

1 AN ACT in relation to alcohol.

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 6-16.1 as follows:

6 (235 ILCS 5/6-16.1)

7 Sec. 6-16.1. Enforcement actions.

8 (a) A licensee or an officer, associate, member,
9 representative, agent, or employee of a licensee may sell,
10 give, or deliver alcoholic liquor to a person under the age
11 of 21 years or authorize the sale, gift, or delivery of
12 alcoholic liquor to a person under the age of 21 years
13 pursuant to a plan or action to investigate, patrol, or
14 otherwise conduct a "sting operation" or enforcement action
15 against a person employed by the licensee or on any licensed
16 premises if the licensee or officer, associate, member,
17 representative, agent, or employee of the licensee provides
18 written notice, at least 14 days before the "sting operation"
19 or enforcement action, unless governing body of the
20 municipality or county having jurisdiction sets a shorter
21 period by ordinance, to the law enforcement agency having
22 jurisdiction, the local liquor control commissioner, or both.
23 Notice provided under this Section shall be valid for a
24 "sting operation" or enforcement action conducted within 60
25 days of the provision of that notice, unless the governing
26 body of the municipality or county having jurisdiction sets a
27 shorter period by ordinance.

28 (b) A local liquor control commission or unit of local
29 government that conducts alcohol and tobacco compliance
30 operations shall establish a policy and standards for alcohol
31 and tobacco compliance operations to investigate whether a

1 licensee is furnishing (1) alcoholic liquor to persons under
2 21 years of age in violation of this Act or (2) tobacco to
3 persons in violation of the Sale of Tobacco to Minors Act.

4 (c) The Illinois Law Enforcement Training Standards
5 Board shall develop a model policy and guidelines for the
6 operation of alcohol and tobacco compliance checks by local
7 law enforcement officers. The Illinois Law Enforcement
8 Training Standards Board shall also require the supervising
9 officers of such compliance checks to have met a minimum
10 training standard as determined by the Board. The Board
11 shall have the right to waive any training based on current
12 written policies and procedures for alcohol and tobacco
13 compliance check operations and in-service training already
14 administered by the local law enforcement agency, department,
15 or office.

16 (d) The provisions of subsections (b) and (c) do not
17 apply to a home rule unit with more than 2,000,000
18 inhabitants.

19 (e) A home rule unit, other than a home rule unit with
20 more than 2,000,000 inhabitants, may not regulate enforcement
21 actions in a manner inconsistent with the regulation of
22 enforcement actions under this Section. This subsection (e)
23 is a limitation under subsection (i) of Section 6 of Article
24 VII of the Illinois Constitution on the concurrent exercise
25 by home rule units of powers and functions exercised by the
26 State.

27 (f) A licensee who is the subject of an enforcement
28 action or "sting operation" under this Section and is found,
29 pursuant to the enforcement action, to be in compliance with
30 this Act shall be notified within 30 days of the enforcement
31 action that no violation was found.

32 (Source: P.A. 92-503, eff. 1-1-02.)