



Rep. Sara Feigenholtz

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1 AMENDMENT TO HOUSE BILL 3237

2 AMENDMENT NO. _____. Amend House Bill 3237 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Liquor Control Act of 1934 is amended by
5 changing Sections 6-5, 6-6, and 6-11 as follows:

6 (235 ILCS 5/6-5) (from Ch. 43, par. 122)

7 Sec. 6-5. Except as otherwise provided in this Section, it
8 is unlawful for any person having a retailer's license or any
9 officer, associate, member, representative or agent of such
10 licensee to accept, receive or borrow money, or anything else
11 of value, or accept or receive credit (other than merchandising
12 credit in the ordinary course of business for a period not to
13 exceed 30 days) directly or indirectly from any manufacturer,
14 importing distributor or distributor of alcoholic liquor, or
15 from any person connected with or in any way representing, or
16 from any member of the family of, such manufacturer, importing

1 distributor, distributor or wholesaler, or from any
2 stockholders in any corporation engaged in manufacturing,
3 distributing or wholesaling of such liquor, or from any
4 officer, manager, agent or representative of said
5 manufacturer. Except as provided below, it is unlawful for any
6 manufacturer or distributor or importing distributor to give or
7 lend money or anything of value, or otherwise loan or extend
8 credit (except such merchandising credit) directly or
9 indirectly to any retail licensee or to the manager,
10 representative, agent, officer or director of such licensee. A
11 manufacturer, distributor or importing distributor may furnish
12 free advertising, posters, signs, brochures, hand-outs, or
13 other promotional devices or materials to any unit of
14 government owning or operating any auditorium, exhibition
15 hall, recreation facility or other similar facility holding a
16 retailer's license, provided that the primary purpose of such
17 promotional devices or materials is to promote public events
18 being held at such facility. A unit of government owning or
19 operating such a facility holding a retailer's license may
20 accept such promotional devices or materials designed
21 primarily to promote public events held at the facility. No
22 retail licensee delinquent beyond the 30 day period specified
23 in this Section shall solicit, accept or receive credit,
24 purchase or acquire alcoholic liquors, directly or indirectly
25 from any other licensee, and no manufacturer, distributor or
26 importing distributor shall knowingly grant or extend credit,

1 sell, furnish or supply alcoholic liquors to any such
2 delinquent retail licensee; provided that the purchase price of
3 all beer sold to a retail licensee shall be paid by the retail
4 licensee in cash on or before delivery of the beer, and unless
5 the purchase price payable by a retail licensee for beer sold
6 to him in returnable bottles shall expressly include a charge
7 for the bottles and cases, the retail licensee shall, on or
8 before delivery of such beer, pay the seller in cash a deposit
9 in an amount not less than the deposit required to be paid by
10 the distributor to the brewer; but where the brewer sells
11 direct to the retailer, the deposit shall be an amount no less
12 than that required by the brewer from his own distributors; and
13 provided further, that in no instance shall this deposit be
14 less than 50 cents for each case of beer in pint or smaller
15 bottles and 60 cents for each case of beer in quart or
16 half-gallon bottles; and provided further, that the purchase
17 price of all beer sold to an importing distributor or
18 distributor shall be paid by such importing distributor or
19 distributor in cash on or before the 15th day (Sundays and
20 holidays excepted) after delivery of such beer to such
21 purchaser; and unless the purchase price payable by such
22 importing distributor or distributor for beer sold in
23 returnable bottles and cases shall expressly include a charge
24 for the bottles and cases, such importing distributor or
25 distributor shall, on or before the 15th day (Sundays and
26 holidays excepted) after delivery of such beer to such

1 purchaser, pay the seller in cash a required amount as a
2 deposit to assure the return of such bottles and cases. Nothing
3 herein contained shall prohibit any licensee from crediting or
4 refunding to a purchaser the actual amount of money paid for
5 bottles, cases, kegs or barrels returned by the purchaser to
6 the seller or paid by the purchaser as a deposit on bottles,
7 cases, kegs or barrels, when such containers or packages are
8 returned to the seller. Nothing herein contained shall prohibit
9 any manufacturer, importing distributor or distributor from
10 extending usual and customary credit for alcoholic liquor sold
11 to customers or purchasers who live in or maintain places of
12 business outside of this State when such alcoholic liquor is
13 actually transported and delivered to such points outside of
14 this State.

15 A manufacturer, distributor, or importing distributor may
16 furnish free social media advertising to a retail licensee if
17 the social media advertisement does not contain the retail
18 price of any alcoholic liquor and the social media
19 advertisement complies with any applicable guidance issued by
20 the Alcohol and Tobacco Tax and Trade Bureau of the United
21 States Department of the Treasury. Nothing in this Section
22 shall prohibit a retailer from communicating with a
23 manufacturer, distributor, or importing distributor on social
24 media or sharing media on the social media of a manufacturer,
25 distributor, or importing distributor. A retailer may request
26 free social media advertising from a manufacturer,

1 distributor, or importing distributor. For the purposes of this
2 Section, "social media" means a service, platform, or site
3 where users communicate with one another and share media, such
4 as pictures, videos, music, and blogs, with other users free of
5 charge.

6 No right of action shall exist for the collection of any
7 claim based upon credit extended to a distributor, importing
8 distributor or retail licensee contrary to the provisions of
9 this Section.

10 Every manufacturer, importing distributor and distributor
11 shall submit or cause to be submitted, to the State Commission,
12 in triplicate, not later than Thursday of each calendar week, a
13 verified written list of the names and respective addresses of
14 each retail licensee purchasing spirits or wine from such
15 manufacturer, importing distributor or distributor who, on the
16 first business day of that calendar week, was delinquent beyond
17 the above mentioned permissible merchandising credit period of
18 30 days; or, if such is the fact, a verified written statement
19 that no retail licensee purchasing spirits or wine was then
20 delinquent beyond such permissible merchandising credit period
21 of 30 days.

22 Every manufacturer, importing distributor and distributor
23 shall submit or cause to be submitted, to the State Commission,
24 in triplicate, a verified written list of the names and
25 respective addresses of each previously reported delinquent
26 retail licensee who has cured such delinquency by payment,

1 which list shall be submitted not later than the close of the
2 second full business day following the day such delinquency was
3 so cured.

4 Such written verified reports required to be submitted by
5 this Section shall be posted by the State Commission in each of
6 its offices in places available for public inspection not later
7 than the day following receipt thereof by the Commission. The
8 reports so posted shall constitute notice to every
9 manufacturer, importing distributor and distributor of the
10 information contained therein. Actual notice to manufacturers,
11 importing distributors and distributors of the information
12 contained in any such posted reports, however received, shall
13 also constitute notice of such information.

14 The 30 day merchandising credit period allowed by this
15 Section shall commence with the day immediately following the
16 date of invoice and shall include all successive days including
17 Sundays and holidays to and including the 30th successive day.

18 In addition to other methods allowed by law, payment by
19 check during the period for which merchandising credit may be
20 extended under the provisions of this Section shall be
21 considered payment. All checks received in payment for
22 alcoholic liquor shall be promptly deposited for collection. A
23 post dated check or a check dishonored on presentation for
24 payment shall not be deemed payment.

25 A retail licensee shall not be deemed to be delinquent in
26 payment for any alleged sale to him of alcoholic liquor when

1 there exists a bona fide dispute between such retailer and a
2 manufacturer, importing distributor or distributor with
3 respect to the amount of indebtedness existing because of such
4 alleged sale.

5 A delinquent retail licensee who engages in the retail
6 liquor business at 2 or more locations shall be deemed to be
7 delinquent with respect to each such location.

8 The license of any person who violates any provision of
9 this Section shall be subject to suspension or revocation in
10 the manner provided by this Act.

11 If any part or provision of this Article or the application
12 thereof to any person or circumstances shall be adjudged
13 invalid by a court of competent jurisdiction, such judgment
14 shall be confined by its operation to the controversy in which
15 it was mentioned and shall not affect or invalidate the
16 remainder of this Article or the application thereof to any
17 other person or circumstance and to this and the provisions of
18 this Article are declared severable.

19 (Source: P.A. 83-762.)

