



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

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

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

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

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

25 Class 3. A Brewer may make sales and deliveries of beer  
26 to importing distributors, distributors, and to  
27 non-licensees, and to retailers provided the brewer obtains  
28 an importing distributor's license or distributor's license  
29 in accordance with the provisions of this Act.

30 Class 4. A first class wine-manufacturer may make sales  
31 and deliveries of up to 50,000 gallons of wine to  
32 manufacturers, importing distributors and distributors, and  
33 to no other licensees.

34 Class 5. A second class Wine manufacturer may make sales

1 and deliveries of more than 50,000 gallons of wine to  
2 manufacturers, importing distributors and distributors and to  
3 no other licensees.

4 Class 6. A first-class wine-maker's license shall allow  
5 the manufacture of up to 50,000 gallons of wine per year, and  
6 the storage and sale of such wine to distributors in the  
7 State and to persons without the State, as may be permitted  
8 by law. A first-class wine-maker's license shall allow the  
9 sale of no more than 5,000 gallons of the licensee's wine to  
10 retailers. The State Commission shall issue only one  
11 first-class wine-maker's license to any person, firm,  
12 partnership, corporation, or other legal business entity that  
13 is engaged in the making of less than 50,000 gallons of wine  
14 annually that applies for a first-class wine-maker's license.  
15 No subsidiary or affiliate thereof, nor any officer,  
16 associate, member, partner, representative, employee, agent,  
17 or shareholder may be issued an additional wine-maker's  
18 license by the State Commission.

19 Class 7. A second-class wine-maker's license shall allow  
20 the manufacture of between 50,000 and 100,000 gallons of wine  
21 per year, and the storage and sale of such wine to  
22 distributors in this State and to persons without the State,  
23 as may be permitted by law. A second-class wine-maker's  
24 license shall allow the sale of no more than 10,000 gallons  
25 of the licensee's wine directly to retailers. The State  
26 Commission shall issue only one second-class wine-maker's  
27 license to any person, firm, partnership, corporation, or  
28 other legal business entity that is engaged in the making of  
29 less than 100,000 gallons of wine annually that applies for a  
30 second-class wine-maker's license. No subsidiary or  
31 affiliate thereof, or any officer, associate, member,  
32 partner, representative, employee, agent, or shareholder may  
33 be issued an additional wine-maker's license by the State  
34 Commission.

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

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

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

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

31           (c) An importing distributor's license may be issued to  
32 and held by those only who are duly licensed distributors,  
33 upon the filing of an application by a duly licensed  
34 distributor, with the Commission and the Commission shall,

1 without the payment of any fee, immediately issue such  
2 importing distributor's license to the applicant, which shall  
3 allow the importation of alcoholic liquor by the licensee  
4 into this State from any point in the United States outside  
5 this State, and the purchase of alcoholic liquor in barrels,  
6 casks or other bulk containers and the bottling of such  
7 alcoholic liquors before resale thereof, but all bottles or  
8 containers so filled shall be sealed, labeled, stamped and  
9 otherwise made to comply with all provisions, rules and  
10 regulations governing manufacturers in the preparation and  
11 bottling of alcoholic liquors. The importing distributor's  
12 license shall permit such licensee to purchase alcoholic  
13 liquor from Illinois licensed non-resident dealers and  
14 foreign importers only.

15 (d) A retailer's license shall allow the licensee to  
16 sell and offer for sale at retail, only in the premises  
17 specified in such license, alcoholic liquor for use or  
18 consumption, but not for resale in any form: Provided that  
19 any retail license issued to a manufacturer shall only permit  
20 such manufacturer to sell beer at retail on the premises  
21 actually occupied by such manufacturer.

22 After January 1, 1995 there shall be 2 classes of  
23 licenses issued under a retailers license.

24 (1) A "retailers on premise consumption license"  
25 shall allow the licensee to sell and offer for sale at  
26 retail, only on the premises specified in the license,  
27 alcoholic liquor for use or consumption on the premises  
28 or on and off the premises, but not for resale in any  
29 form.

30 (2) An "off premise sale license" shall allow the  
31 licensee to sell, or offer for sale at retail, alcoholic  
32 liquor intended only for off premise consumption and not  
33 for resale in any form.

34 Notwithstanding any other provision of this subsection

1 (d), a retail licensee may sell alcoholic liquors to a  
2 special event retailer licensee for resale to the extent  
3 permitted under subsection (e).

