarium, museum, or sanitary district from all financial loss,  
19 damage or harm. Alcoholic liquors may be sold at retail in  
20 buildings of golf courses owned by municipalities or Illinois  
21 State University in connection with the operation of an  
22 established food serving facility during times when food is  
23 dispensed for consumption upon the premises. Alcoholic liquors  
24 may be delivered to and sold at retail in any building owned by  
25 a fire protection district organized under the Fire Protection  
26 District Act, provided that such delivery and sale is approved

1 by the board of trustees of the district, and provided further  
2 that such delivery and sale is limited to fundraising events  
3 and to a maximum of 6 events per year.

4 Alcoholic liquors may be served or sold in buildings under  
5 the control of the Board of Trustees of the University of  
6 Illinois for events that the Board may determine are public  
7 events and not related student activities. The Board of  
8 Trustees shall issue a written policy within 6 months of the  
9 effective date of this amendatory Act of the 95th General  
10 Assembly concerning the types of events that would be eligible  
11 for an exemption. Thereafter, the Board of Trustees may issue  
12 revised, updated, new, or amended policies as it deems  
13 necessary and appropriate. In preparing its written policy, the  
14 Board of Trustees shall, among other factors it considers  
15 relevant and important, give consideration to the following:

16 (i) whether the event is a student activity or student related  
17 activity; (ii) whether the physical setting of the event is  
18 conducive to control of liquor sales and distribution; (iii)  
19 the ability of the event operator to ensure that the sale or  
20 serving of alcoholic liquors and the demeanor of the  
21 participants are in accordance with State law and University  
22 policies; (iv) regarding the anticipated attendees at the  
23 event, the relative proportion of individuals under the age of  
24 21 to individuals age 21 or older; (v) the ability of the venue  
25 operator to prevent the sale or distribution of alcoholic  
26 liquors to individuals under the age of 21; (vi) whether the

1 event prohibits participants from removing alcoholic beverages  
2 from the venue; and (vii) whether the event prohibits  
3 participants from providing their own alcoholic liquors to the  
4 venue. In addition, any policy submitted by the Board of  
5 Trustees to the Illinois Liquor Control Commission must require  
6 that any event at which alcoholic liquors are served or sold in  
7 buildings under the control of the Board of Trustees shall  
8 require the prior written approval of the Office of the  
9 Chancellor for the University campus where the event is  
10 located. The Board of Trustees shall submit its policy, and any  
11 subsequently revised, updated, new, or amended policies, to the  
12 Illinois Liquor Control Commission, and any University event,  
13 or location for an event, exempted under such policies shall  
14 apply for a license under the applicable Sections of this Act.

15 Alcoholic liquors may be served or sold in buildings under  
16 the control of the Board of Trustees of Northern Illinois  
17 University for events that the Board may determine are public  
18 events and not student-related activities. The Board of  
19 Trustees shall issue a written policy within 6 months after  
20 June 28, 2011 (the effective date of Public Act 97-45)  
21 concerning the types of events that would be eligible for an  
22 exemption. Thereafter, the Board of Trustees may issue revised,  
23 updated, new, or amended policies as it deems necessary and  
24 appropriate. In preparing its written policy, the Board of  
25 Trustees shall, in addition to other factors it considers  
26 relevant and important, give consideration to the following:

1 (i) whether the event is a student activity or student-related  
2 activity; (ii) whether the physical setting of the event is  
3 conducive to control of liquor sales and distribution; (iii)  
4 the ability of the event operator to ensure that the sale or  
5 serving of alcoholic liquors and the demeanor of the  
6 participants are in accordance with State law and University  
7 policies; (iv) the anticipated attendees at the event and the  
8 relative proportion of individuals under the age of 21 to  
9 individuals age 21 or older; (v) the ability of the venue  
10 operator to prevent the sale or distribution of alcoholic  
11 liquors to individuals under the age of 21; (vi) whether the  
12 event prohibits participants from removing alcoholic beverages  
13 from the venue; and (vii) whether the event prohibits  
14 participants from providing their own alcoholic liquors to the  
15 venue.

