



Sen. Michael W. Frerichs

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LRB097 17702 AJO 67462 a

1 AMENDMENT TO SENATE BILL 3456

2 AMENDMENT NO. _____. Amend Senate Bill 3456 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 and 5-3 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 15,000 gallons of spirits by distillation
19 per year and the storage of such spirits. If a craft distiller
20 licensee is not affiliated with any other manufacturer, then
21 the craft distiller licensee may sell such spirits to
22 distributors in this State and non-licensees to the extent
23 permitted by any exemption approved by the Commission pursuant
24 to Section 6-4 of this Act.

25 Any craft distiller licensed under this Act who on the
26 effective date of this amendatory Act of the 96th General

1 Assembly was licensed as a distiller and manufactured no more
2 spirits than permitted by this Section shall not be required to
3 pay the initial licensing fee.

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

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

17 Registration of agents, representatives, or persons acting
18 on behalf of a manufacturer is fulfilled by submitting a form
19 to the Commission. The form shall be developed by the
20 Commission and shall include the name and address of the
21 applicant, the name and address of the manufacturer he or she
22 represents, the territory or areas assigned to sell to or
23 discuss pricing terms of alcoholic liquor, and any other
24 questions deemed appropriate and necessary. All statements in
25 the forms required to be made by law or by rule shall be deemed
26 material, and any person who knowingly misstates any material

1 fact under oath in an application is guilty of a Class B
2 misdemeanor. Fraud, misrepresentation, false statements,
3 misleading statements, evasions, or suppression of material
4 facts in the securing of a registration are grounds for
5 suspension or revocation of the registration.

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

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

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

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

21 (e) A special event retailer's license (not-for-profit)
22 shall permit the licensee to purchase alcoholic liquors from an
23 Illinois licensed distributor (unless the licensee purchases
24 less than \$500 of alcoholic liquors for the special event, in
25 which case the licensee may purchase the alcoholic liquors from
26 a licensed retailer) and shall allow the licensee to sell and

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

24 (f) A railroad license shall permit the licensee to import
25 alcoholic liquors into this State from any point in the United
26 States outside this State and to store such alcoholic liquors

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

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

25 (h) A non-beverage user's license shall allow the licensee
26 to purchase alcoholic liquor from a licensed manufacturer or

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

- 9 Class 1, not to exceed 500 gallons
- 10 Class 2, not to exceed 1,000 gallons
- 11 Class 3, not to exceed 5,000 gallons
- 12 Class 4, not to exceed 10,000 gallons
- 13 Class 5, not to exceed 50,000 gallons

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

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

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

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

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

25 (l) (i) A broker's license shall be required of all persons
26 who solicit orders for, offer to sell or offer to supply

1 alcoholic liquor to retailers in the State of Illinois, or who
2 offer to retailers to ship or cause to be shipped or to make
3 contact with distillers, rectifiers, brewers or manufacturers
4 or any other party within or without the State of Illinois in
5 order that alcoholic liquors be shipped to a distributor,
6 importing distributor or foreign importer, whether such
7 solicitation or offer is consummated within or without the
8 State of Illinois.

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

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

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

1 promotes, solicits, or accepts orders for wine as specifically
2 authorized in Section 6-29 of this Act.

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

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

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

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

1 right to sell such brands at wholesale, and (iii) the
2 non-resident dealer shall comply with the provisions of
3 Sections 6-5 and 6-6 of this Act to the same extent that these
4 provisions apply to manufacturers.

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

25 (o) A caterer retailer license shall allow the holder to
26 serve alcoholic liquors as an incidental part of a food service

1 that serves prepared meals which excludes the serving of snacks
2 as the primary meal, either on or off-site whether licensed or
3 unlicensed.

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

12 (q) A special use permit license shall allow an Illinois
13 licensed retailer to transfer a portion of its alcoholic liquor
14 inventory from its retail licensed premises to the premises
15 specified in the license hereby created, and to sell or offer
16 for sale at retail, only in the premises specified in the
17 license hereby created, the transferred alcoholic liquor for
18 use or consumption, but not for resale in any form. A special
19 use permit license may be granted for a period not to exceed 12
20 months for a maximum of either 15 consecutive days or 50
21 non-consecutive days at a single location ~~the following time~~
22 ~~periods: one day or less; 2 or more days to a maximum of 15 days~~
23 ~~per location in any 12 month period. An applicant for the~~
24 ~~special use permit license must also submit with the~~
25 ~~application proof satisfactory to the State Commission that the~~
26 ~~applicant will provide dram shop liability insurance to the~~

1 ~~maximum limits and have local authority approval.~~

2 An applicant for a special use permit license must also
3 submit with the application to the State Commission a list of
4 dates and locations of all events to be scheduled during the
5 12-month license period and proof satisfactory to the State
6 Commission that the applicant will provide dram shop liability
7 insurance to the maximum limits. If the date and location of an
8 event is undetermined at the time of application, then the
9 special use permit license holder shall submit to the State
10 Commission the date and location of the additional event in a
11 manner acceptable to the State Commission at least 7 days prior
12 to the event, at which time the permit holder shall obtain an
13 amended special use permit license.

