

**104TH GENERAL ASSEMBLY****State of Illinois****2025 and 2026****HB1019**

Introduced 1/9/2025, by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

230 ILCS 40/79.5	
235 ILCS 5/3-12	
235 ILCS 5/4-1	from Ch. 43, par. 110
235 ILCS 5/5-1	from Ch. 43, par. 115
235 ILCS 5/6-15	from Ch. 43, par. 130
235 ILCS 5/6-16	from Ch. 43, par. 131
235 ILCS 5/6-16.1	
235 ILCS 5/6-16.2	
235 ILCS 5/6-20	from Ch. 43, par. 134a
235 ILCS 5/6-21	from Ch. 43, par. 135
235 ILCS 5/6-28.8	
235 ILCS 5/10-1	from Ch. 43, par. 183
740 ILCS 90/10	
740 ILCS 90/11	

Amends the Liquor Control Act of 1934. Changes the age at which a person may possess and consume alcoholic liquor to the age of 18 (instead of 21) so long as a parent or guardian is present, including at licensed establishments. Makes conforming changes. Amends the Video Gaming Act and the Innkeeper Protection Act to make conforming changes.

LRB104 03426 RPS 13448 b

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 Video Gaming Act is amended by changing
5 Section 79.5 as follows:

6 (230 ILCS 40/79.5)

7 Sec. 79.5. Enforcement actions. The Board shall establish
8 a policy and standards for compliance operations to
9 investigate whether a licensed establishment, licensed
10 fraternal establishment, licensed veterans establishment, or a
11 licensed truck stop establishment is: (1) permitting any
12 person under the age of 21 years to use or play a video gaming
13 terminal in violation of this Act; or (2) furnishing alcoholic
14 liquor to persons under 18 21 years of age or persons between
15 the ages of 18 and 21 without a parent or guardian present in
16 violation of the Liquor Control Act of 1934.

17 The policy and standards for compliance operations under
18 this Section shall be similar to the model policy and
19 guidelines for the operation of alcohol and tobacco compliance
20 checks by local law enforcement officers adopted by the
21 Illinois Law Enforcement Training Standards Board pursuant to
22 subsection (c) of Section 6-16.1 of the Liquor Control Act of
23 1934. The Board shall adopt the policy and standards in the

1 form of emergency rulemaking that shall be adopted no later
2 than 90 days after the effective date of this amendatory Act of
3 the 101st General Assembly and shall be immediately followed
4 by permanent rulemaking on the same subject.

5 A licensed establishment, licensed fraternal
6 establishment, licensed veterans establishment, or licensed
7 truck stop establishment that is the subject of an enforcement
8 action under this Section and is found, pursuant to the
9 enforcement action, to be in compliance with this Act shall be
10 notified by the Board that no violation was found within 30
11 days after the finding.

12 (Source: P.A. 101-318, eff. 8-9-19.)

13 Section 10. The Liquor Control Act of 1934 is amended by
14 changing Sections 3-12, 4-1, 5-1, 6-15, 6-16, 6-16.1, 6-16.2,
15 6-20, 6-21, 6-28.8, 6-29, and 10-1 as follows:

16 (235 ILCS 5/3-12)

17 Sec. 3-12. Powers and duties of State Commission.

18 (a) The State Commission shall have the following powers,
19 functions, and duties:

20 (1) To receive applications and to issue licenses to
21 manufacturers, foreign importers, importing distributors,
22 distributors, non-resident dealers, on premise consumption
23 retailers, off premise sale retailers, special event
24 retailer licensees, special use permit licenses, auction

1 liquor licenses, brew pubs, caterer retailers,
2 non-beverage users, railroads, including owners and
3 lessees of sleeping, dining and cafe cars, airplanes,
4 boats, brokers, and wine maker's premises licensees in
5 accordance with the provisions of this Act, and to suspend
6 or revoke such licenses upon the State Commission's
7 determination, upon notice after hearing, that a licensee
8 has violated any provision of this Act or any rule or
9 regulation issued pursuant thereto and in effect for 30
10 days prior to such violation. Except in the case of an
11 action taken pursuant to a violation of Section 6-3, 6-5,
12 or 6-9, any action by the State Commission to suspend or
13 revoke a licensee's license may be limited to the license
14 for the specific premises where the violation occurred. An
15 action for a violation of this Act shall be commenced by
16 the State Commission within 2 years after the date the
17 State Commission becomes aware of the violation.

18 In lieu of suspending or revoking a license, the
19 commission may impose a fine, upon the State Commission's
20 determination and notice after hearing, that a licensee
21 has violated any provision of this Act or any rule or
22 regulation issued pursuant thereto and in effect for 30
23 days prior to such violation.

24 For the purpose of this paragraph (1), when
25 determining multiple violations for the sale of alcohol to
26 a person under the age of 18 or between the ages of 18 and

1 21 without a parent or guardian present 21, a second or
2 subsequent violation for the sale of alcohol to a person
3 under the age of 18 or between the ages of 18 and 21
4 without a parent or guardian present 21 shall only be
5 considered if it was committed within 5 years after the
6 date when a prior violation for the sale of alcohol to a
7 person under the age of 18 or between the ages of 18 and 21
8 without a parent or guardian present 21 was committed.

9 The fine imposed under this paragraph may not exceed
10 \$500 for each violation. Each day that the activity, which
11 gave rise to the original fine, continues is a separate
12 violation. The maximum fine that may be levied against any
13 licensee, for the period of the license, shall not exceed
14 \$20,000. The maximum penalty that may be imposed on a
15 licensee for selling a bottle of alcoholic liquor with a
16 foreign object in it or serving from a bottle of alcoholic
17 liquor with a foreign object in it shall be the
18 destruction of that bottle of alcoholic liquor for the
19 first 10 bottles so sold or served from by the licensee.
20 For the eleventh bottle of alcoholic liquor and for each
21 third bottle thereafter sold or served from by the
22 licensee with a foreign object in it, the maximum penalty
23 that may be imposed on the licensee is the destruction of
24 the bottle of alcoholic liquor and a fine of up to \$50.

25 Any notice issued by the State Commission to a
26 licensee for a violation of this Act or any notice with

1 respect to settlement or offer in compromise shall include
2 the field report, photographs, and any other supporting
3 documentation necessary to reasonably inform the licensee
4 of the nature and extent of the violation or the conduct
5 alleged to have occurred. The failure to include such
6 required documentation shall result in the dismissal of
7 the action.

8 (2) To adopt such rules and regulations consistent
9 with the provisions of this Act which shall be necessary
10 to carry on its functions and duties to the end that the
11 health, safety and welfare of the People of the State of
12 Illinois shall be protected and temperance in the
13 consumption of alcoholic liquors shall be fostered and
14 promoted and to distribute copies of such rules and
15 regulations to all licensees affected thereby.

16 (3) To call upon other administrative departments of
17 the State, county and municipal governments, county and
18 city police departments and upon prosecuting officers for
19 such information and assistance as it deems necessary in
20 the performance of its duties.

21 (4) To recommend to local commissioners rules and
22 regulations, not inconsistent with the law, for the
23 distribution and sale of alcoholic liquors throughout the
24 State.

25 (5) To inspect, or cause to be inspected, any premises
26 in this State where alcoholic liquors are manufactured,

1 distributed, warehoused, or sold. Nothing in this Act
2 authorizes an agent of the State Commission to inspect
3 private areas within the premises without reasonable
4 suspicion or a warrant during an inspection. "Private
5 areas" include, but are not limited to, safes, personal
6 property, and closed desks.

7 (5.1) Upon receipt of a complaint or upon having
8 knowledge that any person is engaged in business as a
9 manufacturer, importing distributor, distributor, or
10 retailer without a license or valid license, to conduct an
11 investigation. If, after conducting an investigation, the
12 State Commission is satisfied that the alleged conduct
13 occurred or is occurring, it may issue a cease and desist
14 notice as provided in this Act, impose civil penalties as
15 provided in this Act, notify the local liquor authority,
16 or file a complaint with the State's Attorney's Office of
17 the county where the incident occurred or the Attorney
18 General.

19 (5.2) Upon receipt of a complaint or upon having
20 knowledge that any person is shipping alcoholic liquor
21 into this State from a point outside of this State if the
22 shipment is in violation of this Act, to conduct an
23 investigation. If, after conducting an investigation, the
24 State Commission is satisfied that the alleged conduct
25 occurred or is occurring, it may issue a cease and desist
26 notice as provided in this Act, impose civil penalties as

1 provided in this Act, notify the foreign jurisdiction, or
2 file a complaint with the State's Attorney's Office of the
3 county where the incident occurred or the Attorney
4 General.

5 (5.3) To receive complaints from licensees, local
6 officials, law enforcement agencies, organizations, and
7 persons stating that any licensee has been or is violating
8 any provision of this Act or the rules and regulations
9 issued pursuant to this Act. Such complaints shall be in
10 writing, signed and sworn to by the person making the
11 complaint, and shall state with specificity the facts in
12 relation to the alleged violation. If the State Commission
13 has reasonable grounds to believe that the complaint
14 substantially alleges a violation of this Act or rules and
15 regulations adopted pursuant to this Act, it shall conduct
16 an investigation. If, after conducting an investigation,
17 the State Commission is satisfied that the alleged
18 violation did occur, it shall proceed with disciplinary
19 action against the licensee as provided in this Act.

20 (5.4) To make arrests and issue notices of civil
21 violations where necessary for the enforcement of this
22 Act.

23 (5.5) To investigate any and all unlicensed activity.

24 (5.6) To impose civil penalties or fines to any person
25 who, without holding a valid license, engages in conduct
26 that requires a license pursuant to this Act, in an amount

1 not to exceed \$20,000 for each offense as determined by
2 the State Commission. A civil penalty shall be assessed by
3 the State Commission after a hearing is held in accordance
4 with the provisions set forth in this Act regarding the
5 provision of a hearing for the revocation or suspension of
6 a license.

7 (6) To hear and determine appeals from orders of a
8 local commission in accordance with the provisions of this
9 Act, as hereinafter set forth. Hearings under this
10 subsection shall be held in Springfield or Chicago, at
11 whichever location is the more convenient for the majority
12 of persons who are parties to the hearing.

