LRB9204208LDcs

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AN ACT in relation to alcoholic liquor.

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

4 Section 5. The Liquor Control Act of 1934 is amended by 5 changing Section 6-15 as follows:

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

Sec. 6-15. No alcoholic liquors shall be sold 7 or 8 delivered in any building belonging to or under the control of the State or any political subdivision thereof except as 9 provided in this Act. The corporate authorities of any city, 10 incorporated town or township may provide by 11 village, ordinance, however, that alcoholic liquor may be sold or 12 13 delivered in any specifically designated building belonging to or under the control of the municipality or township, or 14 15 in any building located on land under the control of the 16 municipality; provided that such township complies with all applicable local ordinances in any incorporated area of the 17 18 township. Alcoholic liquors may be delivered to and sold at 19 any airport belonging to or under the control of a municipality of more than 25,000 inhabitants, or in any 20 building owned by a park district organized under the Park 21 22 District Code, subject to the approval of the governing board of the district, or in any building or on any golf course 23 owned by a forest preserve district organized under the 24 Downstate Forest Preserve District Act, subject to 25 the approval of the governing board of the district, or on 26 the 27 grounds within 500 feet of any building owned by a forest preserve district organized under the Downstate Forest 28 29 Preserve District Act during times when food is dispensed for consumption within 500 feet of the building from which the 30 food is dispensed, subject to the approval of the governing 31

1 board of the district, or in a building owned by a Local Mass 2 Transit District organized under the Local Mass Transit District Act, subject to the approval of the governing Board 3 4 of the District, or in Bicentennial Park, or on the premises of the City of Mendota Lake Park located adjacent to Route 51 5 in Mendota, Illinois, or on the premises of Camden Park in 6 7 Milan, Illinois, or in the community center owned by the City of Loves Park that is located at 1000 River Park Drive in 8 Loves Park, Illinois, or, in connection with the operation of 9 an established food serving facility during times when food 10 11 is dispensed for consumption on the premises, and at the 12 following aquarium and museums located in public parks: Art Institute of Chicago, Chicago Academy of Sciences, Chicago 13 Historical Society, Field Museum of Natural History, Museum 14 15 of Science and Industry, DuSable Museum of African American 16 History, John G. Shedd Aquarium and Adler Planetarium, or at Lakeview Museum of Arts and Sciences in Peoria, or in 17 connection with the operation of the facilities of the 18 Chicago Zoological Society or the Chicago Horticultural 19 20 Society on land owned by the Forest Preserve District of Cook 21 County, or on any land used for a golf course or for 22 recreational purposes owned by the Forest Preserve District 23 of Cook County, subject to the control of the Forest Preserve 24 District Board of Commissioners and applicable local law, 25 provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless 26 27 from all financial loss, damage, and harm, or in any building located on land owned by the Chicago Park District if 28 29 approved by the Park District Commissioners, or on any land 30 used for a golf course or for recreational purposes and owned by the Illinois International Port District if approved by 31 the District's governing board, or at any airport, golf 32 course, faculty center, or facility in which conference and 33 34 convention type activities take place belonging to or under

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1 control of any State university or public community college 2 district, provided that with respect to a facility for conference and convention type activities alcoholic liquors 3 4 limited to the use of the convention or conference shall be participants or participants in cultural, political 5 or 6 educational activities held in such facilities, and provided 7 further that the faculty or staff of the State university or 8 a public community college district, or members of an 9 organization of students, alumni, faculty or staff of the State university or a public community college district are 10 11 active participants in the conference or convention, or in Memorial Stadium on the campus of the University of Illinois 12 at Urbana-Champaign during games in which the Chicago Bears 13 professional football team is playing in that stadium during 14 the renovation of Soldier Field, or by a catering 15 16 establishment which has rented facilities from a board of trustees of a public community college district, or, if 17 approved by the District board, on land owned by the 18 Metropolitan Sanitary District of Greater Chicago and leased 19 to others for a term of at least 20 years. Nothing in this 20 21 Section precludes the sale or delivery of alcoholic liquor in the form of original packaged goods in premises located at 22 23 500 S. Racine in Chicago belonging to the University of Illinois and used primarily as a grocery store by 24 а 25 commercial tenant during the term of a lease that predates the University's acquisition of the premises; but 26 the 27 University shall have no power or authority to renew, transfer, or extend the lease with terms allowing the sale of 28 29 alcoholic liquor; and the sale of alcoholic liquor shall be 30 subject to all local laws and regulations. After the acquisition by Winnebago County of the property located at 31 404 Elm Street in Rockford, a commercial tenant who sold 32 33 alcoholic liquor at retail on a portion of the property under a valid license at the time of the acquisition may continue 34