20 (235 ILCS 5/6-6) (from Ch. 43, par. 123)

21 Sec. 6-6. Except as otherwise provided in this Act no
22 manufacturer or distributor or importing distributor shall,
23 directly or indirectly, sell, supply, furnish, give or pay for,
24 or loan or lease, any furnishing, fixture or equipment on the
25 premises of a place of business of another licensee authorized

1 under this Act to sell alcoholic liquor at retail, either for
2 consumption on or off the premises, nor shall he or she,
3 directly or indirectly, pay for any such license, or advance,
4 furnish, lend or give money for payment of such license, or
5 purchase or become the owner of any note, mortgage, or other
6 evidence of indebtedness of such licensee or any form of
7 security therefor, nor shall such manufacturer, or
8 distributor, or importing distributor, directly or indirectly,
9 be interested in the ownership, conduct or operation of the
10 business of any licensee authorized to sell alcoholic liquor at
11 retail, nor shall any manufacturer, or distributor, or
12 importing distributor be interested directly or indirectly or
13 as owner or part owner of said premises or as lessee or lessor
14 thereof, in any premises upon which alcoholic liquor is sold at
15 retail.

16 No manufacturer or distributor or importing distributor
17 shall, directly or indirectly or through a subsidiary or
18 affiliate, or by any officer, director or firm of such
19 manufacturer, distributor or importing distributor, furnish,
20 give, lend or rent, install, repair or maintain, to or for any
21 retail licensee in this State, any signs or inside advertising
22 materials except as provided in this Section and Section 6-5.
23 With respect to retail licensees, other than any government
24 owned or operated auditorium, exhibition hall, recreation
25 facility or other similar facility holding a retailer's license
26 as described in Section 6-5, a manufacturer, distributor, or

1 importing distributor may furnish, give, lend or rent and
2 erect, install, repair and maintain to or for any retail
3 licensee, for use at any one time in or about or in connection
4 with a retail establishment on which the products of the
5 manufacturer, distributor or importing distributor are sold,
6 the following signs and inside advertising materials as
7 authorized in subparts (i), (ii), (iii), and (iv):

8 (i) Permanent outside signs shall be limited to one
9 outside sign, per brand, in place and in use at any one
10 time, costing not more than \$893, exclusive of erection,
11 installation, repair and maintenance costs, and permit
12 fees and shall bear only the manufacturer's name, brand
13 name, trade name, slogans, markings, trademark, or other
14 symbols commonly associated with and generally used in
15 identifying the product including, but not limited to,
16 "cold beer", "on tap", "carry out", and "packaged liquor".

17 (ii) Temporary outside signs shall be limited to one
18 temporary outside sign per brand. Examples of temporary
19 outside signs are banners, flags, pennants, streamers, and
20 other items of a temporary and non-permanent nature. Each
21 temporary outside sign must include the manufacturer's
22 name, brand name, trade name, slogans, markings,
23 trademark, or other symbol commonly associated with and
24 generally used in identifying the product. Temporary
25 outside signs may also include, for example, the product,
26 price, packaging, date or dates of a promotion and an

1 announcement of a retail licensee's specific sponsored
2 event, if the temporary outside sign is intended to promote
3 a product, and provided that the announcement of the retail
4 licensee's event and the product promotion are held
5 simultaneously. However, temporary outside signs may not
6 include names, slogans, markings, or logos that relate to
7 the retailer. Nothing in this subpart (ii) shall prohibit a
8 distributor or importing distributor from bearing the cost
9 of creating or printing a temporary outside sign for the
10 retail licensee's specific sponsored event or from bearing
11 the cost of creating or printing a temporary sign for a
12 retail licensee containing, for example, community
13 goodwill expressions, regional sporting event
14 announcements, or seasonal messages, provided that the
15 primary purpose of the temporary outside sign is to
16 highlight, promote, or advertise the product. In addition,
17 temporary outside signs provided by the manufacturer to the
18 distributor or importing distributor may also include, for
19 example, subject to the limitations of this Section,
20 preprinted community goodwill expressions, sporting event
21 announcements, seasonal messages, and manufacturer
22 promotional announcements. However, a distributor or
23 importing distributor shall not bear the cost of such
24 manufacturer preprinted signs.

25 (iii) Permanent inside signs, whether visible from the
26 outside or the inside of the premises, include, but are not

1 limited to: alcohol lists and menus that may include names,
2 slogans, markings, or logos that relate to the retailer;
3 neons; illuminated signs; clocks; table lamps; mirrors;
4 tap handles; decalcomanias; window painting; and window
5 trim. All permanent inside signs in place and in use at any
6 one time shall cost in the aggregate not more than \$2000
7 per manufacturer. A permanent inside sign must include the
8 manufacturer's name, brand name, trade name, slogans,
9 markings, trademark, or other symbol commonly associated
10 with and generally used in identifying the product.
11 However, permanent inside signs may not include names,
12 slogans, markings, or logos that relate to the retailer.
13 For the purpose of this subpart (iii), all permanent inside
14 signs may be displayed in an adjacent courtyard or patio
15 commonly referred to as a "beer garden" that is a part of
16 the retailer's licensed premises.

17 (iv) Temporary inside signs shall include, but are not
18 limited to, lighted chalk boards, acrylic table tent
19 beverage or hors d'oeuvre list holders, banners, flags,
20 pennants, streamers, and inside advertising materials such
21 as posters, placards, bowling sheets, table tents, inserts
22 for acrylic table tent beverage or hors d'oeuvre list
23 holders, sports schedules, or similar printed or
24 illustrated materials; however, such items, for example,
25 as coasters, trays, napkins, glassware and cups shall not
26 be deemed to be inside signs or advertising materials and

1 may only be sold to retailers. All temporary inside signs
2 and inside advertising materials in place and in use at any
3 one time shall cost in the aggregate not more than \$325 per
4 manufacturer. Nothing in this subpart (iv) prohibits a
5 distributor or importing distributor from paying the cost
6 of printing or creating any temporary inside banner or
7 inserts for acrylic table tent beverage or hors d'oeuvre
8 list holders for a retail licensee, provided that the
9 primary purpose for the banner or insert is to highlight,
10 promote, or advertise the product. For the purpose of this
11 subpart (iv), all temporary inside signs and inside
12 advertising materials may be displayed in an adjacent
13 courtyard or patio commonly referred to as a "beer garden"
14 that is a part of the retailer's licensed premises.

15 A "cost adjustment factor" shall be used to periodically
16 update the dollar limitations prescribed in subparts (i),
17 (iii), and (iv). The Commission shall establish the adjusted
18 dollar limitation on an annual basis beginning in January,
19 1997. The term "cost adjustment factor" means a percentage
20 equal to the change in the Bureau of Labor Statistics Consumer
21 Price Index or 5%, whichever is greater. The restrictions
22 contained in this Section 6-6 do not apply to signs, or
23 promotional or advertising materials furnished by
24 manufacturers, distributors or importing distributors to a
25 government owned or operated facility holding a retailer's
26 license as described in Section 6-5.

1 No distributor or importing distributor shall directly or
2 indirectly or through a subsidiary or affiliate, or by any
3 officer, director or firm of such manufacturer, distributor or
4 importing distributor, furnish, give, lend or rent, install,
5 repair or maintain, to or for any retail licensee in this
6 State, any signs or inside advertising materials described in
7 subparts (i), (ii), (iii), or (iv) of this Section except as
8 the agent for or on behalf of a manufacturer, provided that the
9 total cost of any signs and inside advertising materials
10 including but not limited to labor, erection, installation and
11 permit fees shall be paid by the manufacturer whose product or
12 products said signs and inside advertising materials advertise
13 and except as follows:

14 A distributor or importing distributor may purchase from or
15 enter into a written agreement with a manufacturer or a
16 manufacturer's designated supplier and such manufacturer or
17 the manufacturer's designated supplier may sell or enter into
18 an agreement to sell to a distributor or importing distributor
19 permitted signs and advertising materials described in
20 subparts (ii), (iii), or (iv) of this Section for the purpose
21 of furnishing, giving, lending, renting, installing,
22 repairing, or maintaining such signs or advertising materials
23 to or for any retail licensee in this State. Any purchase by a
24 distributor or importing distributor from a manufacturer or a
25 manufacturer's designated supplier shall be voluntary and the
26 manufacturer may not require the distributor or the importing

1 distributor to purchase signs or advertising materials from the
2 manufacturer or the manufacturer's designated supplier.

3 A distributor or importing distributor shall be deemed the
4 owner of such signs or advertising materials purchased from a
5 manufacturer or a manufacturer's designated supplier.

6 The provisions of Public Act 90-373 concerning signs or
7 advertising materials delivered by a manufacturer to a
8 distributor or importing distributor shall apply only to signs
9 or advertising materials delivered on or after August 14, 1997.