13 (7) The State Commission shall establish uniform
14 systems of accounts to be kept by all retail licensees
15 having more than 4 employees, and for this purpose the
16 State Commission may classify all retail licensees having
17 more than 4 employees and establish a uniform system of
18 accounts for each class and prescribe the manner in which
19 such accounts shall be kept. The State Commission may also
20 prescribe the forms of accounts to be kept by all retail
21 licensees having more than 4 employees, including, but not
22 limited to, accounts of earnings and expenses and any
23 distribution, payment, or other distribution of earnings
24 or assets, and any other forms, records, and memoranda
25 which in the judgment of the commission may be necessary
26 or appropriate to carry out any of the provisions of this

1 Act, including, but not limited to, such forms, records,
2 and memoranda as will readily and accurately disclose at
3 all times the beneficial ownership of such retail licensed
4 business. The accounts, forms, records, and memoranda
5 shall be available at all reasonable times for inspection
6 by authorized representatives of the State Commission or
7 by any local liquor control commissioner or his or her
8 authorized representative. The commission may, from time
9 to time, alter, amend, or repeal, in whole or in part, any
10 uniform system of accounts, or the form and manner of
11 keeping accounts.

12 (8) In the conduct of any hearing authorized to be
13 held by the State Commission, to appoint, at the
14 commission's discretion, hearing officers to conduct
15 hearings involving complex issues or issues that will
16 require a protracted period of time to resolve, to
17 examine, or cause to be examined, under oath, any
18 licensee, and to examine or cause to be examined the books
19 and records of such licensee; to hear testimony and take
20 proof material for its information in the discharge of its
21 duties hereunder; to administer or cause to be
22 administered oaths; for any such purpose to issue subpoena
23 or subpoenas to require the attendance of witnesses and
24 the production of books, which shall be effective in any
25 part of this State, and to adopt rules to implement its
26 powers under this paragraph (8).

1 Any circuit court may, by order duly entered, require
2 the attendance of witnesses and the production of relevant
3 books subpoenaed by the State Commission and the court may
4 compel obedience to its order by proceedings for contempt.

5 (9) To investigate the administration of laws in
6 relation to alcoholic liquors in this and other states and
7 any foreign countries, and to recommend from time to time
8 to the Governor and through him or her to the legislature
9 of this State, such amendments to this Act, if any, as it
10 may think desirable and as will serve to further the
11 general broad purposes contained in Section 1-2 hereof.

12 (10) To adopt such rules and regulations consistent
13 with the provisions of this Act which shall be necessary
14 for the control, sale, or disposition of alcoholic liquor
15 damaged as a result of an accident, wreck, flood, fire, or
16 other similar occurrence.

17 (11) To develop industry educational programs related
18 to responsible serving and selling, particularly in the
19 areas of overserving consumers and illegal underage
20 purchasing and consumption of alcoholic beverages.

21 (11.1) To license persons providing education and
22 training to alcohol beverage sellers and servers for
23 mandatory and non-mandatory training under the Beverage
24 Alcohol Sellers and Servers Education and Training
25 (BASSET) programs and to develop and administer a public
26 awareness program in Illinois to reduce or eliminate the

1 illegal purchase and consumption of alcoholic beverage
2 products by persons under the age of 18 or between the ages
3 of 18 and 21 without a parent or guardian present 21.
4 Application for a license shall be made on forms provided
5 by the State Commission.

6 (12) To develop and maintain a repository of license
7 and regulatory information.

8 (13) (Blank) .

9 (14) On or before April 30, 2008 and every 2 years
10 thereafter, the State Commission shall present a written
11 report to the Governor and the General Assembly that shall
12 be based on a study of the impact of Public Act 95-634 on
13 the business of soliciting, selling, and shipping wine
14 from inside and outside of this State directly to
15 residents of this State. As part of its report, the State
16 Commission shall provide all of the following information:

17 (A) The amount of State excise and sales tax
18 revenues generated.

19 (B) The amount of licensing fees received.

20 (C) The number of cases of wine shipped from
21 inside and outside of this State directly to residents
22 of this State.

23 (D) The number of alcohol compliance operations
24 conducted.

25 (E) The number of winery shipper's licenses
26 issued.

(F) The number of each of the following: reported violations; cease and desist notices issued by the Commission; notices of violations issued by the Commission and to the Department of Revenue; and notices and complaints of violations to law enforcement officials, including, without limitation, the Illinois Attorney General and the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

(15) As a means to reduce the underage consumption of alcoholic liquors, the State Commission shall conduct alcohol compliance operations to investigate whether businesses that are soliciting, selling, and shipping wine from inside or outside of this State directly to residents of this State are licensed by this State or are selling or attempting to sell wine to persons under 18 years of age, or between the ages of 18 and 21 21 years of age without a parent or guardian present, in violation of this Act.

(16) The State Commission shall, in addition to notifying any appropriate law enforcement agency, submit notices of complaints or violations of Sections 6-29 and 6-29.1 by persons who do not hold a winery shipper's license under this Act to the Illinois Attorney General and to the U.S. Department of Treasury's Alcohol and Tobacco Tax and Trade Bureau.

(17) (A) A person licensed to make wine under the laws

1 of another state who has a winery shipper's license under
2 this Act and annually produces less than 25,000 gallons of
3 wine or a person who has a first-class or second-class
4 wine manufacturer's license, a first-class or second-class
5 wine-maker's license, or a limited wine manufacturer's
6 license under this Act and annually produces less than
7 25,000 gallons of wine may make application to the
8 Commission for a self-distribution exemption to allow the
9 sale of not more than 5,000 gallons of the exemption
10 holder's wine to retail licensees per year and to sell
11 cider, mead, or both cider and mead to brewers, class 1
12 brewers, class 2 brewers, and class 3 brewers that,
13 pursuant to subsection (e) of Section 6-4 of this Act,
14 sell beer, cider, mead, or any combination thereof to
15 non-licensees at their breweries.

16 (B) In the application, which shall be sworn under
17 penalty of perjury, such person shall state (1) the date
18 it was established; (2) its volume of production and sales
19 for each year since its establishment; (3) its efforts to
20 establish distributor relationships; (4) that a
21 self-distribution exemption is necessary to facilitate the
22 marketing of its wine; and (5) that it will comply with the
23 liquor and revenue laws of the United States, this State,
24 and any other state where it is licensed.

25 (C) The State Commission shall approve the application
26 for a self-distribution exemption if such person: (1) is

1 in compliance with State revenue and liquor laws; (2) is
2 not a member of any affiliated group that produces
3 directly or indirectly more than 25,000 gallons of wine
4 per annum, 930,000 gallons of beer per annum, or 50,000
5 gallons of spirits per annum; (3) will not annually
6 produce for sale more than 25,000 gallons of wine, 930,000
7 gallons of beer, or 50,000 gallons of spirits; and (4)
8 will not annually sell more than 5,000 gallons of its wine
9 to retail licensees.

10 (D) A self-distribution exemption holder shall
11 annually certify to the State Commission its production of
12 wine in the previous 12 months and its anticipated
13 production and sales for the next 12 months. The State
14 Commission may fine, suspend, or revoke a
15 self-distribution exemption after a hearing if it finds
16 that the exemption holder has made a material
17 misrepresentation in its application, violated a revenue
18 or liquor law of Illinois, exceeded production of 25,000
19 gallons of wine, 930,000 gallons of beer, or 50,000
20 gallons of spirits in any calendar year, or become part of
21 an affiliated group producing more than 25,000 gallons of
22 wine, 930,000 gallons of beer, or 50,000 gallons of
23 spirits.

24 (E) Except in hearings for violations of this Act or
25 Public Act 95-634 or a bona fide investigation by duly
26 sworn law enforcement officials, the State Commission, or

1 its agents, the State Commission shall maintain the
2 production and sales information of a self-distribution
3 exemption holder as confidential and shall not release
4 such information to any person.

5 (F) The State Commission shall issue regulations
6 governing self-distribution exemptions consistent with
7 this Section and this Act.

8 (G) Nothing in this paragraph (17) shall prohibit a
9 self-distribution exemption holder from entering into or
10 simultaneously having a distribution agreement with a
11 licensed Illinois distributor.

12 (H) It is the intent of this paragraph (17) to promote
13 and continue orderly markets. The General Assembly finds
14 that, in order to preserve Illinois' regulatory
15 distribution system, it is necessary to create an
16 exception for smaller makers of wine as their wines are
17 frequently adjusted in varietals, mixes, vintages, and
18 taste to find and create market niches sometimes too small
19 for distributor or importing distributor business
20 strategies. Limited self-distribution rights will afford
21 and allow smaller makers of wine access to the marketplace
22 in order to develop a customer base without impairing the
23 integrity of the 3-tier system.

24 (18) (A) A class 1 brewer licensee, who must also be
25 either a licensed brewer or licensed non-resident dealer
26 and annually manufacture less than 930,000 gallons of

1 beer, may make application to the State Commission for a
2 self-distribution exemption to allow the sale of not more
3 than 232,500 gallons per year of the exemption holder's
4 beer to retail licensees and to brewers, class 1 brewers,
5 and class 2 brewers that, pursuant to subsection (e) of
6 Section 6-4 of this Act, sell beer, cider, mead, or any
7 combination thereof to non-licensees at their breweries.

8 (B) In the application, which shall be sworn under
9 penalty of perjury, the class 1 brewer licensee shall
10 state (1) the date it was established; (2) its volume of
11 beer manufactured and sold for each year since its
12 establishment; (3) its efforts to establish distributor
13 relationships; (4) that a self-distribution exemption is
14 necessary to facilitate the marketing of its beer; and (5)
15 that it will comply with the alcoholic beverage and
16 revenue laws of the United States, this State, and any
17 other state where it is licensed.

18 (C) Any application submitted shall be posted on the
19 State Commission's website at least 45 days prior to
20 action by the State Commission. The State Commission shall
21 approve the application for a self-distribution exemption
22 if the class 1 brewer licensee: (1) is in compliance with
23 the State, revenue, and alcoholic beverage laws; (2) is
24 not a member of any affiliated group that manufactures,
25 directly or indirectly, more than 930,000 gallons of beer
26 per annum, 25,000 gallons of wine per annum, or 50,000

1 gallons of spirits per annum; (3) shall not annually
2 manufacture for sale more than 930,000 gallons of beer,
3 25,000 gallons of wine, or 50,000 gallons of spirits; (4)
4 shall not annually sell more than 232,500 gallons of its
5 beer to retail licensees and class 3 brewers and to
6 brewers, class 1 brewers, and class 2 brewers that,
7 pursuant to subsection (e) of Section 6-4 of this Act,
8 sell beer, cider, mead, or any combination thereof to
9 non-licensees at their breweries; and (5) has relinquished
10 any brew pub license held by the licensee, including any
11 ownership interest it held in the licensed brew pub.

