

1 AN ACT concerning liquor.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Liquor Control Act of 1934 is amended by  
5 changing Section 6-4 as follows:

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

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

23 However, an importing distributor or distributor, which on

1 January 1, 1985 is owned by a brewer, 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 the importing distributor  
5 or distributor referred to in this paragraph, may own or  
6 acquire an ownership interest of more than 5% of the  
7 outstanding shares of a wine manufacturer and be issued a wine  
8 manufacturer's license by any licensing authority.

9 (b) The foregoing provisions shall not apply to any person  
10 licensed by any licensing authority as a distiller or wine  
11 manufacturer, or to any subsidiary or affiliate of any  
12 distiller or wine manufacturer who shall have been heretofore  
13 licensed by the State Commission as either an importing  
14 distributor or distributor during the annual licensing period  
15 expiring June 30, 1947, and shall actually have made sales  
16 regularly to retailers.

17 (c) Provided, however, that in such instances where a  
18 distributor's or importing distributor's license has been  
19 issued to any distiller or wine manufacturer or to any  
20 subsidiary or affiliate of any distiller or wine manufacturer  
21 who has, during the licensing period ending June 30, 1947, sold  
22 or distributed as such licensed distributor or importing  
23 distributor alcoholic liquors and wines to retailers, such  
24 distiller or wine manufacturer or any subsidiary or affiliate  
25 of any distiller or wine manufacturer holding such  
26 distributor's or importing distributor's license may continue

1 to sell or distribute to retailers such alcoholic liquors and  
2 wines which are manufactured, distilled, processed or marketed  
3 by distillers and wine manufacturers whose products it sold or  
4 distributed to retailers during the whole or any part of its  
5 licensing periods; and such additional brands and additional  
6 products may be added to the line of such distributor or  
7 importing distributor, provided, that such brands and such  
8 products were not sold or distributed by any distributor or  
9 importing distributor licensed by the State Commission during  
10 the licensing period ending June 30, 1947, but can not sell or  
11 distribute to retailers any other alcoholic liquors or wines.

12 (d) It shall be unlawful for any distiller licensed  
13 anywhere to have any stock ownership or interest in any  
14 distributor's or importing distributor's license wherein any  
15 other person has an interest therein who is not a distiller and  
16 does not own more than 5% of any stock in any distillery.  
17 Nothing herein contained shall apply to such distillers or  
18 their subsidiaries or affiliates, who had a distributor's or  
19 importing distributor's license during the licensing period  
20 ending June 30, 1947, which license was owned in whole by such  
21 distiller, or subsidiaries or affiliates of such distiller.

22 (e) Any person having been licensed as a manufacturer shall  
23 be permitted to receive one retailer's license for the premises  
24 in which he or she actually conducts such business, permitting  
25 only the retail sale of beer manufactured at such premises and  
26 only on such premises, but no such person shall be entitled to

1 more than one retailer's license in any event, and, other than  
2 a manufacturer of beer as stated above, no manufacturer or  
3 distributor or importing distributor, excluding airplane  
4 licensees exercising powers provided in paragraph (i) of  
5 Section 5-1 of this Act, or any subsidiary or affiliate  
6 thereof, or any officer, associate, member, partner,  
7 representative, employee or agent, or shareholder shall be  
8 issued a retailer's license, nor shall any person having a  
9 retailer's license, excluding airplane licensees exercising  
10 powers provided in paragraph (i) of Section 5-1 of this Act, or  
11 any subsidiary or affiliate thereof, or any officer, associate,  
12 member, partner, representative or agent, or shareholder be  
13 issued a manufacturer's license or importing distributor's  
14 license.

15 A person licensed as a craft distiller not affiliated with  
16 any other person manufacturing spirits may be authorized by the  
17 Commission to sell up to 2,500 gallons of spirits produced by  
18 the person to non-licensees for on or off-premises consumption  
19 for the premises in which he or she actually conducts business  
20 permitting only the retail sale of spirits manufactured at such  
21 premises. Such sales shall be limited to on-premises, in-person  
22 sales only, for lawful consumption on or off premises, and such  
23 authorization shall be considered a privilege granted by the  
24 craft distiller license. A craft distiller licensed for retail  
25 sale shall secure liquor liability insurance coverage in an  
26 amount at least equal to the maximum liability amounts set

1       forth in subsection (a) of Section 6-21 of this Act.