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

34 (f) A railroad license shall permit the licensee to

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

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

27 (h) A non-beverage user's license shall allow the  
28 licensee to purchase alcoholic liquor from a licensed  
29 manufacturer or importing distributor, without the imposition  
30 of any tax upon the business of such licensed manufacturer or  
31 importing distributor as to such alcoholic liquor to be used  
32 by such licensee solely for the non-beverage purposes set  
33 forth in subsection (a) of Section 8-1 of this Act, and such  
34 licenses shall be divided and classified and shall permit the

1 purchase, possession and use of limited and stated quantities  
2 of alcoholic liquor as follows:

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

8 (i) A wine-maker's premises license shall allow a  
 9 licensee that concurrently holds a first-class wine-maker's  
 10 license to sell and offer for sale at retail in the premises  
 11 specified in such license not more than 50,000 gallons of the  
 12 first-class wine-maker's wine that is made at the first-class  
 13 wine-maker's licensed premises per year for use or  
 14 consumption, but not for resale in any form. A wine-maker's  
 15 premises license shall allow a licensee who concurrently  
 16 holds a second-class wine-maker's license to sell and offer  
 17 for sale at retail in the premises specified in such license  
 18 up to 100,000 gallons of the second-class wine-maker's wine  
 19 that is made at the second-class wine-maker's licensed  
 20 premises per year for use or consumption but not for resale  
 21 in any form. Upon approval from the State Commission, a  
 22 wine-maker's premises license shall allow the licensee to  
 23 sell and offer for sale at (i) the wine-maker's licensed  
 24 premises and (ii) at up to 2 additional locations for use and  
 25 consumption and not for resale. Each location shall require  
 26 additional licensing per location as specified in Section 5-3  
 27 of this Act.

28 (j) An airplane license shall permit the licensee to  
 29 import alcoholic liquors into this State from any point in  
 30 the United States outside this State and to store such  
 31 alcoholic liquors in this State; to make wholesale purchases  
 32 of alcoholic liquors directly from manufacturers, foreign  
 33 importers, distributors and importing distributors from  
 34 within or outside this State; and to store such alcoholic



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

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

29 (l) (i) A broker's license shall be required of all  
30 persons who solicit orders for, offer to sell or offer to  
31 supply alcoholic liquor to retailers in the State of  
32 Illinois, or who offer to retailers to ship or cause to be  
33 shipped or to make contact with distillers, rectifiers,  
34 brewers or manufacturers or any other party within or without

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

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

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

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

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

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

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

4 (m) A non-resident dealer's license shall permit such  
5 licensee to ship into and warehouse alcoholic liquor into  
6 this State from any point outside of this State, and to sell  
7 such alcoholic liquor to Illinois licensed foreign importers  
8 and importing distributors and to no one else in this State;  
9 provided that said non-resident dealer shall register with  
10 the Illinois Liquor Control Commission each and every brand  
11 of alcoholic liquor which it proposes to sell to Illinois  
12 licensees during the license period; and further provided  
13 that it shall comply with all of the provisions of Section  
14 6-9 hereof with respect to registration of such Illinois  
15 licensees as may be granted the right to sell such brands at  
16 wholesale.

17 (n) A brew pub license shall allow the licensee to  
18 manufacture beer only on the premises specified in the  
19 license, to make sales of the beer manufactured on the  
20 premises to importing distributors, distributors, and to  
21 non-licensees for use and consumption, to store the beer upon  
22 the premises, and to sell and offer for sale at retail from  
23 the licensed premises, provided that a brew pub licensee  
24 shall not sell for off-premises consumption more than 50,000  
25 gallons per year.

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

31 (p) An auction liquor license shall allow the licensee  
32 to sell and offer for sale at auction wine and spirits for  
33 use or consumption, or for resale by an Illinois liquor  
34 licensee in accordance with provisions of this Act. An

1 auction liquor license will be issued to a person and it will  
2 permit the auction liquor licensee to hold the auction  
3 anywhere in the State. An auction liquor license must be  
4 obtained for each auction at least 14 days in advance of the  
5 auction date.

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

21 (Source: P.A. 91-357, eff. 7-29-99; 92-105, eff. 1-1-02;  
22 92-378, eff. 8-16-01; revised 10-10-01.)".