10 A manufacturer, distributor, or importing distributor may
11 furnish free social media advertising to a retail licensee if
12 the social media advertisement does not contain the retail
13 price of any alcoholic liquor and the social media
14 advertisement complies with any applicable guidance issued by
15 the Alcohol and Tobacco Tax and Trade Bureau of the United
16 States Department of the Treasury. Nothing in this Section
17 shall prohibit a retailer from communicating with a
18 manufacturer, distributor, or importing distributor on social
19 media or sharing media on the social media of a manufacturer,
20 distributor, or importing distributor. A retailer may request
21 free social media advertising from a manufacturer,
22 distributor, or importing distributor. For the purposes of this
23 Section, "social media" means a service, platform, or site
24 where users communicate with one another and share media, such
25 as pictures, videos, music, and blogs, with other users free of
26 charge.

1 No person engaged in the business of manufacturing,
2 importing or distributing alcoholic liquors shall, directly or
3 indirectly, pay for, or advance, furnish, or lend money for the
4 payment of any license for another. Any licensee who shall
5 permit or assent, or be a party in any way to any violation or
6 infringement of the provisions of this Section shall be deemed
7 guilty of a violation of this Act, and any money loaned
8 contrary to a provision of this Act shall not be recovered
9 back, or any note, mortgage or other evidence of indebtedness,
10 or security, or any lease or contract obtained or made contrary
11 to this Act shall be unenforceable and void.

12 This Section shall not apply to airplane licensees
13 exercising powers provided in paragraph (i) of Section 5-1 of
14 this Act.

15 (Source: P.A. 98-756, eff. 7-16-14.)

16 (235 ILCS 5/6-11)

17 Sec. 6-11. Sale near churches, schools, and hospitals.

18 (a) No license shall be issued for the sale at retail of
19 any alcoholic liquor within 100 feet of any church, school
20 other than an institution of higher learning, hospital, home
21 for aged or indigent persons or for veterans, their spouses or
22 children or any military or naval station, provided, that this
23 prohibition shall not apply to hotels offering restaurant
24 service, regularly organized clubs, or to restaurants, food
25 shops or other places where sale of alcoholic liquors is not

1 the principal business carried on if the place of business so
2 exempted is not located in a municipality of more than 500,000
3 persons, unless required by local ordinance; nor to the renewal
4 of a license for the sale at retail of alcoholic liquor on
5 premises within 100 feet of any church or school where the
6 church or school has been established within such 100 feet
7 since the issuance of the original license. In the case of a
8 church, the distance of 100 feet shall be measured to the
9 nearest part of any building used for worship services or
10 educational programs and not to property boundaries.

11 (b) Nothing in this Section shall prohibit the issuance of
12 a retail license authorizing the sale of alcoholic liquor to a
13 restaurant, the primary business of which is the sale of goods
14 baked on the premises if (i) the restaurant is newly
15 constructed and located on a lot of not less than 10,000 square
16 feet, (ii) the restaurant costs at least \$1,000,000 to
17 construct, (iii) the licensee is the titleholder to the
18 premises and resides on the premises, and (iv) the construction
19 of the restaurant is completed within 18 months of the
20 effective date of this amendatory Act of 1998.

21 (c) Nothing in this Section shall prohibit the issuance of
22 a retail license authorizing the sale of alcoholic liquor
23 incidental to a restaurant if (1) the primary business of the
24 restaurant consists of the sale of food where the sale of
25 liquor is incidental to the sale of food and the applicant is a
26 completely new owner of the restaurant, (2) the immediately

1 prior owner or operator of the premises where the restaurant is
2 located operated the premises as a restaurant and held a valid
3 retail license authorizing the sale of alcoholic liquor at the
4 restaurant for at least part of the 24 months before the change
5 of ownership, and (3) the restaurant is located 75 or more feet
6 from a school.

7 (d) In the interest of further developing Illinois' economy
8 in the area of commerce, tourism, convention, and banquet
9 business, nothing in this Section shall prohibit issuance of a
10 retail license authorizing the sale of alcoholic beverages to a
11 restaurant, banquet facility, grocery store, or hotel having
12 not fewer than 150 guest room accommodations located in a
13 municipality of more than 500,000 persons, notwithstanding the
14 proximity of such hotel, restaurant, banquet facility, or
15 grocery store to any church or school, if the licensed premises
16 described on the license are located within an enclosed mall or
17 building of a height of at least 6 stories, or 60 feet in the
18 case of a building that has been registered as a national
19 landmark, or in a grocery store having a minimum of 56,010
20 square feet of floor space in a single story building in an
21 open mall of at least 3.96 acres that is adjacent to a public
22 school that opened as a boys technical high school in 1934, or
23 in a grocery store having a minimum of 31,000 square feet of
24 floor space in a single story building located a distance of
25 more than 90 feet but less than 100 feet from a high school
26 that opened in 1928 as a junior high school and became a senior

1 high school in 1933, and in each of these cases if the sale of
2 alcoholic liquors is not the principal business carried on by
3 the licensee.

4 For purposes of this Section, a "banquet facility" is any
5 part of a building that caters to private parties and where the
6 sale of alcoholic liquors is not the principal business.

7 (e) Nothing in this Section shall prohibit the issuance of
8 a license to a church or private school to sell at retail
9 alcoholic liquor if any such sales are limited to periods when
10 groups are assembled on the premises solely for the promotion
11 of some common object other than the sale or consumption of
12 alcoholic liquors.

13 (f) Nothing in this Section shall prohibit a church or
14 church affiliated school located in a home rule municipality or
15 in a municipality with 75,000 or more inhabitants from locating
16 within 100 feet of a property for which there is a preexisting
17 license to sell alcoholic liquor at retail. In these instances,
18 the local zoning authority may, by ordinance adopted
19 simultaneously with the granting of an initial special use
20 zoning permit for the church or church affiliated school,
21 provide that the 100-foot restriction in this Section shall not
22 apply to that church or church affiliated school and future
23 retail liquor licenses.

24 (g) Nothing in this Section shall prohibit the issuance of
25 a retail license authorizing the sale of alcoholic liquor at
26 premises within 100 feet, but not less than 90 feet, of a

1 public school if (1) the premises have been continuously
2 licensed to sell alcoholic liquor for a period of at least 50
3 years, (2) the premises are located in a municipality having a
4 population of over 500,000 inhabitants, (3) the licensee is an
5 individual who is a member of a family that has held the
6 previous 3 licenses for that location for more than 25 years,
7 (4) the principal of the school and the alderman of the ward in
8 which the school is located have delivered a written statement
9 to the local liquor control commissioner stating that they do
10 not object to the issuance of a license under this subsection
11 (g), and (5) the local liquor control commissioner has received
12 the written consent of a majority of the registered voters who
13 live within 200 feet of the premises.

14 (h) Notwithstanding any provision of this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 or renewal of a license authorizing the sale of alcoholic
17 liquor within premises and at an outdoor patio area attached to
18 premises that are located in a municipality with a population
19 in excess of 300,000 inhabitants and that are within 100 feet
20 of a church if:

21 (1) the sale of alcoholic liquor at the premises is
22 incidental to the sale of food,

23 (2) the sale of liquor is not the principal business
24 carried on by the licensee at the premises,

25 (3) the premises are less than 1,000 square feet,

26 (4) the premises are owned by the University of

1 Illinois,

2 (5) the premises are immediately adjacent to property
3 owned by a church and are not less than 20 nor more than 40
4 feet from the church space used for worship services, and

5 (6) the principal religious leader at the place of
6 worship has indicated his or her support for the issuance
7 of the license in writing.

8 (i) Notwithstanding any provision in this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license to sell alcoholic liquor at a premises
11 that is located within a municipality with a population in
12 excess of 300,000 inhabitants and is within 100 feet of a
13 church, synagogue, or other place of worship if:

14 (1) the primary entrance of the premises and the
15 primary entrance of the church, synagogue, or other place
16 of worship are at least 100 feet apart, on parallel
17 streets, and separated by an alley; and

18 (2) the principal religious leader at the place of
19 worship has not indicated his or her opposition to the
20 issuance or renewal of the license in writing.

21 (j) Notwithstanding any provision in this Section to the
22 contrary, nothing in this Section shall prohibit the issuance
23 of a retail license authorizing the sale of alcoholic liquor at
24 a theater that is within 100 feet of a church if (1) the church
25 owns the theater, (2) the church leases the theater to one or
26 more entities, and (3) the theater is used by at least 5

1 different not-for-profit theater groups.