16 Alcoholic liquors may be served or sold in buildings under  
17 the control of the Board of Trustees of Illinois State  
18 University for events that the Board may determine are public  
19 events and not student-related activities. The Board of  
20 Trustees shall issue a written policy within 6 months after the  
21 effective date of this amendatory Act of the 97th General  
22 Assembly concerning the types of events that would be eligible  
23 for an exemption. Thereafter, the Board of Trustees may issue  
24 revised, updated, new, or amended policies as it deems  
25 necessary and appropriate. In preparing its written policy, the  
26 Board of Trustees shall, in addition to other factors it

1 considers relevant and important, give consideration to the  
2 following: (i) whether the event is a student activity or  
3 student-related activity; (ii) whether the physical setting of  
4 the event is conducive to control of liquor sales and  
5 distribution; (iii) the ability of the event operator to ensure  
6 that the sale or serving of alcoholic liquors and the demeanor  
7 of the participants are in accordance with State law and  
8 University policies; (iv) the anticipated attendees at the  
9 event and the relative proportion of individuals under the age  
10 of 21 to individuals age 21 or older; (v) the ability of the  
11 venue operator to prevent the sale or distribution of alcoholic  
12 liquors to individuals under the age of 21; (vi) whether the  
13 event prohibits participants from removing alcoholic beverages  
14 from the venue; and (vii) whether the event prohibits  
15 participants from providing their own alcoholic liquors to the  
16 venue.

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

26 Alcoholic liquors may be delivered to and sold at retail in

1 any building used as an Illinois State Armory provided:

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

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

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

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

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

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

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

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

24 (iv) the facility selling or dispensing the alcoholic  
25 liquors has provided dram shop liability insurance in  
26 maximum limits so as to hold harmless the Civic Center, the

1 City of Chicago and the State from all financial loss,  
2 damage or harm; and

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

4 Alcoholic liquors may be delivered or sold in any building  
5 belonging to or under the control of any city, village or  
6 incorporated town where more than 75% of the physical  
7 properties of the building is used for commercial or  
8 recreational purposes, and the building is located upon a pier  
9 extending into or over the waters of a navigable lake or stream  
10 or on the shore of a navigable lake or stream. In accordance  
11 with a license issued under this Act, alcoholic liquor may be  
12 sold, served, or delivered in buildings and facilities under  
13 the control of the Department of Natural Resources during  
14 events or activities lasting no more than 7 continuous days  
15 upon the written approval of the Director of Natural Resources  
16 acting as the controlling government authority. The Director of  
17 Natural Resources may specify conditions on that approval,  
18 including but not limited to requirements for insurance and  
19 hours of operation. Notwithstanding any other provision of this  
20 Act, alcoholic liquor sold by a United States Army Corps of  
21 Engineers or Department of Natural Resources concessionaire  
22 who was operating on June 1, 1991 for on-premises consumption  
23 only is not subject to the provisions of Articles IV and IX.  
24 Beer and wine may be sold on the premises of the Joliet Park  
25 District Stadium owned by the Joliet Park District when written  
26 consent to the issuance of a license to sell beer and wine in

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

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

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

24 Alcoholic liquors may be sold at retail in buildings in  
25 State parks under the control of the Department of Natural  
26 Resources, provided:



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

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

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

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

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

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

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

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

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

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

17               b. such sales would not impede normal operations of the  
18               departments involved;

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

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

25               e. the consent is in writing.

26          Alcoholic liquors may be sold at retail in buildings in

1 recreational areas of river conservancy districts under the  
2 control of, or leased from, the river conservancy districts.  
3 Such sales are subject to reasonable local regulations as  
4 provided in Article IV; however, no such regulations may  
5 prohibit or substantially impair the sale of alcoholic liquors  
6 on Sundays or Holidays.