12 (D) A self-distribution exemption holder shall
13 annually certify to the State Commission its manufacture
14 of beer during the previous 12 months and its anticipated
15 manufacture and sales of beer for the next 12 months. The
16 State Commission may fine, suspend, or revoke a
17 self-distribution exemption after a hearing if it finds
18 that the exemption holder has made a material
19 misrepresentation in its application, violated a revenue
20 or alcoholic beverage law of Illinois, exceeded the
21 manufacture of 930,000 gallons of beer, 25,000 gallons of
22 wine, or 50,000 gallons of spirits in any calendar year or
23 became part of an affiliated group manufacturing more than
24 930,000 gallons of beer, 25,000 gallons of wine, or 50,000
25 gallons of spirits.

26 (E) The State Commission shall issue rules and

1 regulations governing self-distribution exemptions
2 consistent with this Act.

3 (F) Nothing in this paragraph (18) shall prohibit a
4 self-distribution exemption holder from entering into or
5 simultaneously having a distribution agreement with a
6 licensed Illinois importing distributor or a distributor.
7 If a self-distribution exemption holder enters into a
8 distribution agreement and has assigned distribution
9 rights to an importing distributor or distributor, then
10 the self-distribution exemption holder's distribution
11 rights in the assigned territories shall cease in a
12 reasonable time not to exceed 60 days.

13 (G) It is the intent of this paragraph (18) to promote
14 and continue orderly markets. The General Assembly finds
15 that in order to preserve Illinois' regulatory
16 distribution system, it is necessary to create an
17 exception for smaller manufacturers in order to afford and
18 allow such smaller manufacturers of beer access to the
19 marketplace in order to develop a customer base without
20 impairing the integrity of the 3-tier system.

21 (19) (A) A class 1 craft distiller licensee or a
22 non-resident dealer who manufactures less than 50,000
23 gallons of distilled spirits per year may make application
24 to the State Commission for a self-distribution exemption
25 to allow the sale of not more than 5,000 gallons of the
26 exemption holder's spirits to retail licensees per year.

(B) In the application, which shall be sworn under penalty of perjury, the class 1 craft distiller licensee or non-resident dealer shall state (1) the date it was established; (2) its volume of spirits manufactured and sold for each year since its establishment; (3) its efforts to establish distributor relationships; (4) that a self-distribution exemption is necessary to facilitate the marketing of its spirits; and (5) that it will comply with the alcoholic beverage and revenue laws of the United States, this State, and any other state where it is licensed.

(C) Any application submitted shall be posted on the State Commission's website at least 45 days prior to action by the State Commission. The State Commission shall approve the application for a self-distribution exemption if the applicant: (1) is in compliance with State revenue and alcoholic beverage laws; (2) is not a member of any affiliated group that produces more than 50,000 gallons of spirits per annum, 930,000 gallons of beer per annum, or 25,000 gallons of wine per annum; (3) does not annually manufacture for sale more than 50,000 gallons of spirits, 930,000 gallons of beer, or 25,000 gallons of wine; and (4) does not annually sell more than 5,000 gallons of its spirits to retail licensees.

(D) A self-distribution exemption holder shall annually certify to the State Commission its manufacture

1 of spirits during the previous 12 months and its
2 anticipated manufacture and sales of spirits for the next
3 12 months. The State Commission may fine, suspend, or
4 revoke a self-distribution exemption after a hearing if it
5 finds that the exemption holder has made a material
6 misrepresentation in its application, violated a revenue
7 or alcoholic beverage law of Illinois, exceeded the
8 manufacture of 50,000 gallons of spirits, 930,000 gallons
9 of beer, or 25,000 gallons of wine in any calendar year, or
10 has become part of an affiliated group manufacturing more
11 than 50,000 gallons of spirits, 930,000 gallons of beer,
12 or 25,000 gallons of wine.

13 (E) The State Commission shall adopt rules governing
14 self-distribution exemptions consistent with this Act.

15 (F) Nothing in this paragraph (19) shall prohibit a
16 self-distribution exemption holder from entering into or
17 simultaneously having a distribution agreement with a
18 licensed Illinois importing distributor or a distributor.

19 (G) It is the intent of this paragraph (19) to promote
20 and continue orderly markets. The General Assembly finds
21 that in order to preserve Illinois' regulatory
22 distribution system, it is necessary to create an
23 exception for smaller manufacturers in order to afford and
24 allow such smaller manufacturers of spirits access to the
25 marketplace in order to develop a customer base without
26 impairing the integrity of the 3-tier system.

(20) (A) A class 3 brewer licensee who must manufacture less than 465,000 gallons of beer in the aggregate and not more than 155,000 gallons at any single brewery premises may make application to the State Commission for a self-distribution exemption to allow the sale of not more than 6,200 gallons of beer from each in-state or out-of-state class 3 brewery premises, which shall not exceed 18,600 gallons annually in the aggregate, that is manufactured at a wholly owned class 3 brewer's in-state or out-of-state licensed premises to retail licensees and class 3 brewers and to brewers, class 1 brewers, class 2 brewers that, pursuant to subsection (e) of Section 6-4, sell beer, cider, or both beer and cider to non-licensees at their licensed breweries.

(B) In the application, which shall be sworn under penalty of perjury, the class 3 brewer licensee shall state:

(1) the date it was established;

(2) its volume of beer manufactured and sold for each year since its establishment;

(3) its efforts to establish distributor relationships:

(4) that a self-distribution exemption is necessary to facilitate the marketing of its beer; and

(5) that it will comply with the alcoholic beverage and revenue laws of the United States, this

State, and any other state where it is licensed.

(C) Any application submitted shall be posted on the State Commission's website at least 45 days before action by the State Commission. The State Commission shall approve the application for a self-distribution exemption if the class 3 brewer licensee: (1) is in compliance with the State, revenue, and alcoholic beverage laws; (2) is not a member of any affiliated group that manufacturers, directly or indirectly, more than 465,000 gallons of beer per annum; (3) shall not annually manufacture for sale more than 465,000 gallons of beer or more than 155,000 gallons at any single brewery premises; and (4) shall not annually sell more than 6,200 gallons of beer from each in-state or out-of-state class 3 brewery premises, and shall not exceed 18,600 gallons annually in the aggregate, to retail licensees and class 3 brewers and to brewers, class 1 brewers, and class 2 brewers that, pursuant to subsection (e) of Section 6-4 of this Act, sell beer, cider, or both beer and cider to non-licensees at their breweries.

(D) A self-distribution exemption holder shall annually certify to the State Commission its manufacture of beer during the previous 12 months and its anticipated manufacture and sales of beer for the next 12 months. The State Commission may fine, suspend, or revoke a self-distribution exemption after a hearing if it finds

1 that the exemption holder has made a material
2 misrepresentation in its application, violated a revenue
3 or alcoholic beverage law of Illinois, exceeded the
4 manufacture of 465,000 gallons of beer in any calendar
5 year or became part of an affiliated group manufacturing
6 more than 465,000 gallons of beer, or exceeded the sale to
7 retail licensees, brewers, class 1 brewers, class 2
8 brewers, and class 3 brewers of 6,200 gallons per brewery
9 location or 18,600 gallons in the aggregate.

10 (E) The State Commission may adopt rules governing
11 self-distribution exemptions consistent with this Act.

12 (F) Nothing in this paragraph shall prohibit a
13 self-distribution exemption holder from entering into or
14 simultaneously having a distribution agreement with a
15 licensed Illinois importing distributor or a distributor.
16 If a self-distribution exemption holder enters into a
17 distribution agreement and has assigned distribution
18 rights to an importing distributor or distributor, then
19 the self-distribution exemption holder's distribution
20 rights in the assigned territories shall cease in a
21 reasonable time not to exceed 60 days.

22 (G) It is the intent of this paragraph to promote and
23 continue orderly markets. The General Assembly finds that
24 in order to preserve Illinois' regulatory distribution
25 system, it is necessary to create an exception for smaller
26 manufacturers in order to afford and allow such smaller

1 manufacturers of beer access to the marketplace in order
2 to develop a customer base without impairing the integrity
3 of the 3-tier system.

4 (b) On or before April 30, 1999, the Commission shall
5 present a written report to the Governor and the General
6 Assembly that shall be based on a study of the impact of Public
7 Act 90-739 on the business of soliciting, selling, and
8 shipping alcoholic liquor from outside of this State directly
9 to residents of this State.

10 As part of its report, the Commission shall provide the
11 following information:

12 (i) the amount of State excise and sales tax revenues
13 generated as a result of Public Act 90-739;

14 (ii) the amount of licensing fees received as a result
15 of Public Act 90-739;

16 (iii) the number of reported violations, the number of
17 cease and desist notices issued by the Commission, the
18 number of notices of violations issued to the Department
19 of Revenue, and the number of notices and complaints of
20 violations to law enforcement officials.

21 (Source: P.A. 101-37, eff. 7-3-19; 101-81, eff. 7-12-19;
22 101-482, eff. 8-23-19; 102-442, eff. 8-20-21; 102-558, eff.
23 8-20-21; 102-813, eff. 5-13-22.)

24 (235 ILCS 5/4-1) (from Ch. 43, par. 110)

25 Sec. 4-1. In every city, village or incorporated town, the

1 city council or president and board of trustees, and in
2 counties in respect of territory outside the limits of any
3 such city, village or incorporated town the county board shall
4 have the power by general ordinance or resolution to determine
5 the number, kind and classification of licenses, for sale at
6 retail of alcoholic liquor not inconsistent with this Act and
7 the amount of the local licensee fees to be paid for the
8 various kinds of licenses to be issued in their political
9 subdivision, except those issued to the specific non-beverage
10 users exempt from payment of license fees under Section 5-3
11 which shall be issued without payment of any local license
12 fees, and the manner of distribution of such fees after their
13 collection; to regulate or prohibit the presence of persons
14 under the age of 18, or between the ages of 18 and 21 without a
15 parent or guardian present, 21 on the premises of licensed
16 retail establishments of various kinds and classifications
17 where alcoholic liquor is drawn, poured, mixed or otherwise
18 served for consumption on the premises; to prohibit any minor
19 from drawing, pouring, or mixing any alcoholic liquor as an
20 employee of any retail licensee; and to prohibit any minor
21 from at any time attending any bar and from drawing, pouring or
22 mixing any alcoholic liquor in any licensed retail premises;
23 and to establish such further regulations and restrictions
24 upon the issuance of and operations under local licenses not
25 inconsistent with law as the public good and convenience may
26 require; and to provide penalties for the violation of

1 regulations and restrictions, including those made by county
2 boards, relative to operation under local licenses; provided,
3 however, that in the exercise of any of the powers granted in
4 this Section, the issuance of such licenses shall not be
5 prohibited except for reasons specifically enumerated in
6 Sections 6-2, 6-11, 6-12 and 6-25 of this Act.