2 (k) Notwithstanding any provision in this Section to the
3 contrary, nothing in this Section shall prohibit the issuance
4 or renewal of a license authorizing the sale of alcoholic
5 liquor at a premises that is located within a municipality with
6 a population in excess of 1,000,000 inhabitants and is within
7 100 feet of a school if:

8 (1) the primary entrance of the premises and the
9 primary entrance of the school are parallel, on different
10 streets, and separated by an alley;

11 (2) the southeast corner of the premises are at least
12 350 feet from the southwest corner of the school;

13 (3) the school was built in 1978;

14 (4) the sale of alcoholic liquor at the premises is
15 incidental to the sale of food;

16 (5) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises;

18 (6) the applicant is the owner of the restaurant and
19 has held a valid license authorizing the sale of alcoholic
20 liquor for the business to be conducted on the premises at
21 a different location for more than 7 years; and

22 (7) the premises is at least 2,300 square feet and sits
23 on a lot that is between 6,100 and 6,150 square feet.

24 (l) Notwithstanding any provision in this Section to the
25 contrary, nothing in this Section shall prohibit the issuance
26 or renewal of a license authorizing the sale of alcoholic

1 liquor at a premises that is located within a municipality with
2 a population in excess of 1,000,000 inhabitants and is within
3 100 feet of a church or school if:

4 (1) the primary entrance of the premises and the
5 closest entrance of the church or school is at least 90
6 feet apart and no greater than 95 feet apart;

7 (2) the shortest distance between the premises and the
8 church or school is at least 80 feet apart and no greater
9 than 85 feet apart;

10 (3) the applicant is the owner of the restaurant and on
11 November 15, 2006 held a valid license authorizing the sale
12 of alcoholic liquor for the business to be conducted on the
13 premises for at least 14 different locations;

14 (4) the sale of alcoholic liquor at the premises is
15 incidental to the sale of food;

16 (5) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises;

18 (6) the premises is at least 3,200 square feet and sits
19 on a lot that is between 7,150 and 7,200 square feet; and

20 (7) the principal religious leader at the place of
21 worship has not indicated his or her opposition to the
22 issuance or renewal of the license in writing.

23 (m) Notwithstanding any provision in this Section to the
24 contrary, nothing in this Section shall prohibit the issuance
25 or renewal of a license authorizing the sale of alcoholic
26 liquor at a premises that is located within a municipality with

1 a population in excess of 1,000,000 inhabitants and is within
2 100 feet of a church if:

3 (1) the premises and the church are perpendicular, and
4 the primary entrance of the premises faces South while the
5 primary entrance of the church faces West and the distance
6 between the two entrances is more than 100 feet;

7 (2) the shortest distance between the premises lot line
8 and the exterior wall of the church is at least 80 feet;

9 (3) the church was established at the current location
10 in 1916 and the present structure was erected in 1925;

11 (4) the premises is a single story, single use building
12 with at least 1,750 square feet and no more than 2,000
13 square feet;

14 (5) the sale of alcoholic liquor at the premises is
15 incidental to the sale of food;

16 (6) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises; and

18 (7) the principal religious leader at the place of
19 worship has not indicated his or her opposition to the
20 issuance or renewal of the license in writing.

21 (n) Notwithstanding any provision in this Section to the
22 contrary, nothing in this Section shall prohibit the issuance
23 or renewal of a license authorizing the sale of alcoholic
24 liquor at a premises that is located within a municipality with
25 a population in excess of 1,000,000 inhabitants and is within
26 100 feet of a school if:

1 (1) the school is a City of Chicago School District 299
2 school;

3 (2) the school is located within subarea E of City of
4 Chicago Residential Business Planned Development Number
5 70;

6 (3) the sale of alcoholic liquor is not the principal
7 business carried on by the licensee on the premises;

8 (4) the sale of alcoholic liquor at the premises is
9 incidental to the sale of food; and

10 (5) the administration of City of Chicago School
11 District 299 has expressed, in writing, its support for the
12 issuance of the license.

13 (o) Notwithstanding any provision of this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of a retail license authorizing the sale of
16 alcoholic liquor at a premises that is located within a
17 municipality in excess of 1,000,000 inhabitants and within 100
18 feet of a church if:

19 (1) the sale of alcoholic liquor at the premises is
20 incidental to the sale of food;

21 (2) the sale of alcoholic liquor is not the principal
22 business carried on by the licensee at the premises;

23 (3) the premises is located on a street that runs
24 perpendicular to the street on which the church is located;

25 (4) the primary entrance of the premises is at least
26 100 feet from the primary entrance of the church;

1 (5) the shortest distance between any part of the
2 premises and any part of the church is at least 60 feet;

3 (6) the premises is between 3,600 and 4,000 square feet
4 and sits on a lot that is between 3,600 and 4,000 square
5 feet; and

6 (7) the premises was built in the year 1909.

7 For purposes of this subsection (o), "premises" means a
8 place of business together with a privately owned outdoor
9 location that is adjacent to the place of business.

10 (p) Notwithstanding any provision in this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at a premises that is located within a municipality with
14 a population in excess of 1,000,000 inhabitants and within 100
15 feet of a church if:

16 (1) the shortest distance between the backdoor of the
17 premises, which is used as an emergency exit, and the
18 church is at least 80 feet;

19 (2) the church was established at the current location
20 in 1889; and

21 (3) liquor has been sold on the premises since at least
22 1985.

23 (q) Notwithstanding any provision of this Section to the
24 contrary, nothing in this Section shall prohibit the issuance
25 or renewal of a license authorizing the sale of alcoholic
26 liquor within a premises that is located in a municipality with

1 a population in excess of 1,000,000 inhabitants and within 100
2 feet of a church-owned property if:

3 (1) the premises is located within a larger building
4 operated as a grocery store;

5 (2) the area of the premises does not exceed 720 square
6 feet and the area of the larger building exceeds 18,000
7 square feet;

8 (3) the larger building containing the premises is
9 within 100 feet of the nearest property line of a
10 church-owned property on which a church-affiliated school
11 is located;

12 (4) the sale of liquor is not the principal business
13 carried on within the larger building;

14 (5) the primary entrance of the larger building and the
15 premises and the primary entrance of the church-affiliated
16 school are on different, parallel streets, and the distance
17 between the 2 primary entrances is more than 100 feet;

18 (6) the larger building is separated from the
19 church-owned property and church-affiliated school by an
20 alley;

21 (7) the larger building containing the premises and the
22 church building front are on perpendicular streets and are
23 separated by a street; and

24 (8) (Blank).

25 (r) Notwithstanding any provision of this Section to the
26 contrary, nothing in this Section shall prohibit the issuance,

1 renewal, or maintenance of a license authorizing the sale of
2 alcoholic liquor incidental to the sale of food within a
3 restaurant established in a premises that is located in a
4 municipality with a population in excess of 1,000,000
5 inhabitants and within 100 feet of a church if:

6 (1) the primary entrance of the church and the primary
7 entrance of the restaurant are at least 100 feet apart;

8 (2) the restaurant has operated on the ground floor and
9 lower level of a multi-story, multi-use building for more
10 than 40 years;

11 (3) the primary business of the restaurant consists of
12 the sale of food where the sale of liquor is incidental to
13 the sale of food;

14 (4) the sale of alcoholic liquor is conducted primarily
15 in the below-grade level of the restaurant to which the
16 only public access is by a staircase located inside the
17 restaurant; and

18 (5) the restaurant has held a license authorizing the
19 sale of alcoholic liquor on the premises for more than 40
20 years.

21 (s) Notwithstanding any provision of this Section to the
22 contrary, nothing in this Section shall prohibit renewal of a
23 license authorizing the sale of alcoholic liquor at a premises
24 that is located within a municipality with a population more
25 than 5,000 and less than 10,000 and is within 100 feet of a
26 church if:

1 (1) the church was established at the location within
2 100 feet of the premises after a license for the sale of
3 alcoholic liquor at the premises was first issued;

4 (2) a license for sale of alcoholic liquor at the
5 premises was first issued before January 1, 2007; and

6 (3) a license for the sale of alcoholic liquor on the
7 premises has been continuously in effect since January 1,
8 2007, except for interruptions between licenses of no more
9 than 90 days.

10 (t) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor incidental to the sale of food within a restaurant that
14 is established in a premises that is located in a municipality
15 with a population in excess of 1,000,000 inhabitants and within
16 100 feet of a school and a church if:

17 (1) the restaurant is located inside a five-story
18 building with over 16,800 square feet of commercial space;

19 (2) the area of the premises does not exceed 31,050
20 square feet;

21 (3) the area of the restaurant does not exceed 5,800
22 square feet;

23 (4) the building has no less than 78 condominium units;

24 (5) the construction of the building in which the
25 restaurant is located was completed in 2006;

26 (6) the building has 10 storefront properties, 3 of

1 which are used for the restaurant;

2 (7) the restaurant will open for business in 2010;

3 (8) the building is north of the school and separated
4 by an alley; and

5 (9) the principal religious leader of the church and
6 either the alderman of the ward in which the school is
7 located or the principal of the school have delivered a
8 written statement to the local liquor control commissioner
9 stating that he or she does not object to the issuance of a
10 license under this subsection (t).