2       (f) (Blank). ~~However, the foregoing prohibitions against~~  
3 ~~any person licensed as a distiller or wine manufacturer being~~  
4 ~~issued a retailer's license shall not apply:~~

5           ~~(i) to any hotel, motel or restaurant whose principal~~  
6 ~~business is not the sale of alcoholic liquors if said~~  
7 ~~retailer's sales of any alcoholic liquors manufactured,~~  
8 ~~sold, distributed or controlled, directly or indirectly,~~  
9 ~~by any affiliate, subsidiary, officer, associate, member,~~  
10 ~~partner, representative, employee, agent or shareholder~~  
11 ~~owning more than 5% of the outstanding shares of such~~  
12 ~~person does not exceed 10% of the total alcoholic liquor~~  
13 ~~sales of said retail licensee; and~~

14           ~~(ii) where the Commission determines, having~~  
15 ~~considered the public welfare, the economic impact upon the~~  
16 ~~State and the entirety of the facts and circumstances~~  
17 ~~involved, that the purpose and intent of this Section would~~  
18 ~~not be violated by granting an exemption.~~

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

26       (h) The changes made to this Section by this amendatory Act

1 of the 99th General Assembly shall not diminish or impair the  
2 rights of any person, whether a distiller, wine manufacturer,  
3 agent, or affiliate thereof, who requested in writing and  
4 submitted documentation to the State Commission on or before  
5 February 18, 2015 to be approved for a retail license pursuant  
6 to what has heretofore been subsection (f); provided that, on  
7 or before that date, the State Commission considered the intent  
8 of that person to apply for the retail license under that  
9 subsection and, by recorded vote, the State Commission approved  
10 a resolution indicating that such a license application could  
11 be lawfully approved upon that person duly filing a formal  
12 application for a retail license and if that person, within 90  
13 days of the State Commission appearance and recorded vote,  
14 first filed an application with the appropriate local  
15 commission, which application was subsequently approved by the  
16 appropriate local commission prior to consideration by the  
17 State Commission of that person's application for a retail  
18 license. It is further provided that the State Commission may  
19 approve the person's application for a retail license or  
20 renewals of such license if such person continues to diligently  
21 adhere to all representations made in writing to the State  
22 Commission on or before February 18, 2015, or thereafter, or in  
23 the affidavit filed by that person with the State Commission to  
24 support the issuance of a retail license and to abide by all  
25 applicable laws and duly adopted rules.

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

1 97-1166, eff. 3-1-13.)

2 Section 10. If and only if Senate Bill 398 of the 99th  
3 General Assembly becomes law and the changes to Section 6-11 of  
4 the Liquor Control Act of 1934 in that bill become law in the  
5 form in which they appear in House Amendment No. 2 to that  
6 bill, then the Liquor Control Act of 1934 is amended by  
7 changing Section 6-11 as follows:

8 (235 ILCS 5/6-11)

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

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

1 church, the distance of 100 feet shall be measured to the  
2 nearest part of any building used for worship services or  
3 educational programs and not to property boundaries.

4 ~~(a-5) Notwithstanding any provision of this Section to the~~  
5 ~~contrary, a local liquor control commissioner may grant an~~  
6 ~~exemption to the prohibition in subsection (a) of this Section~~  
7 ~~if a local rule or ordinance authorizes the local liquor~~  
8 ~~control commissioner to grant that exemption.~~

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

19 (c) Nothing in this Section shall prohibit the issuance of  
20 a retail license authorizing the sale of alcoholic liquor  
21 incidental to a restaurant if (1) the primary business of the  
22 restaurant consists of the sale of food where the sale of  
23 liquor is incidental to the sale of food and the applicant is a  
24 completely new owner of the restaurant, (2) the immediately  
25 prior owner or operator of the premises where the restaurant is  
26 located operated the premises as a restaurant and held a valid



1 retail license authorizing the sale of alcoholic liquor at the  
2 restaurant for at least part of the 24 months before the change  
3 of ownership, and (3) the restaurant is located 75 or more feet  
4 from a school.

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

1 the licensee.

