

**SB3398**



**97TH GENERAL ASSEMBLY**

**State of Illinois**

**2011 and 2012**

**SB3398**

Introduced 2/7/2012, by Sen. Antonio Muñoz

**SYNOPSIS AS INTRODUCED:**

235 ILCS 5/6-28

from Ch. 43, par. 144d

Amends the Liquor Control Act of 1934. In language concerning the prohibition against happy hours, provides that a licensee is not prohibited from selling pitchers or other types of vessels containing no more than 150 ounces of beer (previously, no designation of the number of ounces). Effective immediately.

LRB097 18866 AJO 65525 b

**A BILL FOR**

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 6-28 as follows:

6 (235 ILCS 5/6-28) (from Ch. 43, par. 144d)

7 Sec. 6-28. Happy hours prohibited.

8 (a) All retail licensees shall maintain a schedule of the  
9 prices charged for all drinks of alcoholic liquor to be served  
10 and consumed on the licensed premises or in any room or part  
11 thereof. Whenever a hotel or multi-use establishment which  
12 holds a valid retailer's license operates on its premises more  
13 than one establishment at which drinks of alcoholic liquor are  
14 sold at retail, the hotel or multi-use establishment shall  
15 maintain at each such establishment a separate schedule of the  
16 prices charged for such drinks at that establishment.

17 (b) No retail licensee or employee or agent of such  
18 licensee shall:

19 (1) serve 2 or more drinks of alcoholic liquor at one  
20 time to one person for consumption by that one person,  
21 except conducting product sampling pursuant to Section  
22 6-31 or selling or delivering wine by the bottle or carafe;

23 (2) sell, offer to sell or serve to any person an

1 unlimited number of drinks of alcoholic liquor during any  
2 set period of time for a fixed price, except at private  
3 functions not open to the general public;

4 (3) sell, offer to sell or serve any drink of alcoholic  
5 liquor to any person on any one date at a reduced price  
6 other than that charged other purchasers of drinks on that  
7 day where such reduced price is a promotion to encourage  
8 consumption of alcoholic liquor, except as authorized in  
9 paragraph (7) of subsection (c);

10 (4) increase the volume of alcoholic liquor contained  
11 in a drink, or the size of a drink of alcoholic liquor,  
12 without increasing proportionately the price regularly  
13 charged for the drink on that day;

14 (5) encourage or permit, on the licensed premises, any  
15 game or contest which involves drinking alcoholic liquor or  
16 the awarding of drinks of alcoholic liquor as prizes for  
17 such game or contest on the licensed premises; or

18 (6) advertise or promote in any way, whether on or off  
19 the licensed premises, any of the practices prohibited  
20 under paragraphs (1) through (5).

21 (c) Nothing in subsection (b) shall be construed to  
22 prohibit a licensee from:

23 (1) offering free food or entertainment at any time;

24 (2) including drinks of alcoholic liquor as part of a  
25 meal package;

26 (3) including drinks of alcoholic liquor as part of a

1 hotel package;

2 (4) negotiating drinks of alcoholic liquor as part of a  
3 contract between a hotel or multi-use establishment and  
4 another group for the holding of any function, meeting,  
5 convention or trade show;

6 (5) providing room service to persons renting rooms at  
7 a hotel;

8 (6) selling pitchers or other type of vessels  
9 containing no more than 150 ounces of beer (or the  
10 equivalent, including, but not limited to, buckets), or  
11 carafes, or bottles of alcoholic liquor which are  
12 customarily sold in such manner, or selling bottles of  
13 spirits, and delivered to 2 or more persons at one time; or

14 (7) increasing prices of drinks of alcoholic liquor in  
15 lieu of, in whole or in part, a cover charge to offset the  
16 cost of special entertainment not regularly scheduled.

17 (d) A violation of this Act shall be grounds for suspension  
18 or revocation of the retailer's license as provided by this  
19 Act.

20 (Source: P.A. 94-1112, eff. 2-27-07.)

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.