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

22 Alcoholic liquor may be delivered to and sold at retail 23 in the Dorchester Senior Business Center owned by the Village of Dolton if the alcoholic liquor is sold or dispensed only 24 25 in connection with organized functions for which the planned attendance is 20 or more persons, and if the person or 26 facility selling or dispensing the alcoholic liquor has 27 provided dram shop liability insurance in maximum limits so 28 29 as to hold harmless the Village of Dolton and the State from 30 all financial loss, damage and harm.

31 Alcoholic liquors may be delivered to and sold at retail 32 in any building used as an Illinois State Armory provided:

33 (i) the Adjutant General's written consent to the34 issuance of a license to sell alcoholic liquor in such

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1 building is filed with the Commission; 2 (ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special 3 4 occasions; (iii) the organized function is one for which the 5 planned attendance is 25 or more persons; and 6 7 (iv) the facility selling or dispensing the 8 alcoholic liquors has provided dram shop liability 9 insurance in maximum limits so as to save harmless the facility and the State from all financial loss, damage or 10 11 harm. Alcoholic liquors may be delivered to and sold at retail 12 13 in the Chicago Civic Center, provided that: (i) the written consent of the Public Building 14 15 Commission which administers the Chicago Civic Center is 16 filed with the Commission; (ii) the alcoholic liquor is sold or dispensed only 17 in connection with organized functions held on special 18 occasions; 19 (iii) the organized function is one for which the 20 21 planned attendance is 25 or more persons; 22 (iv) the facility selling or dispensing the 23 alcoholic liquors has provided dram shop liability insurance in maximum limits so as to hold harmless the 24 Civic Center, the City of Chicago and the State from all 25 financial loss, damage or harm; and 26 (v) all applicable local ordinances are complied 27 with. 28

Alcoholic liquors may be delivered or sold in any building belonging to or under the control of any city, village or incorporated town where more than 75% of the physical properties of the building is used for commercial or recreational purposes, and the building is located upon a pier extending into or over the waters of a navigable lake or

1 stream or on the shore of a navigable lake or stream. 2 Alcoholic liquor may be sold in buildings under the control of the Department of Natural Resources when written consent 3 4 to the issuance of a license to sell alcoholic liquor in such 5 buildings is filed with the Commission by the Department of 6 Natural Resources. Notwithstanding any other provision of 7 this Act, alcoholic liquor sold by a United States Army Corps 8 of Engineers or Department of Natural Resources 9 concessionaire who was operating on June 1, 1991 for on-premises consumption only is not subject to the provisions 10 11 of Articles IV and IX. Beer and wine may be sold on the premises of the Joliet Park District Stadium owned by the 12 Joliet Park District when written consent to the issuance of 13 a license to sell beer and wine in such premises is filed 14 15 with the local liquor commissioner by the Joliet Park 16 District. Beer and wine may be sold in buildings on the grounds of State veterans' homes when written consent to 17 the issuance of a license to sell beer and wine in such buildings 18 19 is filed with the Commission by the Department of Veterans' Affairs, and the facility shall provide dram shop liability 20 in maximum insurance coverage limits so as to save the 21 facility harmless from all financial loss, damage or harm. 22 23 Such liquors may be delivered to and sold at any property owned or held under lease by a Metropolitan Pier and 24 25 Exposition Authority or Metropolitan Exposition and 26 Auditorium Authority.