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

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

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

22 (g) Nothing in this Section shall prohibit the issuance of  
23 a retail license authorizing the sale of alcoholic liquor at  
24 premises within 100 feet, but not less than 90 feet, of a  
25 public school if (1) the premises have been continuously  
26 licensed to sell alcoholic liquor for a period of at least 50

1 years, (2) the premises are located in a municipality having a  
2 population of over 500,000 inhabitants, (3) the licensee is an  
3 individual who is a member of a family that has held the  
4 previous 3 licenses for that location for more than 25 years,  
5 (4) the principal of the school and the alderman of the ward in  
6 which the school is located have delivered a written statement  
7 to the local liquor control commissioner stating that they do  
8 not object to the issuance of a license under this subsection  
9 (g), and (5) the local liquor control commissioner has received  
10 the written consent of a majority of the registered voters who  
11 live within 200 feet of the premises.

12 (h) 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 within premises and at an outdoor patio area attached to  
16 premises that are located in a municipality with a population  
17 in excess of 300,000 inhabitants and that are within 100 feet  
18 of a church if:

19 (1) the sale of alcoholic liquor at the premises is  
20 incidental to the sale of food,

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

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

24 (4) the premises are owned by the University of  
25 Illinois,

26 (5) the premises are immediately adjacent to property

1 owned by a church and are not less than 20 nor more than 40  
2 feet from the church space used for worship services, and

3 (6) the principal religious leader at the place of  
4 worship has indicated his or her support for the issuance  
5 of the license in writing.

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

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

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

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

26 (k) 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 school if:

6 (1) the primary entrance of the premises and the  
7 primary entrance of the school are parallel, on different  
8 streets, and separated by an alley;

9 (2) the southeast corner of the premises are at least  
10 350 feet from the southwest corner of the school;

11 (3) the school was built in 1978;

12 (4) the sale of alcoholic liquor at the premises is  
13 incidental to the sale of food;

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

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

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

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

1 100 feet of a church or school if:

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

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

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

12 (4) the sale of alcoholic liquor at the premises is  
13 incidental to the sale of food;

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

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

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

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

1           (1) the premises and the church are perpendicular, and  
2           the primary entrance of the premises faces South while the  
3           primary entrance of the church faces West and the distance  
4           between the two entrances is more than 100 feet;

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

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

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

12          (5) the sale of alcoholic liquor at the premises is  
13          incidental to the sale of food;

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

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

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

25                 (1) the school is a City of Chicago School District 299  
26                 school;

1           (2) the school is located within subarea E of City of  
2 Chicago Residential Business Planned Development Number  
3 70;

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

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

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

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

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

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

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

23           (4) the primary entrance of the premises is at least  
24 100 feet from the primary entrance of the church;

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



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

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

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

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

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

17                 (2) the church was established at the current location  
18                 in 1889; and

19                 (3) liquor has been sold on the premises since at least  
20                 1985.

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

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

3           (2) the area of the premises does not exceed 720 square  
4 feet and the area of the larger building exceeds 18,000  
5 square feet;

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

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

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

16          (6) the larger building is separated from the  
17 church-owned property and church-affiliated school by an  
18 alley;

19          (7) the larger building containing the premises and the  
20 church building front are on perpendicular streets and are  
21 separated by a street; and

22          (8) (Blank).

23          (r) Notwithstanding any provision of this Section to the  
24 contrary, nothing in this Section shall prohibit the issuance,  
25 renewal, or maintenance of a license authorizing the sale of  
26 alcoholic liquor incidental to the sale of food within a

1 restaurant established in a premises that is located in a  
2 municipality with a population in excess of 1,000,000  
3 inhabitants and within 100 feet of a church if:

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

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

9 (3) the primary business of the restaurant consists of  
10 the sale of food where the sale of liquor is incidental to  
11 the sale of food;

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

16 (5) the restaurant has held a license authorizing the  
17 sale of alcoholic liquor on the premises for more than 40  
18 years.

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

25 (1) the church was established at the location within  
26 100 feet of the premises after a license for the sale of

1 alcoholic liquor at the premises was first issued;

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

4 (3) a license for the sale of alcoholic liquor on the  
5 premises has been continuously in effect since January 1,  
6 2007, except for interruptions between licenses of no more  
7 than 90 days.