11 (u) Notwithstanding any provision in this Section to the
12 contrary, nothing in this Section shall prohibit the issuance
13 or renewal of a license to sell alcoholic liquor at a premises
14 that is located within a municipality with a population in
15 excess of 1,000,000 inhabitants and within 100 feet of a school
16 if:

17 (1) the premises operates as a restaurant and has been
18 in operation since February 2008;

19 (2) the applicant is the owner of the premises;

20 (3) the sale of alcoholic liquor is incidental to the
21 sale of food;

22 (4) the sale of alcoholic liquor is not the principal
23 business carried on by the licensee on the premises;

24 (5) the premises occupy the first floor of a 3-story
25 building that is at least 90 years old;

26 (6) the rear lot of the school and the rear corner of

1 the building that the premises occupy are separated by an
2 alley;

3 (7) the distance from the southwest corner of the
4 property line of the school and the northeast corner of the
5 building that the premises occupy is at least 16 feet, 5
6 inches;

7 (8) the distance from the rear door of the premises to
8 the southwest corner of the property line of the school is
9 at least 93 feet;

10 (9) the school is a City of Chicago School District 299
11 school;

12 (10) the school's main structure was erected in 1902
13 and an addition was built to the main structure in 1959;
14 and

15 (11) the principal of the school and the alderman in
16 whose district the premises are located have expressed, in
17 writing, their support for the issuance of the license.

18 (v) Notwithstanding any provision in this Section to the
19 contrary, nothing in this Section shall prohibit the issuance
20 or renewal of a license authorizing the sale of alcoholic
21 liquor at a premises that is located within a municipality with
22 a population in excess of 1,000,000 inhabitants and is within
23 100 feet of a school if:

24 (1) the total land area of the premises for which the
25 license or renewal is sought is more than 600,000 square
26 feet;

1 (2) the premises for which the license or renewal is
2 sought has more than 600 parking stalls;

3 (3) the total area of all buildings on the premises for
4 which the license or renewal is sought exceeds 140,000
5 square feet;

6 (4) the property line of the premises for which the
7 license or renewal is sought is separated from the property
8 line of the school by a street;

9 (5) the distance from the school's property line to the
10 property line of the premises for which the license or
11 renewal is sought is at least 60 feet;

12 (6) as of the effective date of this amendatory Act of
13 the 97th General Assembly, the premises for which the
14 license or renewal is sought is located in the Illinois
15 Medical District.

16 (w) Notwithstanding any provision in this Section to the
17 contrary, nothing in this Section shall prohibit the issuance
18 or renewal of a license to sell alcoholic liquor at a premises
19 that is located within a municipality with a population in
20 excess of 1,000,000 inhabitants and within 100 feet of a church
21 if:

22 (1) the sale of alcoholic liquor at the premises is
23 incidental to the sale of food;

24 (2) the sale of alcoholic liquor is not the principal
25 business carried on by the licensee at the premises;

26 (3) the premises occupy the first floor and basement of

1 a 2-story building that is 106 years old;

2 (4) the premises is at least 7,000 square feet and
3 located on a lot that is at least 11,000 square feet;

4 (5) the premises is located directly west of the
5 church, on perpendicular streets, and separated by an
6 alley;

7 (6) the distance between the property line of the
8 premises and the property line of the church is at least 20
9 feet;

10 (7) the distance between the primary entrance of the
11 premises and the primary entrance of the church is at least
12 130 feet; and

13 (8) the church has been at its location for at least 40
14 years.

15 (x) Notwithstanding any provision of this Section to the
16 contrary, nothing in this Section shall prohibit the issuance
17 or renewal of a license authorizing the sale of alcoholic
18 liquor at a premises that is located within a municipality with
19 a population in excess of 1,000,000 inhabitants and within 100
20 feet of a church if:

21 (1) the sale of alcoholic liquor is not the principal
22 business carried on by the licensee at the premises;

23 (2) the church has been operating in its current
24 location since 1973;

25 (3) the premises has been operating in its current
26 location since 1988;

1 (4) the church and the premises are owned by the same
2 parish;

3 (5) the premises is used for cultural and educational
4 purposes;

5 (6) the primary entrance to the premises and the
6 primary entrance to the church are located on the same
7 street;

8 (7) the principal religious leader of the church has
9 indicated his support of the issuance of the license;

10 (8) the premises is a 2-story building of approximately
11 23,000 square feet; and

12 (9) the premises houses a ballroom on its ground floor
13 of approximately 5,000 square feet.

14 (y) Notwithstanding any provision of this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 or renewal of a license authorizing the sale of alcoholic
17 liquor at a premises that is located within a municipality with
18 a population in excess of 1,000,000 inhabitants and within 100
19 feet of a school if:

20 (1) the sale of alcoholic liquor is not the principal
21 business carried on by the licensee at the premises;

22 (2) the sale of alcoholic liquor at the premises is
23 incidental to the sale of food;

24 (3) according to the municipality, the distance
25 between the east property line of the premises and the west
26 property line of the school is 97.8 feet;

1 (4) the school is a City of Chicago School District 299
2 school;

3 (5) the school has been operating since 1959;

4 (6) the primary entrance to the premises and the
5 primary entrance to the school are located on the same
6 street;

7 (7) the street on which the entrances of the premises
8 and the school are located is a major diagonal
9 thoroughfare;

10 (8) the premises is a single-story building of
11 approximately 2,900 square feet; and

12 (9) the premises is used for commercial purposes only.

13 (z) Notwithstanding any provision of this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of a license authorizing the sale of alcoholic
16 liquor at a premises that is located within a municipality with
17 a population in excess of 1,000,000 inhabitants and within 100
18 feet of a mosque if:

19 (1) the sale of alcoholic liquor is not the principal
20 business carried on by the licensee at the premises;

21 (2) the licensee shall only sell packaged liquors at
22 the premises;

23 (3) the licensee is a national retail chain having over
24 100 locations within the municipality;

25 (4) the licensee has over 8,000 locations nationwide;

26 (5) the licensee has locations in all 50 states;

1 (6) the premises is located in the North-East quadrant
2 of the municipality;

3 (7) the premises is a free-standing building that has
4 "drive-through" pharmacy service;

5 (8) the premises has approximately 14,490 square feet
6 of retail space;

7 (9) the premises has approximately 799 square feet of
8 pharmacy space;

9 (10) the premises is located on a major arterial street
10 that runs east-west and accepts truck traffic; and

11 (11) the alderman of the ward in which the premises is
12 located has expressed, in writing, his or her support for
13 the issuance of the license.

14 (aa) Notwithstanding any provision of this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 or renewal of a license authorizing the sale of alcoholic
17 liquor at a premises that is located within a municipality with
18 a population in excess of 1,000,000 inhabitants and within 100
19 feet of a church if:

20 (1) the sale of alcoholic liquor is not the principal
21 business carried on by the licensee at the premises;

22 (2) the licensee shall only sell packaged liquors at
23 the premises;

24 (3) the licensee is a national retail chain having over
25 100 locations within the municipality;

26 (4) the licensee has over 8,000 locations nationwide;

1 (5) the licensee has locations in all 50 states;

2 (6) the premises is located in the North-East quadrant
3 of the municipality;

4 (7) the premises is located across the street from a
5 national grocery chain outlet;

6 (8) the premises has approximately 16,148 square feet
7 of retail space;

8 (9) the premises has approximately 992 square feet of
9 pharmacy space;

10 (10) the premises is located on a major arterial street
11 that runs north-south and accepts truck traffic; and

12 (11) the alderman of the ward in which the premises is
13 located has expressed, in writing, his or her support for
14 the issuance of the license.

15 (bb) Notwithstanding any provision of this Section to the
16 contrary, nothing in this Section shall prohibit the issuance
17 or renewal of a license authorizing the sale of alcoholic
18 liquor at a premises that is located within a municipality with
19 a population in excess of 1,000,000 inhabitants and within 100
20 feet of a church if:

21 (1) the sale of alcoholic liquor is not the principal
22 business carried on by the licensee at the premises;

23 (2) the sale of alcoholic liquor at the premises is
24 incidental to the sale of food;

25 (3) the primary entrance to the premises and the
26 primary entrance to the church are located on the same

1 street;

2 (4) the premises is across the street from the church;

3 (5) the street on which the premises and the church are
4 located is a major arterial street that runs east-west;

5 (6) the church is an elder-led and Bible-based Assyrian
6 church;

7 (7) the premises and the church are both single-story
8 buildings;

9 (8) the storefront directly west of the church is being
10 used as a restaurant; and

11 (9) the distance between the northern-most property
12 line of the premises and the southern-most property line of
13 the church is 65 feet.