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

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

21 Alcoholic liquors may be sold at retail or dispensed at the  
22 Willard Ice Building in Springfield, at the State Library in  
23 Springfield, and at Illinois State Museum facilities by (1) an  
24 agency of the State, whether legislative, judicial or  
25 executive, provided that such agency first obtains written  
26 permission to sell or dispense alcoholic liquors from the

1 controlling government authority, or by (2) a not-for-profit  
2 organization, provided that such organization:

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

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

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

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

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

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

26 Alcoholic liquors may be delivered to and sold at retail or

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

11 a. Obtains written consent from the controlling  
12 government authority;

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

16 c. Sells or dispenses alcoholic liquors only in  
17 connection with an official activity of the individual or  
18 organization in the facility, property or building;

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

25 The controlling government authority for the Historic  
26 Sites and Preservation Division of the Historic Preservation

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

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

26 a. obtains written consent from the Department of

1 Central Management Services;

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

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

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

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

19 Alcoholic liquors may be sold at retail or dispensed at the  
20 James R. Thompson Center in Chicago, subject to the provisions  
21 of Section 7.4 of the State Property Control Act, and 222 South  
22 College Street in Springfield, Illinois by (1) a commercial  
23 tenant or subtenant conducting business on the premises under a  
24 lease or sublease made pursuant to Section 405-315 of the  
25 Department of Central Management Services Law (20 ILCS  
26 405/405-315), provided that such tenant or subtenant who sells

1 or dispenses alcoholic liquors shall procure and maintain dram  
2 shop liability insurance in maximum coverage limits and in  
3 which the carrier agrees to defend, indemnify and save harmless  
4 the State of Illinois from all financial loss, damage or harm  
5 arising out of the sale or dispensing of alcoholic liquors, or  
6 by (2) an agency of the State, whether legislative, judicial or  
7 executive, provided that such agency first obtains written  
8 permission to sell or dispense alcoholic liquors from the  
9 Director of Central Management Services, or by (3) a  
10 not-for-profit organization, provided that such organization:

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

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

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

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

24 Nothing in this Act shall prevent a not-for-profit  
25 organization or agency of the State from employing the services  
26 of a catering establishment for the selling or dispensing of



1 alcoholic liquors at functions authorized by the Director of  
2 Central Management Services.

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

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

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

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

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

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

1           alcoholic liquors.

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

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

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

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

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

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

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

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

21           Alcoholic liquors may be delivered to and sold at the  
22 building located at 446 East Hickory Avenue in Apple River,  
23 Illinois, owned by the Apple River Fire Protection District,  
24 and occupied by the Apple River Community Association if the  
25 alcoholic liquor is sold or dispensed only in connection with  
26 organized functions approved by the Apple River Community

1 Association for which the planned attendance is 20 or more  
2 persons and if the person or facility selling or dispensing the  
3 alcoholic liquor has provided dram shop liability insurance in  
4 maximum limits so as to hold harmless the Apple River Fire  
5 Protection District, the Village of Apple River, and the Apple  
6 River Community Association from all financial loss, damage,  
7 and harm.

8 Alcoholic liquors may be delivered to and sold at the Sikia  
9 Restaurant, Kennedy King College Campus, located at 740 West  
10 63rd Street, Chicago, and at the Food Services in the Great  
11 Hall/Washburne Culinary Institute Department facility, Kennedy  
12 King College Campus, located at 740 West 63rd Street, Chicago,  
13 owned by or under the control of City Colleges of Chicago,  
14 Illinois Community College District No. 508.

15 (Source: P.A. 97-33, eff. 6-28-11; 97-45, eff. 6-28-11; 97-51,  
16 eff. 6-28-11; 97-167, eff. 7-22-11; 97-250, eff. 8-4-11;  
17 97-395, eff. 8-16-11; 97-813, eff. 7-13-12.)

18 Section 99. Effective date. This Act takes effect upon  
19 becoming law."