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

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

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

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

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

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

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

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

1           (8) the building is north of the school and separated  
2           by an alley; and

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

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

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

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

18                 (3) the sale of alcoholic liquor is incidental to the  
19                 sale of food;

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

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

24                 (6) the rear lot of the school and the rear corner of  
25                 the building that the premises occupy are separated by an  
26                 alley;

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

5           (8) the distance from the rear door of the premises to  
6           the southwest corner of the property line of the school is  
7           at least 93 feet;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26                 (4) the premises is at least 7,000 square feet and

1 located on a lot that is at least 11,000 square feet;

2 (5) the premises is located directly west of the  
3 church, on perpendicular streets, and separated by an  
4 alley;

5 (6) the distance between the property line of the  
6 premises and the property line of the church is at least 20  
7 feet;

8 (7) the distance between the primary entrance of the  
9 premises and the primary entrance of the church is at least  
10 130 feet; and

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

13 (x) Notwithstanding any provision of this Section to the  
14 contrary, nothing in this Section shall prohibit the issuance  
15 or renewal of a license authorizing the sale of alcoholic  
16 liquor at a premises that is located within a municipality with  
17 a population in excess of 1,000,000 inhabitants and within 100  
18 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 church has been operating in its current  
22 location since 1973;

23 (3) the premises has been operating in its current  
24 location since 1988;

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



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

3           (6) the primary entrance to the premises and the  
4 primary entrance to the church are located on the same  
5 street;

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

8           (8) the premises is a 2-story building of approximately  
9 23,000 square feet; and

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

12           (y) 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 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 school if:

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

20           (2) the sale of alcoholic liquor at the premises is  
21 incidental to the sale of food;

22           (3) according to the municipality, the distance  
23 between the east property line of the premises and the west  
24 property line of the school is 97.8 feet;

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

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

2 (6) the primary entrance to the premises and the  
3 primary entrance to the school are located on the same  
4 street;

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

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

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

11 (z) 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 at a premises that is located within a municipality with  
15 a population in excess of 1,000,000 inhabitants and within 100  
16 feet of a mosque if:

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

19 (2) the licensee shall only sell packaged liquors at  
20 the premises;

21 (3) the licensee is a national retail chain having over  
22 100 locations within the municipality;

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

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

25 (6) the premises is located in the North-East quadrant  
26 of the municipality;

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

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

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

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

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

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

20                 (2) the licensee shall only sell packaged liquors at  
21                 the premises;

22                 (3) the licensee is a national retail chain having over  
23                 100 locations within the municipality;

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

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

26                 (6) the premises is located in the North-East quadrant

1 of the municipality;

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

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

6 (9) the premises has approximately 992 square feet of  
7 pharmacy space;

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

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

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

23 (3) the primary entrance to the premises and the  
24 primary entrance to the church are located on the same  
25 street;

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

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

3           (6) the church is an elder-led and Bible-based Assyrian  
4 church;

5           (7) the premises and the church are both single-story  
6 buildings;

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

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

12           (cc) 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 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 school if:

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

20           (2) the licensee shall only sell packaged liquors at  
21 the premises;

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

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

26           (5) the licensee shall occupy approximately 124,000

1 square feet of space in the basement and first and second  
2 floors of a building located across the street from a  
3 school;

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

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

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

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

17 (2) the premises is constructed on land that was  
18 previously used as a parking facility for public safety  
19 employees;

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

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

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

25 (6) the school is a private school;

26 (7) the principal of the school has given written

1 approval for the license;

2 (8) the alderman of the ward where the premises is  
3 located has given written approval of the issuance of the  
4 license;

5 (9) the grocery store level of the premises is between  
6 60,000 and 70,000 square feet; and

7 (10) the owner and operator of the grocery store  
8 operates 2 other grocery stores that have alcoholic liquor  
9 licenses within the same municipality.

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

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

18 (2) the premises is located on land that has undergone  
19 environmental remediation;

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

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

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

1 business carried on by the grocery store;

2 (6) the entrance to any business that sells alcoholic  
3 liquor is more than 100 feet from the entrance to the  
4 school;

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

25               (5) the property on which the church is located is  
26               immediately adjacent to and west of the property on which

1 the premises are located;

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

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

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

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

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

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

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

1 business carried on by the licensee at the hotel;

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

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

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

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

16 (2) the restaurant has been operated on the street  
17 level of a 2-story building located on a corner lot since  
18 2008;

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

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

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

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

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

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

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

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

16           (2) the sale of alcoholic liquor is incidental to the  
17 sale of food;

18           (3) the premises are located east of the church, on  
19 perpendicular streets, and separated by an alley;

20           (4) the distance between the primary entrance of the  
21 premises and the primary entrance of the church is at least  
22 175 feet;

23           (5) the distance between the property line of the  
24 premises and the property line of the church is at least 40  
25 feet;

26           (6) the licensee has been operating at the premises

1 since 2012;

2 (7) the church was constructed in 1904;

3 (8) the alderman of the ward in which the premises is  
4 located has expressed, in writing, his or her support for  
5 the issuance of the license; and

6 (9) the principal religious leader of the church has  
7 delivered a written statement that he or she does not  
8 object to the issuance of a license under this subsection  
9 (jj).