7 However, in any municipality with a population exceeding
8 1,000,000 that has adopted the form of government authorized
9 under "An Act concerning cities, villages, and incorporated
10 towns, and to repeal certain Acts herein named", approved
11 August 15, 1941, as amended, no person shall be granted any
12 license or privilege to sell alcoholic liquors between the
13 hours of two o'clock a.m. and seven o'clock a.m. on week days
14 unless such person has given at least 14 days prior written
15 notice to the alderperson of the ward in which such person's
16 licensed premises are located stating his intention to make
17 application for such license or privilege and unless evidence
18 confirming service of such written notice is included in such
19 application. Any license or privilege granted in violation of
20 this paragraph shall be null and void.

21 (Source: P.A. 102-15, eff. 6-17-21.)

22 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

23 Sec. 5-1. Licenses issued by the Illinois Liquor Control
24 Commission shall be of the following classes:

25 (a) Manufacturer's license - Class 1. Distiller, Class 2.

1 Rectifier, Class 3. Brewer, Class 4. First Class Wine
2 Manufacturer, Class 5. Second Class Wine Manufacturer, Class
3 6. First Class Winemaker, Class 7. Second Class Winemaker,
4 Class 8. Limited Wine Manufacturer, Class 9. Craft Distiller,
5 Class 10. Class 1 Craft Distiller, Class 11. Class 2 Craft
6 Distiller, Class 12. Class 1 Brewer, Class 13. Class 2 Brewer,
7 Class 14. Class 3 Brewer,
8 (b) Distributor's license,
9 (c) Importing Distributor's license,
10 (d) Retailer's license,
11 (e) Special Event Retailer's license (not-for-profit),
12 (f) Railroad license,
13 (g) Boat license,
14 (h) Non-Beverage User's license,
15 (i) Wine-maker's premises license,
16 (j) Airplane license,
17 (k) Foreign importer's license,
18 (l) Broker's license,
19 (m) Non-resident dealer's license,
20 (n) Brew Pub license,
21 (o) Auction liquor license,
22 (p) Caterer retailer license,
23 (q) Special use permit license,
24 (r) Winery shipper's license,
25 (s) Craft distiller tasting permit,
26 (t) Brewer warehouse permit,

- (u) Distilling pub license,
- (v) Craft distiller warehouse permit,
- (w) Beer showcase permit.

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

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

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

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

Class 3. A Brewer may make sales and deliveries of beer to importing distributors and distributors and may make sales as authorized under subsection (e) of Section 6-4 of this Act, including any alcoholic liquor that subsection (e) of Section 6-4 authorizes a brewer to sell in its original package only to a non-licensee for pick-up by a non-licensee either within the interior of the brewery premises or at outside of the brewery

1 premises at a curb-side or parking lot adjacent to the brewery
2 premises, subject to any local ordinance.

3 Class 4. A first class wine-manufacturer may make sales
4 and deliveries of up to 50,000 gallons of wine to
5 manufacturers, importing distributors and distributors, and to
6 no other licensees. If a first-class wine-manufacturer
7 manufactures beer, it shall also obtain and shall only be
8 eligible for, in addition to any current license, a class 1
9 brewer license, shall not manufacture more than 930,000
10 gallons of beer per year, and shall not be a member of or
11 affiliated with, directly or indirectly, a manufacturer that
12 produces more than 930,000 gallons of beer per year. If the
13 first-class wine-manufacturer manufactures spirits, it shall
14 also obtain and shall only be eligible for, in addition to any
15 current license, a class 1 craft distiller license, shall not
16 manufacture more than 50,000 gallons of spirits per year, and
17 shall not be a member of or affiliated with, directly or
18 indirectly, a manufacturer that produces more than 50,000
19 gallons of spirits per year. A first-class wine-manufacturer
20 shall be permitted to sell wine manufactured at the
21 first-class wine-manufacturer premises to non-licensees.

22 Class 5. A second class Wine manufacturer may make sales
23 and deliveries of more than 50,000 gallons of wine to
24 manufacturers, importing distributors and distributors and to
25 no other licensees.

26 Class 6. A first-class wine-maker's license shall allow

1 the manufacture of up to 50,000 gallons of wine per year, and
2 the storage and sale of such wine to distributors in the State
3 and to persons without the State, as may be permitted by law. A
4 person who, prior to June 1, 2008 (the effective date of Public
5 Act 95-634), is a holder of a first-class wine-maker's license
6 and annually produces more than 25,000 gallons of its own wine
7 and who distributes its wine to licensed retailers shall cease
8 this practice on or before July 1, 2008 in compliance with
9 Public Act 95-634. If a first-class wine-maker manufactures
10 beer, it shall also obtain and shall only be eligible for, in
11 addition to any current license, a class 1 brewer license,
12 shall not manufacture more than 930,000 gallons of beer per
13 year, and shall not be a member of or affiliated with, directly
14 or indirectly, a manufacturer that produces more than 930,000
15 gallons of beer per year. If the first-class wine-maker
16 manufactures spirits, it shall also obtain and shall only be
17 eligible for, in addition to any current license, a class 1
18 craft distiller license, shall not manufacture more than
19 50,000 gallons of spirits per year, and shall not be a member
20 of or affiliated with, directly or indirectly, a manufacturer
21 that produces more than 50,000 gallons of spirits per year. A
22 first-class wine-maker holding a class 1 brewer license or a
23 class 1 craft distiller license shall not be eligible for a
24 wine-maker's premises license but shall be permitted to sell
25 wine manufactured at the first-class wine-maker premises to
26 non-licensees.

1 Class 7. A second-class wine-maker's license shall allow
2 the manufacture of up to 150,000 gallons of wine per year, and
3 the storage and sale of such wine to distributors in this State
4 and to persons without the State, as may be permitted by law. A
5 person who, prior to June 1, 2008 (the effective date of Public
6 Act 95-634), is a holder of a second-class wine-maker's
7 license and annually produces more than 25,000 gallons of its
8 own wine and who distributes its wine to licensed retailers
9 shall cease this practice on or before July 1, 2008 in
10 compliance with Public Act 95-634. If a second-class
11 wine-maker manufactures beer, it shall also obtain and shall
12 only be eligible for, in addition to any current license, a
13 class 2 brewer license, shall not manufacture more than
14 3,720,000 gallons of beer per year, and shall not be a member
15 of or affiliated with, directly or indirectly, a manufacturer
16 that produces more than 3,720,000 gallons of beer per year. If
17 a second-class wine-maker manufactures spirits, it shall also
18 obtain and shall only be eligible for, in addition to any
19 current license, a class 2 craft distiller license, shall not
20 manufacture more than 100,000 gallons of spirits per year, and
21 shall not be a member of or affiliated with, directly or
22 indirectly, a manufacturer that produces more than 100,000
23 gallons of spirits per year.

24 Class 8. A limited wine-manufacturer may make sales and
25 deliveries not to exceed 40,000 gallons of wine per year to
26 distributors, and to non-licensees in accordance with the

1 provisions of this Act.

2 Class 9. A craft distiller license, which may only be held
3 by a class 1 craft distiller licensee or class 2 craft
4 distiller licensee but not held by both a class 1 craft
5 distiller licensee and a class 2 craft distiller licensee,
6 shall grant all rights conveyed by either: (i) a class 1 craft
7 distiller license if the craft distiller holds a class 1 craft
8 distiller license; or (ii) a class 2 craft distiller licensee
9 if the craft distiller holds a class 2 craft distiller
10 license.

11 Class 10. A class 1 craft distiller license, which may
12 only be issued to a licensed craft distiller or licensed
13 non-resident dealer, shall allow the manufacture of up to
14 50,000 gallons of spirits per year provided that the class 1
15 craft distiller licensee does not manufacture more than a
16 combined 50,000 gallons of spirits per year and is not a member
17 of or affiliated with, directly or indirectly, a manufacturer
18 that produces more than 50,000 gallons of spirits per year. If
19 a class 1 craft distiller manufactures beer, it shall also
20 obtain and shall only be eligible for, in addition to any
21 current license, a class 1 brewer license, shall not
22 manufacture more than 930,000 gallons of beer per year, and
23 shall not be a member of or affiliated with, directly or
24 indirectly, a manufacturer that produces more than 930,000
25 gallons of beer per year. If a class 1 craft distiller
26 manufactures wine, it shall also obtain and shall only be

1 eligible for, in addition to any current license, a
2 first-class wine-manufacturer license or a first-class
3 wine-maker's license, shall not manufacture more than 50,000
4 gallons of wine per year, and shall not be a member of or
5 affiliated with, directly or indirectly, a manufacturer that
6 produces more than 50,000 gallons of wine per year. A class 1
7 craft distiller licensee may make sales and deliveries to
8 importing distributors and distributors and to retail
9 licensees in accordance with the conditions set forth in
10 paragraph (19) of subsection (a) of Section 3-12 of this Act.
11 However, the aggregate amount of spirits sold to non-licensees
12 and sold or delivered to retail licensees may not exceed 5,000
13 gallons per year.

14 A class 1 craft distiller licensee may sell up to 5,000
15 gallons of such spirits to non-licensees to the extent
16 permitted by any exemption approved by the State Commission
17 pursuant to Section 6-4 of this Act. A class 1 craft distiller
18 license holder may store such spirits at a non-contiguous
19 licensed location, but at no time shall a class 1 craft
20 distiller license holder directly or indirectly produce in the
21 aggregate more than 50,000 gallons of spirits per year.

22 A class 1 craft distiller licensee may hold more than one
23 class 1 craft distiller's license. However, a class 1 craft
24 distiller that holds more than one class 1 craft distiller
25 license shall not manufacture, in the aggregate, more than
26 50,000 gallons of spirits by distillation per year and shall

1 not sell, in the aggregate, more than 5,000 gallons of such
2 spirits to non-licensees in accordance with an exemption
3 approved by the State Commission pursuant to Section 6-4 of
4 this Act.