Beer and wine may be sold and dispensed at professional 27 sporting events and at professional concerts and other 28 29 entertainment events conducted on premises owned by the 30 Forest Preserve District of Kane County, subject to the control of the District Commissioners and applicable local 31 32 law, provided that dram shop liability insurance is provided at maximum coverage limits so as to hold the District 33 34 harmless from all financial loss, damage and harm.

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

5 Alcoholic liquors may be sold at retail in buildings in 6 State parks under the control of the Department of Natural 7 Resources, provided:

8 a. the State park has overnight lodging facilities 9 with some restaurant facilities or, not having overnight 10 lodging facilities, has restaurant facilities which serve 11 complete luncheon and dinner or supper meals,

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

16 c. the alcoholic liquors are sold by the State park lodge or restaurant concessionaire only during the hours 17 from 11 o'clock a.m. until 12 o'clock midnight. 18 Notwithstanding any other provision of this Act, 19 20 alcoholic liquor sold by the State park or restaurant 21 concessionaire is not subject to the provisions of 22 Articles IV and IX.

Alcoholic liquors may be sold at retail in buildings on properties under the control of the Historic Preservation Agency provided:

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

b. consent to the issuance of a license to sell
alcoholic liquors in the buildings has been filed with
the commission by the Historic Preservation Agency, and

c. the alcoholic liquors are sold by the lodge orrestaurant concessionaire only during the hours from 11

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o'clock a.m. until 12 o'clock midnight.

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

9 Alcoholic liquors may be sold at retail in the 10 Springfield Administration Building of the Department of 11 Transportation and the Illinois State Armory in Springfield; 12 provided, that the controlling government authority may 13 consent to such sales only if

14 a. the request is from a not-for-profit15 organization;

b. such sales would not impede normal operations ofthe departments involved;

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

d. no such sale shall be made during normal workinghours of the State of Illinois; and

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e. the consent is in writing.

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

Alcoholic liquors may be provided in long term care facilities owned or operated by a county under Division 5-21 or 5-22 of the Counties Code, when approved by the facility

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1 operator and not in conflict with the regulations of the 2 Illinois Department of Public Health, to residents of the 3 facility who have had their consumption of the alcoholic 4 liquors provided approved in writing by a physician licensed 5 to practice medicine in all its branches.

6 Alcoholic liquors may be delivered to and dispensed in 7 State housing assigned to employees of the Department of 8 Corrections. No person shall furnish or allow to be furnished 9 any alcoholic liquors to any prisoner confined in any jail, 10 reformatory, prison or house of correction except upon a 11 physician's prescription for medicinal purposes.

Alcoholic liquors may be sold at retail or dispensed at 12 the Willard Ice Building in Springfield, at the State Library 13 in Springfield, and at Illinois State Museum facilities by 14 (1) an agency of the State, whether legislative, judicial or 15 16 executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the 17 controlling government authority, or by (2) a not-for-profit 18 19 organization, provided that such organization:

20 a. Obtains written consent from the controlling21 government authority;

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

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

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

33 Nothing in this Act shall prevent a not-for-profit 34 organization or agency of the State from employing the

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services of a catering establishment for the selling or
 dispensing of alcoholic liquors at authorized functions.

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The controlling government authority for the Willard Ice 3 4 Building in Springfield shall be the Director of the Department of Revenue. The controlling government authority 5 for Illinois State Museum facilities shall be the Director of 6 7 the Illinois State Museum. The controlling government 8 authority for the State Library in Springfield shall be the 9 Secretary of State.