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

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

18 (2) the licensee shall only sell packaged liquors on  
19 the premises;

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

21 (4) as of February 27, 2013, the licensee had 1,778  
22 stores operating nationwide, 89 operating in this State,  
23 and 11 stores operating within the municipality;

24 (5) the licensee shall occupy approximately 169,048  
25 square feet of space within a building that is located  
26 across the street from a tuition-based preschool; and

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

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

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

12           (2) the licensee shall only sell packaged liquors on  
13           the premises;

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

15           (4) as of February 27, 2013, the licensee had 1,778  
16           stores operating nationwide, 89 operating in this State,  
17           and 11 stores operating within the municipality;

18           (5) the licensee shall occupy approximately 191,535  
19           square feet of space within a building that is located  
20           across the street from an elementary school; and

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

24           (mm) 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 premises and at an outdoor patio or sidewalk  
2 cafe, or both, attached to premises that are located in a  
3 municipality with a population in excess of 1,000,000  
4 inhabitants and that are within 100 feet of a hospital if:

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

8 (2) as a restaurant, the premises may or may not offer  
9 catering as an incidental part of food service;

10 (3) the primary business of the restaurant is conducted  
11 in space owned by a hospital or an entity owned or  
12 controlled by, under common control with, or that controls  
13 a hospital, and the chief hospital administrator has  
14 expressed his or her support for the issuance of the  
15 license in writing; and

16 (4) the hospital is an adult acute care facility  
17 primarily located within the City of Chicago Institutional  
18 Planned Development Number 3.

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

25 (1) the sale of alcoholic liquor is not the principal  
26 business carried out on the premises;

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

3           (3) the premises are a building that was constructed in  
4 1913 and opened on May 24, 1915 as a vaudeville theater,  
5 and the premises were converted to a motion picture theater  
6 in 1935;

7           (4) the church was constructed in 1889 with a stone  
8 exterior;

9           (5) the primary entrance of the premises and the  
10 primary entrance of the church are at least 100 feet apart;  
11 and

12           (6) the principal religious leader at the place of  
13 worship has indicated his or her consent to the issuance of  
14 the license in writing; and

15           (7) the alderman in whose ward the premises are located  
16 has expressed his or her support for the issuance of the  
17 license in writing.

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

24           (1) the primary entrance of the premises and the  
25 primary entrance of the mosque, church, or other place of  
26 worship are perpendicular and are on different streets;



1           (2) the primary entrance to the premises faces West and  
2           the primary entrance to the mosque, church, or other place  
3           of worship faces South;

4           (3) the distance between the 2 primary entrances is at  
5           least 100 feet;

6           (4) the mosque, church, or other place of worship was  
7           established in a location within 100 feet of the premises  
8           after a license for the sale of alcohol at the premises was  
9           first issued;

10          (5) the mosque, church, or other place of worship was  
11          established on or around January 1, 2011;

12          (6) a license for the sale of alcohol at the premises  
13          was first issued on or before January 1, 1985;

14          (7) a license for the sale of alcohol at the premises  
15          has been continuously in effect since January 1, 1985,  
16          except for interruptions between licenses of no more than  
17          90 days; and

18          (8) the premises are a single-story, single-use  
19          building of at least 3,000 square feet and no more than  
20          3,380 square feet.