5 Class 11. A class 2 craft distiller license, which may
6 only be issued to a licensed craft distiller or licensed
7 non-resident dealer, shall allow the manufacture of up to
8 100,000 gallons of spirits per year provided that the class 2
9 craft distiller licensee does not manufacture more than a
10 combined 100,000 gallons of spirits per year and is not a
11 member of or affiliated with, directly or indirectly, a
12 manufacturer that produces more than 100,000 gallons of
13 spirits per year. If a class 2 craft distiller manufactures
14 beer, it shall also obtain and shall only be eligible for, in
15 addition to any current license, a class 2 brewer license,
16 shall not manufacture more than 3,720,000 gallons of beer per
17 year, and shall not be a member of or affiliated with, directly
18 or indirectly, a manufacturer that produces more than
19 3,720,000 gallons of beer per year. If a class 2 craft
20 distiller manufactures wine, it shall also obtain and shall
21 only be eligible for, in addition to any current license, a
22 second-class wine-maker's license, shall not manufacture more
23 than 150,000 gallons of wine per year, and shall not be a
24 member of or affiliated with, directly or indirectly, a
25 manufacturer that produces more than 150,000 gallons of wine
26 per year. A class 2 craft distiller licensee may make sales and

1 deliveries to importing distributors and distributors, but
2 shall not make sales or deliveries to any other licensee. If
3 the State Commission provides prior approval, a class 2 craft
4 distiller licensee may annually transfer up to 100,000 gallons
5 of spirits manufactured by that class 2 craft distiller
6 licensee to the premises of a licensed class 2 craft distiller
7 wholly owned and operated by the same licensee. A class 2 craft
8 distiller may transfer spirits to a distilling pub wholly
9 owned and operated by the class 2 craft distiller subject to
10 the following limitations and restrictions: (i) the transfer
11 shall not annually exceed more than 5,000 gallons; (ii) the
12 annual amount transferred shall reduce the distilling pub's
13 annual permitted production limit; (iii) all spirits
14 transferred shall be subject to Article VIII of this Act; (iv)
15 a written record shall be maintained by the distiller and
16 distilling pub specifying the amount, date of delivery, and
17 receipt of the product by the distilling pub; and (v) the
18 distilling pub shall be located no farther than 80 miles from
19 the class 2 craft distiller's licensed location.

20 A class 2 craft distiller shall, prior to transferring
21 spirits to a distilling pub wholly owned by the class 2 craft
22 distiller, furnish a written notice to the State Commission of
23 intent to transfer spirits setting forth the name and address
24 of the distilling pub and shall annually submit to the State
25 Commission a verified report identifying the total gallons of
26 spirits transferred to the distilling pub wholly owned by the

1 class 2 craft distiller.

2 A class 2 craft distiller license holder may store such
3 spirits at a non-contiguous licensed location, but at no time
4 shall a class 2 craft distiller license holder directly or
5 indirectly produce in the aggregate more than 100,000 gallons
6 of spirits per year.

7 Class 12. A class 1 brewer license, which may only be
8 issued to a licensed brewer or licensed non-resident dealer,
9 shall allow the manufacture of up to 930,000 gallons of beer
10 per year provided that the class 1 brewer licensee does not
11 manufacture more than a combined 930,000 gallons of beer per
12 year and is not a member of or affiliated with, directly or
13 indirectly, a manufacturer that produces more than 930,000
14 gallons of beer per year. If a class 1 brewer manufactures
15 spirits, it shall also obtain and shall only be eligible for,
16 in addition to any current license, a class 1 craft distiller
17 license, shall not manufacture more than 50,000 gallons of
18 spirits per year, and shall not be a member of or affiliated
19 with, directly or indirectly, a manufacturer that produces
20 more than 50,000 gallons of spirits per year. If a class 1
21 craft brewer manufactures wine, it shall also obtain and shall
22 only be eligible for, in addition to any current license, a
23 first-class wine-manufacturer license or a first-class
24 wine-maker's license, shall not manufacture more than 50,000
25 gallons of wine per year, and shall not be a member of or
26 affiliated with, directly or indirectly, a manufacturer that

1 produces more than 50,000 gallons of wine per year. A class 1
2 brewer licensee may make sales and deliveries to importing
3 distributors and distributors and to retail licensees in
4 accordance with the conditions set forth in paragraph (18) of
5 subsection (a) of Section 3-12 of this Act. If the State
6 Commission provides prior approval, a class 1 brewer may
7 annually transfer up to 930,000 gallons of beer manufactured
8 by that class 1 brewer to the premises of a licensed class 1
9 brewer wholly owned and operated by the same licensee.

10 Class 13. A class 2 brewer license, which may only be
11 issued to a licensed brewer or licensed non-resident dealer,
12 shall allow the manufacture of up to 3,720,000 gallons of beer
13 per year provided that the class 2 brewer licensee does not
14 manufacture more than a combined 3,720,000 gallons of beer per
15 year and is not a member of or affiliated with, directly or
16 indirectly, a manufacturer that produces more than 3,720,000
17 gallons of beer per year. If a class 2 brewer manufactures
18 spirits, it shall also obtain and shall only be eligible for,
19 in addition to any current license, a class 2 craft distiller
20 license, shall not manufacture more than 100,000 gallons of
21 spirits per year, and shall not be a member of or affiliated
22 with, directly or indirectly, a manufacturer that produces
23 more than 100,000 gallons of spirits per year. If a class 2
24 craft distiller manufactures wine, it shall also obtain and
25 shall only be eligible for, in addition to any current
26 license, a second-class wine-maker's license, shall not

1 manufacture more than 150,000 gallons of wine per year, and
2 shall not be a member of or affiliated with, directly or
3 indirectly, a manufacturer that produces more than 150,000
4 gallons of wine a year. A class 2 brewer licensee may make
5 sales and deliveries to importing distributors and
6 distributors, but shall not make sales or deliveries to any
7 other licensee. If the State Commission provides prior
8 approval, a class 2 brewer licensee may annually transfer up
9 to 3,720,000 gallons of beer manufactured by that class 2
10 brewer licensee to the premises of a licensed class 2 brewer
11 wholly owned and operated by the same licensee.

12 A class 2 brewer may transfer beer to a brew pub wholly
13 owned and operated by the class 2 brewer subject to the
14 following limitations and restrictions: (i) the transfer shall
15 not annually exceed more than 31,000 gallons; (ii) the annual
16 amount transferred shall reduce the brew pub's annual
17 permitted production limit; (iii) all beer transferred shall
18 be subject to Article VIII of this Act; (iv) a written record
19 shall be maintained by the brewer and brew pub specifying the
20 amount, date of delivery, and receipt of the product by the
21 brew pub; and (v) the brew pub shall be located no farther than
22 80 miles from the class 2 brewer's licensed location.

23 A class 2 brewer shall, prior to transferring beer to a
24 brew pub wholly owned by the class 2 brewer, furnish a written
25 notice to the State Commission of intent to transfer beer
26 setting forth the name and address of the brew pub and shall

1 annually submit to the State Commission a verified report
2 identifying the total gallons of beer transferred to the brew
3 pub wholly owned by the class 2 brewer.

4 Class 14. A class 3 brewer license, which may be issued to
5 a brewer or a non-resident dealer, shall allow the manufacture
6 of no more than 465,000 gallons of beer per year and no more
7 than 155,000 gallons at a single brewery premises, and shall
8 allow the sale of no more than 6,200 gallons of beer from each
9 in-state or out-of-state class 3 brewery premises, or 18,600
10 gallons in the aggregate, to retail licensees, class 1
11 brewers, class 2 brewers, and class 3 brewers as long as the
12 class 3 brewer licensee does not manufacture more than a
13 combined 465,000 gallons of beer per year and is not a member
14 of or affiliated with, directly or indirectly, a manufacturer
15 that produces more than 465,000 gallons of beer per year to
16 make sales to importing distributors, distributors, retail
17 licensees, brewers, class 1 brewers, class 2 brewers, and
18 class 3 brewers in accordance with the conditions set forth in
19 paragraph (20) of subsection (a) of Section 3-12. If the State
20 Commission provides prior approval, a class 3 brewer may
21 annually transfer up to 155,000 gallons of beer manufactured
22 by that class 3 brewer to the premises of a licensed class 3
23 brewer wholly owned and operated by the same licensee. A class
24 3 brewer shall manufacture beer at the brewer's class 3
25 designated licensed premises, and may sell beer as otherwise
26 provided in this Act.

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

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

26 (b) A distributor's license shall allow (i) the wholesale

1 purchase and storage of alcoholic liquors and sale of
2 alcoholic liquors to licensees in this State and to persons
3 without the State, as may be permitted by law; (ii) the sale of
4 beer, cider, mead, or any combination thereof to brewers,
5 class 1 brewers, and class 2 brewers that, pursuant to
6 subsection (e) of Section 6-4 of this Act, sell beer, cider,
7 mead, or any combination thereof to non-licensees at their
8 breweries; (iii) the sale of vermouth to class 1 craft
9 distillers and class 2 craft distillers that, pursuant to
10 subsection (e) of Section 6-4 of this Act, sell spirits,
11 vermouth, or both spirits and vermouth to non-licensees at
12 their distilleries; or (iv) as otherwise provided in this Act.
13 No person licensed as a distributor shall be granted a
14 non-resident dealer's license.

15 (c) An importing distributor's license may be issued to
16 and held by those only who are duly licensed distributors,
17 upon the filing of an application by a duly licensed
18 distributor, with the Commission and the Commission shall,
19 without the payment of any fee, immediately issue such
20 importing distributor's license to the applicant, which shall
21 allow the importation of alcoholic liquor by the licensee into
22 this State from any point in the United States outside this
23 State, and the purchase of alcoholic liquor in barrels, casks
24 or other bulk containers and the bottling of such alcoholic
25 liquors before resale thereof, but all bottles or containers
26 so filled shall be sealed, labeled, stamped and otherwise made

1 to comply with all provisions, rules and regulations governing
2 manufacturers in the preparation and bottling of alcoholic
3 liquors. The importing distributor's license shall permit such
4 licensee to purchase alcoholic liquor from Illinois licensed
5 non-resident dealers and foreign importers only. No person
6 licensed as an importing distributor shall be granted a
7 non-resident dealer's license.