14 (cc) Notwithstanding any provision of this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 or renewal of a license authorizing the sale of alcoholic
17 liquor at a premises that is located within a municipality with
18 a population in excess of 1,000,000 inhabitants and within 100
19 feet of a school if:

20 (1) the sale of alcoholic liquor is not the principal
21 business carried on by the licensee at the premises;

22 (2) the licensee shall only sell packaged liquors at
23 the premises;

24 (3) the licensee is a national retail chain;

25 (4) as of October 25, 2011, the licensee has 1,767
26 stores operating nationwide, 87 stores operating in the

1 State, and 10 stores operating within the municipality;

2 (5) the licensee shall occupy approximately 124,000
3 square feet of space in the basement and first and second
4 floors of a building located across the street from a
5 school;

6 (6) the school opened in August of 2009 and occupies
7 approximately 67,000 square feet of space; and

8 (7) the building in which the premises shall be located
9 has been listed on the National Register of Historic Places
10 since April 17, 1970.

11 (dd) Notwithstanding any provision in this Section to the
12 contrary, nothing in this Section shall prohibit the issuance
13 or renewal of a license authorizing the sale of alcoholic
14 liquor within a full-service grocery store at a premises that
15 is located within a municipality with a population in excess of
16 1,000,000 inhabitants and is within 100 feet of a school if:

17 (1) the premises is constructed on land that was
18 purchased from the municipality at a fair market price;

19 (2) the premises is constructed on land that was
20 previously used as a parking facility for public safety
21 employees;

22 (3) the sale of alcoholic liquor is not the principal
23 business carried on by the licensee at the premises;

24 (4) the main entrance to the store is more than 100
25 feet from the main entrance to the school;

26 (5) the premises is to be new construction;

1 (6) the school is a private school;

2 (7) the principal of the school has given written
3 approval for the license;

4 (8) the alderman of the ward where the premises is
5 located has given written approval of the issuance of the
6 license;

7 (9) the grocery store level of the premises is between
8 60,000 and 70,000 square feet; and

9 (10) the owner and operator of the grocery store
10 operates 2 other grocery stores that have alcoholic liquor
11 licenses within the same municipality.

12 (ee) Notwithstanding any provision in this Section to the
13 contrary, nothing in this Section shall prohibit the issuance
14 or renewal of a license authorizing the sale of alcoholic
15 liquor within a full-service grocery store at a premises that
16 is located within a municipality with a population in excess of
17 1,000,000 inhabitants and is within 100 feet of a school if:

18 (1) the premises is constructed on land that once
19 contained an industrial steel facility;

20 (2) the premises is located on land that has undergone
21 environmental remediation;

22 (3) the premises is located within a retail complex
23 containing retail stores where some of the stores sell
24 alcoholic beverages;

25 (4) the principal activity of any restaurant in the
26 retail complex is the sale of food, and the sale of

1 alcoholic liquor is incidental to the sale of food;

2 (5) the sale of alcoholic liquor is not the principal
3 business carried on by the grocery store;

4 (6) the entrance to any business that sells alcoholic
5 liquor is more than 100 feet from the entrance to the
6 school;

7 (7) the alderman of the ward where the premises is
8 located has given written approval of the issuance of the
9 license; and

10 (8) the principal of the school has given written
11 consent to the issuance of the license.

12 (ff) Notwithstanding any provision of this Section to the
13 contrary, nothing in this Section shall prohibit the issuance
14 or renewal of a license authorizing the sale of alcoholic
15 liquor at a premises that is located within a municipality with
16 a population in excess of 1,000,000 inhabitants and within 100
17 feet of a school if:

18 (1) the sale of alcoholic liquor is not the principal
19 business carried on at the premises;

20 (2) the sale of alcoholic liquor at the premises is
21 incidental to the operation of a theater;

22 (3) the premises is a one and one-half-story building
23 of approximately 10,000 square feet;

24 (4) the school is a City of Chicago School District 299
25 school;

26 (5) the primary entrance of the premises and the

1 primary entrance of the school are at least 300 feet apart
2 and no more than 400 feet apart;

3 (6) the alderman of the ward in which the premises is
4 located has expressed, in writing, his support for the
5 issuance of the license; and

6 (7) the principal of the school has expressed, in
7 writing, that there is no objection to the issuance of a
8 license under this subsection (ff).

9 (gg) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license authorizing the sale of alcoholic
12 liquor incidental to the sale of food within a restaurant or
13 banquet facility established in a premises that is located in a
14 municipality with a population in excess of 1,000,000
15 inhabitants and within 100 feet of a church if:

16 (1) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises;

18 (2) the property on which the church is located and the
19 property on which the premises are located are both within
20 a district originally listed on the National Register of
21 Historic Places on February 14, 1979;

22 (3) the property on which the premises are located
23 contains one or more multi-story buildings that are at
24 least 95 years old and have no more than three stories;

25 (4) the building in which the church is located is at
26 least 120 years old;

1 (5) the property on which the church is located is
2 immediately adjacent to and west of the property on which
3 the premises are located;

4 (6) the western boundary of the property on which the
5 premises are located is no less than 118 feet in length and
6 no more than 122 feet in length;

7 (7) as of December 31, 2012, both the church property
8 and the property on which the premises are located are
9 within 250 feet of City of Chicago Business-Residential
10 Planned Development Number 38;

11 (8) the principal religious leader at the place of
12 worship has indicated his or her support for the issuance
13 of the license in writing; and

14 (9) the alderman in whose district the premises are
15 located has expressed his or her support for the issuance
16 of the license in writing.

17 For the purposes of this subsection, "banquet facility"
18 means the part of the building that is located on the floor
19 above a restaurant and caters to private parties and where the
20 sale of alcoholic liquors is not the principal business.

21 (hh) Notwithstanding any provision of this Section to the
22 contrary, nothing in this Section shall prohibit the issuance
23 or renewal of a license authorizing the sale of alcoholic
24 liquor within a hotel and at an outdoor patio area attached to
25 the hotel that are located in a municipality with a population
26 in excess of 1,000,000 inhabitants and that are within 100 feet

1 of a hospital if:

2 (1) the sale of alcoholic liquor is not the principal
3 business carried on by the licensee at the hotel;

4 (2) the hotel is located within the City of Chicago
5 Business Planned Development Number 468; and

6 (3) the hospital is located within the City of Chicago
7 Institutional Planned Development Number 3.

8 (ii) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor within a restaurant and at an outdoor patio area
12 attached to the restaurant that are located in a municipality
13 with a population in excess of 1,000,000 inhabitants and that
14 are within 100 feet of a church if:

15 (1) the sale of alcoholic liquor at the premises is not
16 the principal business carried on by the licensee and is
17 incidental to the sale of food;

18 (2) the restaurant has been operated on the street
19 level of a 2-story building located on a corner lot since
20 2008;

21 (3) the restaurant is between 3,700 and 4,000 square
22 feet and sits on a lot that is no more than 6,200 square
23 feet;

24 (4) the primary entrance to the restaurant and the
25 primary entrance to the church are located on the same
26 street;

1 (5) the street on which the restaurant and the church
2 are located is a major east-west street;

3 (6) the restaurant and the church are separated by a
4 one-way northbound street;

5 (7) the church is located to the west of and no more
6 than 65 feet from the restaurant; and

7 (8) the principal religious leader at the place of
8 worship has indicated his or her consent to the issuance of
9 the license in writing.

10 (jj) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at premises located within a municipality with a
14 population in excess of 1,000,000 inhabitants and within 100
15 feet of a church if:

16 (1) the sale of alcoholic liquor is not the principal
17 business carried on by the licensee at the premises;

18 (2) the sale of alcoholic liquor is incidental to the
19 sale of food;

20 (3) the premises are located east of the church, on
21 perpendicular streets, and separated by an alley;

22 (4) the distance between the primary entrance of the
23 premises and the primary entrance of the church is at least
24 175 feet;

25 (5) the distance between the property line of the
26 premises and the property line of the church is at least 40

1 feet;

2 (6) the licensee has been operating at the premises
3 since 2012;

4 (7) the church was constructed in 1904;

5 (8) the alderman of the ward in which the premises is
6 located has expressed, in writing, his or her support for
7 the issuance of the license; and

8 (9) the principal religious leader of the church has
9 delivered a written statement that he or she does not
10 object to the issuance of a license under this subsection
11 (jj).

