



Rep. Keith Farnham

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LRB098 03452 MGM 43368 a

1 AMENDMENT TO HOUSE BILL 630

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 630 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Liquor Control Act of 1934 is amended by  
5 adding Sections 1-3.39 and 5-5.5 as follows:

6 (235 ILCS 5/1-3.39 new)

7 Sec. 1-3.39. "Homemade fermented beverages" means beer,  
8 wine that is not fortified by the addition of alcohol or  
9 spirits, or alcoholic liquor made by a person 21 years of age  
10 or older, through his or her own efforts, at his or her place  
11 of residence or another location with permission from the  
12 property owner, and not for a commercial purpose, but for  
13 consumption by that person or his or her family and guests or  
14 for use at an exhibition, demonstration, judging, tasting, or  
15 sampling or as part of a contest or competition authorized by  
16 Section 5-5.5 of this Act. "Homemade fermented beverages" does

1 not include spirits.

2 (235 ILCS 5/5-5.5 new)

3 Sec. 5-5.5. Homemade fermented beverages.

4 (a) No license or permit is required under this Act for the  
5 making of homemade fermented beverages or for the possession,  
6 transportation, or storage of homemade fermented beverages by  
7 any person 21 years of age or older, if all of the following  
8 apply:

9 (1) the person who makes the homemade fermented  
10 beverages receives no compensation;

11 (2) the homemade fermented beverages is not sold or  
12 offered for sale; and

13 (3) the total quantity of homemade fermented beverages  
14 made, in a calendar year, by the person does not exceed 100  
15 gallons if the household has only one person 21 years of  
16 age or older or 200 gallons if the household has 2 or more  
17 persons 21 years of age or older.

18 (b) A person who makes, possesses, transports, or stores  
19 homemade fermented beverages in compliance with the  
20 limitations specified in subsection (a) is not a brewer, craft  
21 brewer, wholesaler, retailer, or a manufacturer of fermented  
22 beverages for purposes of this Act.

23 (c) Homemade fermented beverages made in compliance with  
24 the limitations specified in subsection (a) may be consumed by  
25 the person who made it and his or her family, neighbors, and

1 friends at any private residence or other private location  
2 where the possession and consumption of alcohol is permissible  
3 under this Act, local ordinances, and other applicable law.

4 (d) Homemade fermented beverages made in compliance with  
5 the limitations specified in subsection (a) may be used for the  
6 purposes of exhibition, demonstration, judging, tasting, or  
7 sampling or as part of a contest or competition, if the event  
8 is held at a private residence or on a licensed premises.

9 Homemade fermented beverages used for purposes described in  
10 this subsection (d), including the submission or consumption of  
11 such homemade fermented beverages, are not considered sold or  
12 offered for sale under this Act and any prize awarded at a  
13 contest or competition or as a result of an exhibition,  
14 demonstration, judging, tasting, or sampling is not considered  
15 compensation under this Act. An exhibition, demonstration,  
16 judging, tasting, sampling, contest, or competition held by a  
17 licensee on a licensed premises may require an admission charge  
18 to the event, but no separate or additional fee may be charged  
19 for the consumption of a person's homemade fermented beverages  
20 at the exhibition, demonstration, judging, tasting, sampling,  
21 contest, or competition. Event admission charges that are  
22 collected may be partially used to provide prizes to makers of  
23 homemade fermented beverages, but the admission charges may not  
24 be divided in any fashion among the makers of the homemade  
25 fermented beverages who participate in the event. Homemade  
26 fermented beverages used for the purposes described in this

1 subsection (d) are not considered sold or offered for sale  
2 under this Act if a maker of homemade beverages receives free  
3 event admission or discounted event admission in return for the  
4 maker's donation of the homemade beverages to an event  
5 specified in this subsection (d) that collects event admission  
6 charges. Free admission or discounted admission to the event is  
7 not considered compensation under this Act. No admission fee  
8 and no charge for the consumption of a person's homemade  
9 fermented beverages may be charged if the exhibition,  
10 demonstration, judging, tasting, sampling, contest, or  
11 competition is held at a private residence.

12 (e) A person who is not a licensee under this Act may at a  
13 private residence, and a person who is a licensee under this  
14 Act may on the licensed premises, conduct, sponsor, or host a  
15 contest, competition, or other event for the exhibition,  
16 demonstration, judging, tasting, or sampling of homemade  
17 fermented beverages made in compliance with the limitations  
18 specified in subsection (a), if the person does not sell the  
19 homemade fermented beverages and, unless the person is the  
20 brewer of the homemade fermented beverages, does not acquire  
21 any ownership interest in the homemade fermented beverages. The  
22 fact that a person is acting in a manner authorized by this  
23 Section is not, by itself, sufficient to constitute a public  
24 nuisance under Section 10-7 of this Act. If the contest,  
25 competition, or other event is held on licensed premises, the  
26 licensee may allow the homemade fermented beverages to be

1 stored on the premises if the homemade fermented beverages is  
2 clearly identified and kept separate from any alcohol beverages  
3 owned by the licensee. If the contest, competition, or other  
4 event is held on licensed premises, other provisions of this  
5 Act not inconsistent with this Section apply.

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.".