8 (d) A retailer's license shall allow the licensee to sell
9 and offer for sale at retail, only in the premises specified in
10 the license, alcoholic liquor for use or consumption, but not
11 for resale in any form. Except as provided in Section 6-16,
12 6-29, or 6-29.1, nothing in this Act shall deny, limit,
13 remove, or restrict the ability of a holder of a retailer's
14 license to transfer or ship alcoholic liquor to the purchaser
15 for use or consumption subject to any applicable local law or
16 ordinance. For the purposes of this Section, "shipping" means
17 the movement of alcoholic liquor from a licensed retailer to a
18 consumer via a common carrier. Except as provided in Section
19 6-16, 6-29, or 6-29.1, nothing in this Act shall deny, limit,
20 remove, or restrict the ability of a holder of a retailer's
21 license to deliver alcoholic liquor to the purchaser for use
22 or consumption. The delivery shall be made only within 12
23 hours from the time the alcoholic liquor leaves the licensed
24 premises of the retailer for delivery. For the purposes of
25 this Section, "delivery" means the movement of alcoholic
26 liquor purchased from a licensed retailer to a consumer

1 through the following methods:

2 (1) delivery within licensed retailer's parking lot,
3 including curbside, for pickup by the consumer;

4 (2) delivery by an owner, officer, director,
5 shareholder, or employee of the licensed retailer; or

6 (3) delivery by a third-party contractor, independent
7 contractor, or agent with whom the licensed retailer has
8 contracted to make deliveries of alcoholic liquors.

9 Under subsection (1), (2), or (3), delivery shall not
10 include the use of common carriers.

11 Any retail license issued to a manufacturer shall only
12 permit the manufacturer to sell beer at retail on the premises
13 actually occupied by the manufacturer. For the purpose of
14 further describing the type of business conducted at a retail
15 licensed premises, a retailer's licensee may be designated by
16 the State Commission as (i) an on premise consumption
17 retailer, (ii) an off premise sale retailer, or (iii) a
18 combined on premise consumption and off premise sale retailer.

19 Except for a municipality with a population of more than
20 1,000,000 inhabitants, a home rule unit may not regulate the
21 delivery of alcoholic liquor inconsistent with this
22 subsection. This paragraph is a limitation under subsection
23 (i) of Section 6 of Article VII of the Illinois Constitution on
24 the concurrent exercise by home rule units of powers and
25 functions exercised by the State. A non-home rule municipality
26 may not regulate the delivery of alcoholic liquor inconsistent

1 with this subsection.

2 Notwithstanding any other provision of this subsection
3 (d), a retail licensee may sell alcoholic liquors to a special
4 event retailer licensee for resale to the extent permitted
5 under subsection (e).

6 (e) A special event retailer's license (not-for-profit)
7 shall permit the licensee to purchase alcoholic liquors from
8 an Illinois licensed distributor (unless the licensee
9 purchases less than \$500 of alcoholic liquors for the special
10 event, in which case the licensee may purchase the alcoholic
11 liquors from a licensed retailer) and shall allow the licensee
12 to sell and offer for sale, at retail, alcoholic liquors for
13 use or consumption, but not for resale in any form and only at
14 the location and on the specific dates designated for the
15 special event in the license. An applicant for a special event
16 retailer license must (i) furnish with the application: (A) a
17 resale number issued under Section 2c of the Retailers'
18 Occupation Tax Act or evidence that the applicant is
19 registered under Section 2a of the Retailers' Occupation Tax
20 Act, (B) a current, valid exemption identification number
21 issued under Section 1g of the Retailers' Occupation Tax Act,
22 and a certification to the Commission that the purchase of
23 alcoholic liquors will be a tax-exempt purchase, or (C) a
24 statement that the applicant is not registered under Section
25 2a of the Retailers' Occupation Tax Act, does not hold a resale
26 number under Section 2c of the Retailers' Occupation Tax Act,

1 and does not hold an exemption number under Section 1g of the
2 Retailers' Occupation Tax Act, in which event the Commission
3 shall set forth on the special event retailer's license a
4 statement to that effect; (ii) submit with the application
5 proof satisfactory to the State Commission that the applicant
6 will provide dram shop liability insurance in the maximum
7 limits; and (iii) show proof satisfactory to the State
8 Commission that the applicant has obtained local authority
9 approval.

10 Nothing in this Act prohibits an Illinois licensed
11 distributor from offering credit or a refund for unused,
12 salable alcoholic liquors to a holder of a special event
13 retailer's license or the special event retailer's licensee
14 from accepting the credit or refund of alcoholic liquors at
15 the conclusion of the event specified in the license.

16 (f) A railroad license shall permit the licensee to import
17 alcoholic liquors into this State from any point in the United
18 States outside this State and to store such alcoholic liquors
19 in this State; to make wholesale purchases of alcoholic
20 liquors directly from manufacturers, foreign importers,
21 distributors and importing distributors from within or outside
22 this State; and to store such alcoholic liquors in this State;
23 provided that the above powers may be exercised only in
24 connection with the importation, purchase or storage of
25 alcoholic liquors to be sold or dispensed on a club, buffet,
26 lounge or dining car operated on an electric, gas or steam

1 railway in this State; and provided further, that railroad
2 licensees exercising the above powers shall be subject to all
3 provisions of Article VIII of this Act as applied to importing
4 distributors. A railroad license shall also permit the
5 licensee to sell or dispense alcoholic liquors on any club,
6 buffet, lounge or dining car operated on an electric, gas or
7 steam railway regularly operated by a common carrier in this
8 State, but shall not permit the sale for resale of any
9 alcoholic liquors to any licensee within this State. A license
10 shall be obtained for each car in which such sales are made.

11 (g) A boat license shall allow the sale of alcoholic
12 liquor in individual drinks, on any passenger boat regularly
13 operated as a common carrier on navigable waters in this State
14 or on any riverboat operated under the Illinois Gambling Act,
15 which boat or riverboat maintains a public dining room or
16 restaurant thereon.

17 (h) A non-beverage user's license shall allow the licensee
18 to purchase alcoholic liquor from a licensed manufacturer or
19 importing distributor, without the imposition of any tax upon
20 the business of such licensed manufacturer or importing
21 distributor as to such alcoholic liquor to be used by such
22 licensee solely for the non-beverage purposes set forth in
23 subsection (a) of Section 8-1 of this Act, and such licenses
24 shall be divided and classified and shall permit the purchase,
25 possession and use of limited and stated quantities of
26 alcoholic liquor as follows:

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

(i) A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license not more than 50,000 gallons of the first-class wine-maker's wine that is made at the first-class wine-maker's licensed premises per year for use or consumption, but not for resale in any form. A wine-maker's premises license shall allow a licensee who concurrently holds a second-class wine-maker's license to sell and offer for sale at retail in the premises specified in such license up to 100,000 gallons of the second-class wine-maker's wine that is made at the second-class wine-maker's licensed premises per year for use or consumption but not for resale in any form. A first-class wine-maker that concurrently holds a class 1 brewer license or a class 1 craft distiller license shall not be eligible to hold a wine-maker's premises license. A wine-maker's premises license shall allow a licensee that concurrently holds a first-class wine-maker's license or a second-class wine-maker's license to sell and offer for sale at retail at the premises specified in the wine-maker's premises license, for use or consumption but not for resale in any form, any

1 beer, wine, and spirits purchased from a licensed distributor.
2 Upon approval from the State Commission, a wine-maker's
3 premises license shall allow the licensee to sell and offer
4 for sale at (i) the wine-maker's licensed premises and (ii) at
5 up to 2 additional locations for use and consumption and not
6 for resale. Each location shall require additional licensing
7 per location as specified in Section 5-3 of this Act. A
8 wine-maker's premises licensee shall secure liquor liability
9 insurance coverage in an amount at least equal to the maximum
10 liability amounts set forth in subsection (a) of Section 6-21
11 of this Act.

12 (j) An airplane license shall permit the licensee to
13 import alcoholic liquors into this State from any point in the
14 United States outside this State and to store such alcoholic
15 liquors in this State; to make wholesale purchases of
16 alcoholic liquors directly from manufacturers, foreign
17 importers, distributors and importing distributors from within
18 or outside this State; and to store such alcoholic liquors in
19 this State; provided that the above powers may be exercised
20 only in connection with the importation, purchase or storage
21 of alcoholic liquors to be sold or dispensed on an airplane;
22 and provided further, that airplane licensees exercising the
23 above powers shall be subject to all provisions of Article
24 VIII of this Act as applied to importing distributors. An
25 airplane licensee shall also permit the sale or dispensing of
26 alcoholic liquors on any passenger airplane regularly operated

1 by a common carrier in this State, but shall not permit the
2 sale for resale of any alcoholic liquors to any licensee
3 within this State. A single airplane license shall be required
4 of an airline company if liquor service is provided on board
5 aircraft in this State. The annual fee for such license shall
6 be as determined in Section 5-3.

7 (k) A foreign importer's license shall permit such
8 licensee to purchase alcoholic liquor from Illinois licensed
9 non-resident dealers only, and to import alcoholic liquor
10 other than in bulk from any point outside the United States and
11 to sell such alcoholic liquor to Illinois licensed importing
12 distributors and to no one else in Illinois; provided that (i)
13 the foreign importer registers with the State Commission every
14 brand of alcoholic liquor that it proposes to sell to Illinois
15 licensees during the license period, (ii) the foreign importer
16 complies with all of the provisions of Section 6-9 of this Act
17 with respect to registration of such Illinois licensees as may
18 be granted the right to sell such brands at wholesale, and
19 (iii) the foreign importer complies with the provisions of
20 Sections 6-5 and 6-6 of this Act to the same extent that these
21 provisions apply to manufacturers.

22 (l) (i) A broker's license shall be required of all
23 persons who solicit orders for, offer to sell or offer to
24 supply alcoholic liquor to retailers in the State of Illinois,
25 or who offer to retailers to ship or cause to be shipped or to
26 make contact with distillers, craft distillers, rectifiers,

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

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

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

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

26 A broker's license under this subsection (1) shall not

1 entitle the holder to buy or sell any alcoholic liquors for his
2 own account or to take or deliver title to such alcoholic
3 liquors.

4 This subsection (l) shall not apply to distributors,
5 employees of distributors, or employees of a manufacturer who
6 has registered the trademark, brand or name of the alcoholic
7 liquor pursuant to Section 6-9 of this Act, and who regularly
8 sells such alcoholic liquor in the State of Illinois only to
9 its registrants thereunder.