12 (kk) Notwithstanding any provision of this Section to the
13 contrary, nothing in this Section shall prohibit the issuance
14 or renewal of a license authorizing the sale of alcoholic
15 liquor at a premises that is located within a municipality with
16 a population in excess of 1,000,000 inhabitants and within 100
17 feet of a school if:

18 (1) the sale of alcoholic liquor is not the principal
19 business carried on by the licensee at the premises;

20 (2) the licensee shall only sell packaged liquors on
21 the premises;

22 (3) the licensee is a national retail chain;

23 (4) as of February 27, 2013, the licensee had 1,778
24 stores operating nationwide, 89 operating in this State,
25 and 11 stores operating within the municipality;

26 (5) the licensee shall occupy approximately 169,048

1 square feet of space within a building that is located
2 across the street from a tuition-based preschool; and

3 (6) the alderman of the ward in which the premises is
4 located has expressed, in writing, his or her support for
5 the issuance of the license.

6 (11) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor at a premises that is located within a municipality with
10 a population in excess of 1,000,000 inhabitants and within 100
11 feet of a school if:

12 (1) the sale of alcoholic liquor is not the principal
13 business carried on by the licensee at the premises;

14 (2) the licensee shall only sell packaged liquors on
15 the premises;

16 (3) the licensee is a national retail chain;

17 (4) as of February 27, 2013, the licensee had 1,778
18 stores operating nationwide, 89 operating in this State,
19 and 11 stores operating within the municipality;

20 (5) the licensee shall occupy approximately 191,535
21 square feet of space within a building that is located
22 across the street from an elementary school; and

23 (6) the alderman of the ward in which the premises is
24 located has expressed, in writing, his or her support for
25 the issuance of the license.

26 (mm) Notwithstanding any provision of this Section to the

1 contrary, nothing in this Section shall prohibit the issuance
2 or renewal of a license authorizing the sale of alcoholic
3 liquor within premises and at an outdoor patio or sidewalk
4 cafe, or both, attached to premises that are located in a
5 municipality with a population in excess of 1,000,000
6 inhabitants and that are within 100 feet of a hospital if:

7 (1) the primary business of the restaurant consists of
8 the sale of food where the sale of liquor is incidental to
9 the sale of food;

10 (2) as a restaurant, the premises may or may not offer
11 catering as an incidental part of food service;

12 (3) the primary business of the restaurant is conducted
13 in space owned by a hospital or an entity owned or
14 controlled by, under common control with, or that controls
15 a hospital, and the chief hospital administrator has
16 expressed his or her support for the issuance of the
17 license in writing; and

18 (4) the hospital is an adult acute care facility
19 primarily located within the City of Chicago Institutional
20 Planned Development Number 3.

21 (nn) Notwithstanding any provision of this Section to the
22 contrary, nothing in this Section shall prohibit the issuance
23 or renewal of a license authorizing the sale of alcoholic
24 liquor at a premises that is located within a municipality with
25 a population in excess of 1,000,000 inhabitants and within 100
26 feet of a church if:

1 (1) the sale of alcoholic liquor is not the principal
2 business carried out on the premises;

3 (2) the sale of alcoholic liquor at the premises is
4 incidental to the operation of a theater;

5 (3) the premises are a building that was constructed in
6 1913 and opened on May 24, 1915 as a vaudeville theater,
7 and the premises were converted to a motion picture theater
8 in 1935;

9 (4) the church was constructed in 1889 with a stone
10 exterior;

11 (5) the primary entrance of the premises and the
12 primary entrance of the church are at least 100 feet apart;
13 and

14 (6) the principal religious leader at the place of
15 worship has indicated his or her consent to the issuance of
16 the license in writing; and

17 (7) the alderman in whose ward the premises are located
18 has expressed his or her support for the issuance of the
19 license in writing.

20 (oo) Notwithstanding any provision of this Section to the
21 contrary, nothing in this Section shall prohibit the issuance
22 or renewal of a license authorizing the sale of alcoholic
23 liquor at a premises that is located within a municipality with
24 a population in excess of 1,000,000 inhabitants and within 100
25 feet of a mosque, church, or other place of worship if:

26 (1) the primary entrance of the premises and the

1 primary entrance of the mosque, church, or other place of
2 worship are perpendicular and are on different streets;

3 (2) the primary entrance to the premises faces West and
4 the primary entrance to the mosque, church, or other place
5 of worship faces South;

6 (3) the distance between the 2 primary entrances is at
7 least 100 feet;

8 (4) the mosque, church, or other place of worship was
9 established in a location within 100 feet of the premises
10 after a license for the sale of alcohol at the premises was
11 first issued;

12 (5) the mosque, church, or other place of worship was
13 established on or around January 1, 2011;

14 (6) a license for the sale of alcohol at the premises
15 was first issued on or before January 1, 1985;

16 (7) a license for the sale of alcohol at the premises
17 has been continuously in effect since January 1, 1985,
18 except for interruptions between licenses of no more than
19 90 days; and

20 (8) the premises are a single-story, single-use
21 building of at least 3,000 square feet and no more than
22 3,380 square feet.

23 (pp) Notwithstanding any provision of this Section to the
24 contrary, nothing in this Section shall prohibit the issuance
25 or renewal of a license authorizing the sale of alcoholic
26 liquor incidental to the sale of food within a restaurant or

1 banquet facility established on premises that are located in a
2 municipality with a population in excess of 1,000,000
3 inhabitants and within 100 feet of at least one church if:

4 (1) the sale of liquor shall not be the principal
5 business carried on by the licensee at the premises;

6 (2) the premises are at least 2,000 square feet and no
7 more than 10,000 square feet and is located in a
8 single-story building;

9 (3) the property on which the premises are located is
10 within an area that, as of 2009, was designated as a
11 Renewal Community by the United States Department of
12 Housing and Urban Development;

13 (4) the property on which the premises are located and
14 the properties on which the churches are located are on the
15 same street;

16 (5) the property on which the premises are located is
17 immediately adjacent to and east of the property on which
18 at least one of the churches is located;

19 (6) the property on which the premises are located is
20 across the street and southwest of the property on which
21 another church is located;

22 (7) the principal religious leaders of the churches
23 have indicated their support for the issuance of the
24 license in writing; and

25 (8) the alderman in whose ward the premises are located
26 has expressed his or her support for the issuance of the

1 license in writing.

2 For purposes of this subsection (pp), "banquet facility"
3 means the part of the building that caters to private parties
4 and where the sale of alcoholic liquors is not the principal
5 business.

6 (qq) Notwithstanding any provision of this Section to the
7 contrary, nothing in this Section shall prohibit the issuance
8 or renewal of a license authorizing the sale of alcoholic
9 liquor on premises that are located within a municipality with
10 a population in excess of 1,000,000 inhabitants and within 100
11 feet of a church or school if:

12 (1) the primary entrance of the premises and the
13 closest entrance of the church or school are at least 200
14 feet apart and no greater than 300 feet apart;

15 (2) the shortest distance between the premises and the
16 church or school is at least 66 feet apart and no greater
17 than 81 feet apart;

18 (3) the premises are a single-story, steel-framed
19 commercial building with at least 18,042 square feet, and
20 was constructed in 1925 and 1997;

21 (4) the owner of the business operated within the
22 premises has been the general manager of a similar
23 supermarket within one mile from the premises, which has
24 had a valid license authorizing the sale of alcoholic
25 liquor since 2002, and is in good standing with the City of
26 Chicago;

1 (5) the principal religious leader at the place of
2 worship has indicated his or her support to the issuance or
3 renewal of the license in writing;

4 (6) the alderman of the ward has indicated his or her
5 support to the issuance or renewal of the license in
6 writing; and

7 (7) the principal of the school has indicated his or
8 her support to the issuance or renewal of the license in
9 writing.

10 (rr) Notwithstanding any provision of this Section to the
11 contrary, nothing in this Section shall prohibit the issuance
12 or renewal of a license authorizing the sale of alcoholic
13 liquor at premises located within a municipality with a
14 population in excess of 1,000,000 inhabitants and within 100
15 feet of a club that leases space to a school if:

16 (1) the sale of alcoholic liquor is not the principal
17 business carried out on the premises;

18 (2) the sale of alcoholic liquor at the premises is
19 incidental to the operation of a grocery store;

20 (3) the premises are a building of approximately 1,750
21 square feet and is rented by the owners of the grocery
22 store from a family member;

23 (4) the property line of the premises is approximately
24 68 feet from the property line of the club;

25 (5) the primary entrance of the premises and the
26 primary entrance of the club where the school leases space

1 are at least 100 feet apart;

2 (6) the director of the club renting space to the
3 school has indicated his or her consent to the issuance of
4 the license in writing; and

5 (7) the alderman in whose district the premises are
6 located has expressed his or her support for the issuance
7 of the license in writing.