14 The special use permit license holder shall obtain local
15 authority approval for each use of the license. The special use
16 permit license shall state: "THIS SPECIAL USE PERMIT LICENSE
17 SHALL BE VOID IF THE NAMED HOLDER IS UNABLE TO OBTAIN AND
18 PRODUCE ADEQUATE WRITTEN PROOF THAT ALCOHOLIC BEVERAGE SALES BY
19 THE PERMIT HOLDER HAVE BEEN AUTHORIZED BY THE LOCAL LIQUOR
20 LICENSING AUTHORITY.". The State Commission may issue a special
21 use permit license prior to local authority approval. State
22 Commission approval of the special use permit license does not
23 mandate local approval of alcoholic beverage sales at the
24 event. A special use permit license shall allow the applicant
25 to sell only its own alcoholic liquor.

26 (r) A winery shipper's license shall allow a person with a

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

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

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

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

19 (Source: P.A. 96-1367, eff. 7-28-10; 97-5, eff. 6-1-11; 97-455,
20 eff. 8-19-11; revised 9-16-11.)

21 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

22 Sec. 5-3. License fees. Except as otherwise provided
23 herein, at the time application is made to the State Commission
24 for a license of any class, the applicant shall pay to the
25 State Commission the fee hereinafter provided for the kind of

1 license applied for.

2 The fee for licenses issued by the State Commission shall
3 be as follows:

4 For a manufacturer's license:

5	Class 1. Distiller	\$3,600
6	Class 2. Rectifier	3,600
7	Class 3. Brewer	900
8	Class 4. First-class Wine Manufacturer	600
9	Class 5. Second-class	
10	Wine Manufacturer	1,200
11	Class 6. First-class wine-maker	600
12	Class 7. Second-class wine-maker	1200
13	Class 8. Limited Wine Manufacturer	120
14	Class 9. Craft Distiller	1,800
15	Class 10. Craft Brewer	25
16	For a Brew Pub License	1,050
17	For a caterer retailer's license	200
18	For a foreign importer's license	25
19	For an importing distributor's license	25
20	For a distributor's license	270
21	For a non-resident dealer's license	
22	(500,000 gallons or over)	270
23	For a non-resident dealer's license	
24	(under 500,000 gallons)	90
25	For a wine-maker's premises license	100
26	For a winery shipper's license	

1	(under 250,000 gallons)	150
2	For a winery shipper's license	
3	(250,000 or over, but under 500,000 gallons)	500
4	For a winery shipper's license	
5	(500,000 gallons or over)	1,000
6	For a wine-maker's premises license,	
7	second location	350
8	For a wine-maker's premises license,	
9	third location	350
10	For a retailer's license	500
11	For a special event retailer's license,	
12	(not-for-profit)	25
13	For a special use permit license	<u>100</u>
14	one day only	50
15	2 days or more	100
16	For a railroad license	60
17	For a boat license	180
18	For an airplane license, times the	
19	licensee's maximum number of aircraft	
20	in flight, serving liquor over the	
21	State at any given time, which either	
22	originate, terminate, or make	
23	an intermediate stop in the State	60
24	For a non-beverage user's license:	
25	Class 1	24
26	Class 2	60

1	Class 3	120
2	Class 4	240
3	Class 5	600
4	For a broker's license	600
5	For an auction liquor license	50

6 Fees collected under this Section shall be paid into the
7 Dram Shop Fund. On and after July 1, 2003, of the funds
8 received for a retailer's license, in addition to the first
9 \$175, an additional \$75 shall be paid into the Dram Shop Fund,
10 and \$250 shall be paid into the General Revenue Fund. Beginning
11 June 30, 1990 and on June 30 of each subsequent year through
12 June 29, 2003, any balance over \$5,000,000 remaining in the
13 Dram Shop Fund shall be credited to State liquor licensees and
14 applied against their fees for State liquor licenses for the
15 following year. The amount credited to each licensee shall be a
16 proportion of the balance in the Dram Fund that is the same as
17 the proportion of the license fee paid by the licensee under
18 this Section for the period in which the balance was
19 accumulated to the aggregate fees paid by all licensees during
20 that period.

21 No fee shall be paid for licenses issued by the State
22 Commission to the following non-beverage users:

23 (a) Hospitals, sanitariums, or clinics when their use
24 of alcoholic liquor is exclusively medicinal, mechanical
25 or scientific.

26 (b) Universities, colleges of learning or schools when

1 their use of alcoholic liquor is exclusively medicinal,
2 mechanical or scientific.

3 (c) Laboratories when their use is exclusively for the
4 purpose of scientific research.

5 (Source: P.A. 96-1367, eff. 7-28-10; 97-5, eff. 6-1-11.)".