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

13 (m) A non-resident dealer's license shall permit such
14 licensee to ship into and warehouse alcoholic liquor into this
15 State from any point outside of this State, and to sell such
16 alcoholic liquor to Illinois licensed foreign importers and
17 importing distributors and to no one else in this State;
18 provided that (i) said non-resident dealer shall register with
19 the Illinois Liquor Control Commission each and every brand of
20 alcoholic liquor which it proposes to sell to Illinois
21 licensees during the license period, (ii) it shall comply with
22 all of the provisions of Section 6-9 hereof with respect to
23 registration of such Illinois licensees as may be granted the
24 right to sell such brands at wholesale by duly filing such
25 registration statement, thereby authorizing the non-resident
26 dealer to proceed to sell such brands at wholesale, and (iii)

1 the non-resident dealer shall comply with the provisions of
2 Sections 6-5 and 6-6 of this Act to the same extent that these
3 provisions apply to manufacturers. No person licensed as a
4 non-resident dealer shall be granted a distributor's or
5 importing distributor's license.

6 (n) A brew pub license shall allow the licensee to only (i)
7 manufacture up to 155,000 gallons of beer per year only on the
8 premises specified in the license, (ii) make sales of the beer
9 manufactured on the premises or, with the approval of the
10 Commission, beer manufactured on another brew pub licensed
11 premises that is wholly owned and operated by the same
12 licensee to importing distributors, distributors, and to
13 non-licensees for use and consumption, (iii) store the beer
14 upon the premises, (iv) sell and offer for sale at retail from
15 the licensed premises for off-premises consumption no more
16 than 155,000 gallons per year so long as such sales are only
17 made in-person, (v) sell and offer for sale at retail for use
18 and consumption on the premises specified in the license any
19 form of alcoholic liquor purchased from a licensed distributor
20 or importing distributor, (vi) with the prior approval of the
21 Commission, annually transfer no more than 155,000 gallons of
22 beer manufactured on the premises to a licensed brew pub
23 wholly owned and operated by the same licensee, and (vii)
24 notwithstanding item (i) of this subsection, brew pubs wholly
25 owned and operated by the same licensee may combine each
26 location's production limit of 155,000 gallons of beer per

1 year and allocate the aggregate total between the wholly
2 owned, operated, and licensed locations.

3 A brew pub licensee shall not under any circumstance sell
4 or offer for sale beer manufactured by the brew pub licensee to
5 retail licensees.

6 A person who holds a class 2 brewer license may
7 simultaneously hold a brew pub license if the class 2 brewer
8 (i) does not, under any circumstance, sell or offer for sale
9 beer manufactured by the class 2 brewer to retail licensees;
10 (ii) does not hold more than 3 brew pub licenses in this State;
11 (iii) does not manufacture more than a combined 3,720,000
12 gallons of beer per year, including the beer manufactured at
13 the brew pub; and (iv) is not a member of or affiliated with,
14 directly or indirectly, a manufacturer that produces more than
15 3,720,000 gallons of beer per year or any other alcoholic
16 liquor.

17 Notwithstanding any other provision of this Act, a
18 licensed brewer, class 2 brewer, or non-resident dealer who
19 before July 1, 2015 manufactured less than 3,720,000 gallons
20 of beer per year and held a brew pub license on or before July
21 1, 2015 may (i) continue to qualify for and hold that brew pub
22 license for the licensed premises and (ii) manufacture more
23 than 3,720,000 gallons of beer per year and continue to
24 qualify for and hold that brew pub license if that brewer,
25 class 2 brewer, or non-resident dealer does not simultaneously
26 hold a class 1 brewer license and is not a member of or

1 affiliated with, directly or indirectly, a manufacturer that
2 produces more than 3,720,000 gallons of beer per year or that
3 produces any other alcoholic liquor.

4 A brew pub licensee may apply for a class 3 brewer license
5 and, upon meeting all applicable qualifications of this Act
6 and relinquishing all commonly owned brew pub or retail
7 licenses, shall be issued a class 3 brewer license. Nothing in
8 this Act shall prohibit the issuance of a class 3 brewer
9 license if the applicant:

10 (1) has a valid retail license on or before May 1,
11 2021;

12 (2) has an ownership interest in at least two brew
13 pubs licenses on or before May 1, 2021;

14 (3) the brew pub licensee applies for a class 3 brewer
15 license on or before October 1, 2022 and relinquishes all
16 commonly owned brew pub licenses; and

17 (4) relinquishes all commonly owned retail licenses on
18 or before December 31, 2022.

19 If a brew pub licensee is issued a class 3 brewer license,
20 the class 3 brewer license shall expire on the same date as the
21 existing brew pub license and the State Commission shall not
22 require a class 3 brewer licensee to obtain a brewer license,
23 or in the alternative to pay a fee for a brewer license, until
24 the date the brew pub license of the applicant would have
25 expired.

26 (o) A caterer retailer license shall allow the holder to

1 serve alcoholic liquors as an incidental part of a food
2 service that serves prepared meals which excludes the serving
3 of snacks as the primary meal, either on or off-site whether
4 licensed or unlicensed. A caterer retailer license shall allow
5 the holder, a distributor, or an importing distributor to
6 transfer any inventory to and from the holder's retail
7 premises and shall allow the holder to purchase alcoholic
8 liquor from a distributor or importing distributor to be
9 delivered directly to an off-site event.

10 Nothing in this Act prohibits a distributor or importing
11 distributor from offering credit or a refund for unused,
12 salable beer to a holder of a caterer retailer license or a
13 caterer retailer licensee from accepting a credit or refund
14 for unused, salable beer, in the event an act of God is the
15 sole reason an off-site event is cancelled and if: (i) the
16 holder of a caterer retailer license has not transferred
17 alcoholic liquor from its caterer retailer premises to an
18 off-site location; (ii) the distributor or importing
19 distributor offers the credit or refund for the unused,
20 salable beer that it delivered to the off-site premises and
21 not for any unused, salable beer that the distributor or
22 importing distributor delivered to the caterer retailer's
23 premises; and (iii) the unused, salable beer would likely
24 spoil if transferred to the caterer retailer's premises. A
25 caterer retailer license shall allow the holder to transfer
26 any inventory from any off-site location to its caterer

1 retailer premises at the conclusion of an off-site event or
2 engage a distributor or importing distributor to transfer any
3 inventory from any off-site location to its caterer retailer
4 premises at the conclusion of an off-site event, provided that
5 the distributor or importing distributor issues bona fide
6 charges to the caterer retailer licensee for fuel, labor, and
7 delivery and the distributor or importing distributor collects
8 payment from the caterer retailer licensee prior to the
9 distributor or importing distributor transferring inventory to
10 the caterer retailer premises.

11 For purposes of this subsection (o), an "act of God" means
12 an unforeseeable event, such as a rain or snow storm, hail, a
13 flood, or a similar event, that is the sole cause of the
14 cancellation of an off-site, outdoor event.

15 (p) An auction liquor license shall allow the licensee to
16 sell and offer for sale at auction wine and spirits for use or
17 consumption, or for resale by an Illinois liquor licensee in
18 accordance with provisions of this Act. An auction liquor
19 license will be issued to a person and it will permit the
20 auction liquor licensee to hold the auction anywhere in the
21 State. An auction liquor license must be obtained for each
22 auction at least 14 days in advance of the auction date.

23 (q) A special use permit license shall allow an Illinois
24 licensed retailer to transfer a portion of its alcoholic
25 liquor inventory from its retail licensed premises to the
26 premises specified in the license hereby created; to purchase

1 alcoholic liquor from a distributor or importing distributor
2 to be delivered directly to the location specified in the
3 license hereby created; and to sell or offer for sale at
4 retail, only in the premises specified in the license hereby
5 created, the transferred or delivered alcoholic liquor for use
6 or consumption, but not for resale in any form. A special use
7 permit license may be granted for the following time periods:
8 one day or less; 2 or more days to a maximum of 15 days per
9 location in any 12-month period. An applicant for the special
10 use permit license must also submit with the application proof
11 satisfactory to the State Commission that the applicant will
12 provide dram shop liability insurance to the maximum limits
13 and have local authority approval.

14 A special use permit license shall allow the holder to
15 transfer any inventory from the holder's special use premises
16 to its retail premises at the conclusion of the special use
17 event or engage a distributor or importing distributor to
18 transfer any inventory from the holder's special use premises
19 to its retail premises at the conclusion of an off-site event,
20 provided that the distributor or importing distributor issues
21 bona fide charges to the special use permit licensee for fuel,
22 labor, and delivery and the distributor or importing
23 distributor collects payment from the retail licensee prior to
24 the distributor or importing distributor transferring
25 inventory to the retail premises.

26 Nothing in this Act prohibits a distributor or importing

1 distributor from offering credit or a refund for unused,
2 salable beer to a special use permit licensee or a special use
3 permit licensee from accepting a credit or refund for unused,
4 salable beer at the conclusion of the event specified in the
5 license if: (i) the holder of the special use permit license
6 has not transferred alcoholic liquor from its retail licensed
7 premises to the premises specified in the special use permit
8 license; (ii) the distributor or importing distributor offers
9 the credit or refund for the unused, salable beer that it
10 delivered to the premises specified in the special use permit
11 license and not for any unused, salable beer that the
12 distributor or importing distributor delivered to the
13 retailer's premises; and (iii) the unused, salable beer would
14 likely spoil if transferred to the retailer premises.

15 (r) A winery shipper's license shall allow a person with a
16 first-class or second-class wine manufacturer's license, a
17 first-class or second-class wine-maker's license, or a limited
18 wine manufacturer's license or who is licensed to make wine
19 under the laws of another state to ship wine made by that
20 licensee directly to a resident of this State who is 21 years
21 of age or older or between the ages of 18 and 21 with a parent
22 or guardian present for that resident's personal use and not
23 for resale. Prior to receiving a winery shipper's license, an
24 applicant for the license must provide the Commission with a
25 true copy of its current license in any state in which it is
26 licensed as a manufacturer of wine. An applicant for a winery

1 shipper's license must also complete an application form that
2 provides any other information the Commission deems necessary.
3 The application form shall include all addresses from which
4 the applicant for a winery shipper's license intends to ship
5 wine, including the name and address of any third party,
6 except for a common carrier, authorized to ship wine on behalf
7 of the manufacturer. The application form shall include an
8 acknowledgement consenting to the jurisdiction of the
9 Commission, the Illinois Department of Revenue, and the courts
10 of this State concerning the enforcement of this Act and any
11 related laws, rules, and regulations, including authorizing
12 the Department of Revenue and the Commission to conduct audits
13 for the purpose of ensuring compliance with Public Act 95-634,
14 and an acknowledgement that the wine manufacturer is in
15 compliance with Section 6-2 of this Act. Any third party,
16 except for a common carrier, authorized to ship wine on behalf
17 of a first-class or second-class wine manufacturer's licensee,
18 a first-class or second-class wine-maker's licensee, a limited
19 wine manufacturer's licensee, or a person who is licensed to
20 make wine under the laws of another state shall also be
21 disclosed by the winery shipper's licensee, and a copy of the
22 written appointment of the third-party wine provider, except
23 for a common carrier, to the wine manufacturer shall be filed
24 with the State Commission as a supplement to the winery
25 shipper's license application or any renewal thereof. The
26 winery shipper's license holder shall affirm under penalty of

1 perjury, as part of the winery shipper's license application
2 or renewal, that he or she only ships wine, either directly or
3 indirectly through a third-party provider, from the licensee's
4 own production.