8 (ss) Notwithstanding any provision of this Section to the
9 contrary, nothing in this Section shall prohibit the issuance
10 or renewal of a license authorizing the sale of alcoholic
11 liquor at premises located within a municipality with a
12 population in excess of 1,000,000 inhabitants and within 100
13 feet of a church if:

14 (1) the premises are located within a 15 unit building
15 with 13 residential apartments and 2 commercial spaces, and
16 the licensee will occupy both commercial spaces;

17 (2) a restaurant has been operated on the premises
18 since June 2011;

19 (3) the restaurant currently occupies 1,075 square
20 feet, but will be expanding to include 975 additional
21 square feet;

22 (4) the sale of alcoholic liquor is not the principal
23 business carried on by the licensee at the premises;

24 (5) the premises are located south of the church and on
25 the same street and are separated by a one-way westbound
26 street;

1 (6) the primary entrance of the premises is at least 93
2 feet from the primary entrance of the church;

3 (7) the shortest distance between any part of the
4 premises and any part of the church is at least 72 feet;

5 (8) the building in which the restaurant is located was
6 built in 1910;

7 (9) the alderman of the ward in which the premises are
8 located has expressed, in writing, his or her support for
9 the issuance of the license; and

10 (10) the principal religious leader of the church has
11 delivered a written statement that he or she does not
12 object to the issuance of a license under this subsection
13 (ss).

14 (tt) Notwithstanding any provision of this Section to the
15 contrary, nothing in this Section shall prohibit the issuance
16 or renewal of a license authorizing the sale of alcoholic
17 liquor at premises located within a municipality with a
18 population in excess of 1,000,000 inhabitants and within 100
19 feet of a church if:

20 (1) the sale of alcoholic liquor is not the principal
21 business carried on by the licensee at the premises;

22 (2) the sale of alcoholic liquor is incidental to the
23 sale of food;

24 (3) the sale of alcoholic liquor at the premises was
25 previously authorized by a package goods liquor license;

26 (4) the premises are at least 40,000 square feet with

1 25 parking spaces in the contiguous surface lot to the
2 north of the store and 93 parking spaces on the roof;

3 (5) the shortest distance between the lot line of the
4 parking lot of the premises and the exterior wall of the
5 church is at least 80 feet;

6 (6) the distance between the building in which the
7 church is located and the building in which the premises
8 are located is at least 180 feet;

9 (7) the main entrance to the church faces west and is
10 at least 257 feet from the main entrance of the premises;
11 and

12 (8) the applicant is the owner of 10 similar grocery
13 stores within the City of Chicago and the surrounding area
14 and has been in business for more than 30 years.

15 (uu) Notwithstanding any provision of this Section to the
16 contrary, nothing in this Section shall prohibit the issuance
17 or renewal of a license authorizing the sale of alcoholic
18 liquor at premises located within a municipality with a
19 population in excess of 1,000,000 inhabitants and within 100
20 feet of a church if:

21 (1) the sale of alcoholic liquor is not the principal
22 business carried on by the licensee at the premises;

23 (2) the sale of alcoholic liquor is incidental to the
24 operation of a grocery store;

25 (3) the premises are located in a building that is
26 approximately 68,000 square feet with 157 parking spaces on

1 property that was previously vacant land;

2 (4) the main entrance to the church faces west and is
3 at least 500 feet from the entrance of the premises, which
4 faces north;

5 (5) the church and the premises are separated by an
6 alley;

7 (6) the applicant is the owner of 9 similar grocery
8 stores in the City of Chicago and the surrounding area and
9 has been in business for more than 40 years; and

10 (7) the alderman of the ward in which the premises are
11 located has expressed, in writing, his or her support for
12 the issuance of the license.

13 (vv) Notwithstanding any provision of this Section to the
14 contrary, nothing in this Section shall prohibit the issuance
15 or renewal of a license authorizing the sale of alcoholic
16 liquor at premises located within a municipality with a
17 population in excess of 1,000,000 inhabitants and within 100
18 feet of a church if:

19 (1) the sale of alcoholic liquor is the principal
20 business carried on by the licensee at the premises;

21 (2) the sale of alcoholic liquor is primary to the sale
22 of food;

23 (3) the premises are located south of the church and on
24 perpendicular streets and are separated by a driveway;

25 (4) the primary entrance of the premises is at least
26 100 feet from the primary entrance of the church;

1 (5) the shortest distance between any part of the
2 premises and any part of the church is at least 15 feet;

3 (6) the premises are less than 100 feet from the church
4 center, but greater than 100 feet from the area within the
5 building where church services are held;

6 (7) the premises are 25,830 square feet and sit on a
7 lot that is 0.48 acres;

8 (8) the premises were once designated as a Korean
9 American Presbyterian Church and were once used as a
10 Masonic Temple;

11 (9) the premises were built in 1910;

12 (10) the alderman of the ward in which the premises are
13 located has expressed, in writing, his or her support for
14 the issuance of the license; and

15 (11) the principal religious leader of the church has
16 delivered a written statement that he or she does not
17 object to the issuance of a license under this subsection
18 (vv).

19 For the purposes of this subsection (vv), "premises" means
20 a place of business together with a privately owned outdoor
21 location that is adjacent to the place of business.

22 (wv) Notwithstanding any provision of this Section to the
23 contrary, nothing in this Section shall prohibit the issuance
24 or renewal of a license authorizing the sale of alcoholic
25 liquor at premises located within a municipality with a
26 population in excess of 1,000,000 inhabitants and within 100

1 feet of a school if:

2 (1) the school is located within Sub Area III of City
3 of Chicago Residential-Business Planned Development Number
4 523, as amended; and

5 (2) the premises are located within Sub Area I, Sub
6 Area II, or Sub Area IV of City of Chicago
7 Residential-Business Planned Development Number 523, as
8 amended.

9 (xx) Notwithstanding any provision of this Section to the
10 contrary, nothing in this Section shall prohibit the issuance
11 or renewal of a license authorizing the sale of alcoholic
12 liquor at premises located within a municipality with a
13 population in excess of 1,000,000 inhabitants and within 100
14 feet of a church if:

15 (1) the sale of wine or wine-related products is the
16 exclusive business carried on by the licensee at the
17 premises;

18 (2) the primary entrance of the premises and the
19 primary entrance of the church are at least 100 feet apart
20 and are located on different streets;

21 (3) the building in which the premises are located and
22 the building in which the church is located are separated
23 by an alley;

24 (4) the premises consists of less than 2,000 square
25 feet of floor area dedicated to the sale of wine or
26 wine-related products;

1 (5) the premises are located on the first floor of a
2 2-story building that is at least 99 years old and has a
3 residential unit on the second floor; and

4 (6) the principal religious leader at the church has
5 indicated his or her support for the issuance or renewal of
6 the license in writing.

7 (yy) Notwithstanding any provision of this Section to the
8 contrary, nothing in this Section shall prohibit the issuance
9 or renewal of a license authorizing the sale of alcoholic
10 liquor at premises located within a municipality with a
11 population in excess of 1,000,000 inhabitants and within 100
12 feet of a church if:

13 (1) the sale of alcoholic liquor at the premises is
14 incidental to the sale of food;

15 (2) the premises are located in a single-story building
16 of primarily brick construction containing at least 6
17 commercial units constructed before 1940;

18 (3) the premises are located in a B3-2 zoning district;

19 (4) the premises are less than 4,000 square feet;

20 (5) the church established its congregation in 1891 and
21 completed construction of the church building in 1990;

22 (6) the premises are located south of the church;

23 (7) the premises and church are located on the same
24 street and are separated by a one-way westbound street; and

25 (8) the principal religious leader of the church has
26 not indicated his or her opposition to the issuance or

1 renewal of the license in writing.

2 (Source: P.A. 97-9, eff. 6-14-11; 97-12, eff. 6-14-11; 97-634,
3 eff. 12-16-11; 97-774, eff. 7-13-12; 97-780, eff. 7-13-12;
4 97-806, eff. 7-13-12; 97-1166, eff. 3-1-13; 98-274, eff.
5 8-9-13; 98-463, eff. 8-16-13; 98-571, eff. 8-27-13; 98-592,
6 eff. 11-15-13; 98-1092, eff. 8-26-14; 98-1158, eff. 1-9-15.)

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