21          (pp) Notwithstanding any provision of this Section to the  
22          contrary, nothing in this Section shall prohibit the issuance  
23          or renewal of a license authorizing the sale of alcoholic  
24          liquor incidental to the sale of food within a restaurant or  
25          banquet facility established on premises that are located in a  
26          municipality with a population in excess of 1,000,000

1 inhabitants and within 100 feet of at least one church if:

2 (1) the sale of liquor shall not be the principal  
3 business carried on by the licensee at the premises;

4 (2) the premises are at least 2,000 square feet and no  
5 more than 10,000 square feet and is located in a  
6 single-story building;

7 (3) the property on which the premises are located is  
8 within an area that, as of 2009, was designated as a  
9 Renewal Community by the United States Department of  
10 Housing and Urban Development;

11 (4) the property on which the premises are located and  
12 the properties on which the churches are located are on the  
13 same street;

14 (5) the property on which the premises are located is  
15 immediately adjacent to and east of the property on which  
16 at least one of the churches is located;

17 (6) the property on which the premises are located is  
18 across the street and southwest of the property on which  
19 another church is located;

20 (7) the principal religious leaders of the churches  
21 have indicated their support for the issuance of the  
22 license in writing; and

23 (8) the alderman in whose ward the premises are located  
24 has expressed his or her support for the issuance of the  
25 license in writing.

26 For purposes of this subsection (pp), "banquet facility"

1 means the part of the building that caters to private parties  
2 and where the sale of alcoholic liquors is not the principal  
3 business.

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

10 (1) the primary entrance of the premises and the  
11 closest entrance of the church or school are at least 200  
12 feet apart and no greater than 300 feet apart;

13 (2) the shortest distance between the premises and the  
14 church or school is at least 66 feet apart and no greater  
15 than 81 feet apart;

16 (3) the premises are a single-story, steel-framed  
17 commercial building with at least 18,042 square feet, and  
18 was constructed in 1925 and 1997;

19 (4) the owner of the business operated within the  
20 premises has been the general manager of a similar  
21 supermarket within one mile from the premises, which has  
22 had a valid license authorizing the sale of alcoholic  
23 liquor since 2002, and is in good standing with the City of  
24 Chicago;

25 (5) the principal religious leader at the place of  
26 worship has indicated his or her support to the issuance or

1 renewal of the license in writing;

2 (6) the alderman of the ward has indicated his or her  
3 support to the issuance or renewal of the license in  
4 writing; and

5 (7) the principal of the school has indicated his or  
6 her support to the issuance or renewal of the license in  
7 writing.

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

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

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

18 (3) the premises are a building of approximately 1,750  
19 square feet and is rented by the owners of the grocery  
20 store from a family member;

21 (4) the property line of the premises is approximately  
22 68 feet from the property line of the club;

23 (5) the primary entrance of the premises and the  
24 primary entrance of the club where the school leases space  
25 are at least 100 feet apart;

26 (6) the director of the club renting space to the

1 school has indicated his or her consent to the issuance of  
2 the license in writing; and

3 (7) the alderman in whose district the premises are  
4 located has expressed his or her support for the issuance  
5 of the license in writing.

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

12 (1) the premises are located within a 15 unit building  
13 with 13 residential apartments and 2 commercial spaces, and  
14 the licensee will occupy both commercial spaces;

15 (2) a restaurant has been operated on the premises  
16 since June 2011;

17 (3) the restaurant currently occupies 1,075 square  
18 feet, but will be expanding to include 975 additional  
19 square feet;

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

22 (5) the premises are located south of the church and on  
23 the same street and are separated by a one-way westbound  
24 street;

25 (6) the primary entrance of the premises is at least 93  
26 feet from the primary entrance of the church;

1           (7) the shortest distance between any part of the  
2 premises and any part of the church is at least 72 feet;

3           (8) the building in which the restaurant is located was  
4 built in 1910;

5           (9) the alderman of the ward in which the premises are  
6 located has expressed, in writing, his or her support for  
7 the issuance of the license; and

8           (10) the principal religious leader of the church has  
9 delivered a written statement that he or she does not  
10 object to the issuance of a license under this subsection  
11 (ss).

12           (tt) 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 at premises located within a municipality with a  
16 population in excess of 1,000,000 inhabitants and within 100  
17 feet of a church if:

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

20           (2) the sale of alcoholic liquor is incidental to the  
21 sale of food;

22           (3) the sale of alcoholic liquor at the premises was  
23 previously authorized by a package goods liquor license;

24           (4) the premises are at least 40,000 square feet with  
25 25 parking spaces in the contiguous surface lot to the  
26 north of the store and 93 parking spaces on the roof;

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

4           (6) the distance between the building in which the  
5           church is located and the building in which the premises  
6           are located is at least 180 feet;

7           (7) the main entrance to the church faces west and is  
8           at least 257 feet from the main entrance of the premises;  
9           and

10          (8) the applicant is the owner of 10 similar grocery  
11          stores within the City of Chicago and the surrounding area  
12          and has been in business for more than 30 years.