Alcoholic liquors may be delivered to and sold at retail 10 11 or dispensed at any facility, property or building under the 12 jurisdiction of the Historic Preservation Agency where the 13 delivery, sale or dispensing is by (1) an agency of the State, whether legislative, judicial or executive, provided 14 15 that such agency first obtains written permission to sell or 16 dispense alcoholic liquors from a controlling government authority, or by (2) a not-for-profit organization provided 17 that such organization: 18

a. Obtains written consent from the controllinggovernment authority;

21 b. Sells or dispenses the alcoholic liquors in a 22 manner that does not impair normal workings of State 23 offices or operations located at the facility, property 24 or building;

25 c. Sells or dispenses alcoholic liquors only in 26 connection with an official activity of the 27 not-for-profit organization in the facility, property or 28 building;

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

The controlling government authority for the Historic
 Preservation Agency shall be the Director of the Historic
 Preservation Agency.

4 Alcoholic liquors may be sold at retail or dispensed at 5 the James R. Thompson Center in Chicago and 222 South College б Street in Springfield, Illinois by (1) a commercial tenant or 7 subtenant conducting business on the premises under a lease made pursuant to Section 405-315 of the Department of Central 8 9 Management Services Law (20 ILCS 405/405-315), provided that such tenant or subtenant who sells or dispenses alcoholic 10 11 liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the carrier 12 agrees to defend, indemnify and save harmless the State of 13 Illinois from all financial loss, damage or harm arising out 14 the sale or dispensing of alcoholic liquors, or by (2) an 15 16 agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written 17 permission to sell or dispense alcoholic liquors from the 18 19 Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization: 20 21

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

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

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

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

34 Nothing in this Act shall prevent a not-for-profit

1 organization or agency of the State from employing the 2 services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by 3 4 the Director of Central Management Services.

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Alcoholic liquors may be sold or delivered at any 5 б facility owned by the Illinois Sports Facilities Authority 7 provided that dram shop liability insurance has been made in a form, with such coverage and in such amounts 8 available 9 as the Authority reasonably determines is necessary.

Alcoholic liquors may be sold at retail or dispensed at 10 11 the Rockford State Office Building by (1) an agency of the State, whether legislative, judicial or executive, provided 12 that such agency first obtains written permission to sell or 13 dispense alcoholic liquors from the Department of Central 14 15 Management Services, or by (2) a not-for-profit organization, 16 provided that such organization:

17

a. Obtains written consent from the Department of Central Management Services; 18

19 b. Sells or dispenses the alcoholic liquors in а manner that does not impair normal operations of State 20 21 offices located in the building;

c. Sells or dispenses alcoholic liquors only in 22 23 connection with an official activity in the building;

Provides, or its catering service provides, dram 24 d. 25 shop liability insurance in maximum coverage limits and in which the carrier agrees to defend, save harmless and 26 indemnify the State of Illinois from all financial loss, 27 damage or harm arising out of the selling or dispensing 28 of alcoholic liquors. 29

30 Nothing in this Act shall prevent a not-for-profit organization or agency of the State from employing the 31 32 services of a catering establishment for the selling or dispensing of alcoholic liquors at functions authorized by 33 34 the Department of Central Management Services.

1 Alcoholic liquors may be sold or delivered in a building 2 that is owned by McLean County, situated on land owned by the county in the City of Bloomington, and used by the McLean 3 4 County Historical Society if the sale or delivery is approved by an ordinance adopted by the county board, and the 5 municipality in which the building is located may not 6 7 prohibit that sale or delivery, notwithstanding any other provision of this Section. The regulation of the sale and 8 9 delivery of alcoholic liquor in a building that is owned by McLean County, situated on land owned by the county, and used 10 11 by the McLean County Historical Society as provided in this paragraph is an exclusive power and function of the State and 12 is a denial and limitation under Article VII, Section 6, 13 subsection (h) of the Illinois Constitution of the power of a 14 15 home rule municipality to regulate that sale and delivery.

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

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

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

32 (Source: P.A. 90-14, eff. 7-1-97; 91-239, eff. 1-1-00; 33 91-922, eff. 7-7-00.)

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- 1 Section 99. Effective date. This Act takes effect upon
- 2 becoming law.