13          (uu) Notwithstanding any provision of this Section to the  
14          contrary, nothing in this Section shall prohibit the issuance  
15          or renewal of a license authorizing the sale of alcoholic  
16          liquor at premises located within a municipality with a  
17          population in excess of 1,000,000 inhabitants and within 100  
18          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 sale of alcoholic liquor is incidental to the  
22                 operation of a grocery store;

23                 (3) the premises are located in a building that is  
24                 approximately 68,000 square feet with 157 parking spaces on  
25                 property that was previously vacant land;

26                 (4) the main entrance to the church faces west and is

1 at least 500 feet from the entrance of the premises, which  
2 faces north;

3 (5) the church and the premises are separated by an  
4 alley;

5 (6) the applicant is the owner of 9 similar grocery  
6 stores in the City of Chicago and the surrounding area and  
7 has been in business for more than 40 years; and

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

11 (vv) 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 at premises located within a municipality with a  
15 population in excess of 1,000,000 inhabitants and within 100  
16 feet of a church if:

17 (1) the sale of alcoholic liquor is the principal  
18 business carried on by the licensee at the premises;

19 (2) the sale of alcoholic liquor is primary to the sale  
20 of food;

21 (3) the premises are located south of the church and on  
22 perpendicular streets and are separated by a driveway;

23 (4) the primary entrance of the premises is at least  
24 100 feet from the primary entrance of the church;

25 (5) the shortest distance between any part of the  
26 premises and any part of the church is at least 15 feet;



1           (6) the premises are less than 100 feet from the church  
2 center, but greater than 100 feet from the area within the  
3 building where church services are held;

4           (7) the premises are 25,830 square feet and sit on a  
5 lot that is 0.48 acres;

6           (8) the premises were once designated as a Korean  
7 American Presbyterian Church and were once used as a  
8 Masonic Temple;

9           (9) the premises were built in 1910;

10           (10) the alderman of the ward in which the premises are  
11 located has expressed, in writing, his or her support for  
12 the issuance of the license; and

13           (11) the principal religious leader of the church has  
14 delivered a written statement that he or she does not  
15 object to the issuance of a license under this subsection  
16 (vv).

17           For the purposes of this subsection (vv), "premises" means  
18 a place of business together with a privately owned outdoor  
19 location that is adjacent to the place of business.

20           (wv) Notwithstanding any provision of 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 premises located within a municipality with a  
24 population in excess of 1,000,000 inhabitants and within 100  
25 feet of a school if:

26           (1) the school is located within Sub Area III of City

1 of Chicago Residential-Business Planned Development Number  
2 523, as amended; and

3 (2) the premises are located within Sub Area I, Sub  
4 Area II, or Sub Area IV of City of Chicago  
5 Residential-Business Planned Development Number 523, as  
6 amended.

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

13 (1) the sale of wine or wine-related products is the  
14 exclusive business carried on by the licensee at the  
15 premises;

16 (2) the primary entrance of the premises and the  
17 primary entrance of the church are at least 100 feet apart  
18 and are located on different streets;

19 (3) the building in which the premises are located and  
20 the building in which the church is located are separated  
21 by an alley;

22 (4) the premises consists of less than 2,000 square  
23 feet of floor area dedicated to the sale of wine or  
24 wine-related products;

25 (5) the premises are located on the first floor of a  
26 2-story building that is at least 99 years old and has a

1 residential unit on the second floor; and

2 (6) the principal religious leader at the church has  
3 indicated his or her support for the issuance or renewal of  
4 the license in writing.

5 (Source: P.A. 97-9, eff. 6-14-11; 97-12, eff. 6-14-11; 97-634,  
6 eff. 12-16-11; 97-774, eff. 7-13-12; 97-780, eff. 7-13-12;  
7 97-806, eff. 7-13-12; 97-1166, eff. 3-1-13; 98-274, eff.  
8 8-9-13; 98-463, eff. 8-16-13; 98-571, eff. 8-27-13; 98-592,  
9 eff. 11-15-13; 98-1092, eff. 8-26-14; 98-1158, eff. 1-9-15;  
10 09900SB0398ham002.)

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law, except that Section 10 takes effect upon becoming  
13 law or on the date Senate Bill 398 of the 99th General Assembly  
14 takes effect, whichever is later.