5 Except for a common carrier, a third-party provider
6 shipping wine on behalf of a winery shipper's license holder
7 is the agent of the winery shipper's license holder and, as
8 such, a winery shipper's license holder is responsible for the
9 acts and omissions of the third-party provider acting on
10 behalf of the license holder. A third-party provider, except
11 for a common carrier, that engages in shipping wine into
12 Illinois on behalf of a winery shipper's license holder shall
13 consent to the jurisdiction of the State Commission and the
14 State. Any third-party, except for a common carrier, holding
15 such an appointment shall, by February 1 of each calendar year
16 and upon request by the State Commission or the Department of
17 Revenue, file with the State Commission a statement detailing
18 each shipment made to an Illinois resident. The statement
19 shall include the name and address of the third-party provider
20 filing the statement, the time period covered by the
21 statement, and the following information:

- 22 (1) the name, address, and license number of the
23 winery shipper on whose behalf the shipment was made;
- 24 (2) the quantity of the products delivered; and
- 25 (3) the date and address of the shipment.

26 If the Department of Revenue or the State Commission requests

1 a statement under this paragraph, the third-party provider
2 must provide that statement no later than 30 days after the
3 request is made. Any books, records, supporting papers, and
4 documents containing information and data relating to a
5 statement under this paragraph shall be kept and preserved for
6 a period of 3 years, unless their destruction sooner is
7 authorized, in writing, by the Director of Revenue, and shall
8 be open and available to inspection by the Director of Revenue
9 or the State Commission or any duly authorized officer, agent,
10 or employee of the State Commission or the Department of
11 Revenue, at all times during business hours of the day. Any
12 person who violates any provision of this paragraph or any
13 rule of the State Commission for the administration and
14 enforcement of the provisions of this paragraph is guilty of a
15 Class C misdemeanor. In case of a continuing violation, each
16 day's continuance thereof shall be a separate and distinct
17 offense.

18 The State Commission shall adopt rules as soon as
19 practicable to implement the requirements of Public Act 99-904
20 and shall adopt rules prohibiting any such third-party
21 appointment of a third-party provider, except for a common
22 carrier, that has been deemed by the State Commission to have
23 violated the provisions of this Act with regard to any winery
24 shipper licensee.

25 A winery shipper licensee must pay to the Department of
26 Revenue the State liquor gallonage tax under Section 8-1 for

1 all wine that is sold by the licensee and shipped to a person
2 in this State. For the purposes of Section 8-1, a winery
3 shipper licensee shall be taxed in the same manner as a
4 manufacturer of wine. A licensee who is not otherwise required
5 to register under the Retailers' Occupation Tax Act must
6 register under the Use Tax Act to collect and remit use tax to
7 the Department of Revenue for all gallons of wine that are sold
8 by the licensee and shipped to persons in this State. If a
9 licensee fails to remit the tax imposed under this Act in
10 accordance with the provisions of Article VIII of this Act,
11 the winery shipper's license shall be revoked in accordance
12 with the provisions of Article VII of this Act. If a licensee
13 fails to properly register and remit tax under the Use Tax Act
14 or the Retailers' Occupation Tax Act for all wine that is sold
15 by the winery shipper and shipped to persons in this State, the
16 winery shipper's license shall be revoked in accordance with
17 the provisions of Article VII of this Act.

18 A winery shipper licensee must collect, maintain, and
19 submit to the Commission on a semi-annual basis the total
20 number of cases per resident of wine shipped to residents of
21 this State. A winery shipper licensed under this subsection
22 (r) must comply with the requirements of Section 6-29 of this
23 Act.

24 Pursuant to paragraph (5.1) or (5.3) of subsection (a) of
25 Section 3-12, the State Commission may receive, respond to,
26 and investigate any complaint and impose any of the remedies

1 specified in paragraph (1) of subsection (a) of Section 3-12.

2 As used in this subsection, "third-party provider" means
3 any entity that provides fulfillment house services, including
4 warehousing, packaging, distribution, order processing, or
5 shipment of wine, but not the sale of wine, on behalf of a
6 licensed winery shipper.

7 (s) A craft distiller tasting permit license shall allow
8 an Illinois licensed class 1 craft distiller or class 2 craft
9 distiller to transfer a portion of its alcoholic liquor
10 inventory from its class 1 craft distiller or class 2 craft
11 distiller licensed premises to the premises specified in the
12 license hereby created and to conduct a sampling, only in the
13 premises specified in the license hereby created, of the
14 transferred alcoholic liquor in accordance with subsection (c)
15 of Section 6-31 of this Act. The transferred alcoholic liquor
16 may not be sold or resold in any form. An applicant for the
17 craft distiller tasting permit license must also submit with
18 the application proof satisfactory to the State Commission
19 that the applicant will provide dram shop liability insurance
20 to the maximum limits and have local authority approval.

21 (t) A brewer warehouse permit may be issued to the holder
22 of a class 1 brewer license or a class 2 brewer license. If the
23 holder of the permit is a class 1 brewer licensee, the brewer
24 warehouse permit shall allow the holder to store or warehouse
25 up to 930,000 gallons of tax-determined beer manufactured by
26 the holder of the permit at the premises specified on the

1 permit. If the holder of the permit is a class 2 brewer
2 licensee, the brewer warehouse permit shall allow the holder
3 to store or warehouse up to 3,720,000 gallons of
4 tax-determined beer manufactured by the holder of the permit
5 at the premises specified on the permit. Sales to
6 non-licensees are prohibited at the premises specified in the
7 brewer warehouse permit.

8 (u) A distilling pub license shall allow the licensee to
9 only (i) manufacture up to 5,000 gallons of spirits per year
10 only on the premises specified in the license, (ii) make sales
11 of the spirits manufactured on the premises or, with the
12 approval of the State Commission, spirits manufactured on
13 another distilling pub licensed premises that is wholly owned
14 and operated by the same licensee to importing distributors
15 and distributors and to non-licensees for use and consumption,
16 (iii) store the spirits upon the premises, (iv) sell and offer
17 for sale at retail from the licensed premises for off-premises
18 consumption no more than 5,000 gallons per year so long as such
19 sales are only made in-person, (v) sell and offer for sale at
20 retail for use and consumption on the premises specified in
21 the license any form of alcoholic liquor purchased from a
22 licensed distributor or importing distributor, and (vi) with
23 the prior approval of the State Commission, annually transfer
24 no more than 5,000 gallons of spirits manufactured on the
25 premises to a licensed distilling pub wholly owned and
26 operated by the same licensee.

1 A distilling pub licensee shall not under any circumstance
2 sell or offer for sale spirits manufactured by the distilling
3 pub licensee to retail licensees.

4 A person who holds a class 2 craft distiller license may
5 simultaneously hold a distilling pub license if the class 2
6 craft distiller (i) does not, under any circumstance, sell or
7 offer for sale spirits manufactured by the class 2 craft
8 distiller to retail licensees; (ii) does not hold more than 3
9 distilling pub licenses in this State; (iii) does not
10 manufacture more than a combined 100,000 gallons of spirits
11 per year, including the spirits manufactured at the distilling
12 pub; and (iv) is not a member of or affiliated with, directly
13 or indirectly, a manufacturer that produces more than 100,000
14 gallons of spirits per year or any other alcoholic liquor.

15 (v) A craft distiller warehouse permit may be issued to
16 the holder of a class 1 craft distiller or class 2 craft
17 distiller license. The craft distiller warehouse permit shall
18 allow the holder to store or warehouse up to 500,000 gallons of
19 spirits manufactured by the holder of the permit at the
20 premises specified on the permit. Sales to non-licensees are
21 prohibited at the premises specified in the craft distiller
22 warehouse permit.

23 (w) A beer showcase permit license shall allow an
24 Illinois-licensed distributor to transfer a portion of its
25 beer inventory from its licensed premises to the premises
26 specified in the beer showcase permit license, and, in the

1 case of a class 3 brewer, transfer only beer the class 3 brewer
2 manufactures from its licensed premises to the premises
3 specified in the beer showcase permit license; and to sell or
4 offer for sale at retail, only in the premises specified in the
5 beer showcase permit license, the transferred or delivered
6 beer for on or off premise consumption, but not for resale in
7 any form and to sell to non-licensees not more than 96 fluid
8 ounces of beer per person. A beer showcase permit license may
9 be granted for the following time periods: one day or less; or
10 2 or more days to a maximum of 15 days per location in any
11 12-month period. An applicant for a beer showcase permit
12 license must also submit with the application proof
13 satisfactory to the State Commission that the applicant will
14 provide dram shop liability insurance to the maximum limits
15 and have local authority approval. The State Commission shall
16 require the beer showcase applicant to comply with Section
17 6-27.1.

18 (Source: P.A. 101-16, eff. 6-14-19; 101-31, eff. 6-28-19;
19 101-81, eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff.
20 8-23-19; 101-615, eff. 12-20-19; 101-668, eff. 1-1-22;
21 102-442, eff. 8-20-21; 102-1142, eff. 2-17-23.)

22 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

23 Sec. 6-15. No alcoholic liquors shall be sold or delivered
24 in any building belonging to or under the control of the State
25 or any political subdivision thereof except as provided in

1 this Act. The corporate authorities of any city, village,
2 incorporated town, township, or county may provide by
3 ordinance, however, that alcoholic liquor may be sold or
4 delivered in any specifically designated building belonging to
5 or under the control of the municipality, township, or county,
6 or in any building located on land under the control of the
7 municipality, township, or county; provided that such township
8 or county complies with all applicable local ordinances in any
9 incorporated area of the township or county. Alcoholic liquor
10 may be delivered to and sold under the authority of a special
11 use permit on any property owned by a conservation district
12 organized under the Conservation District Act, provided that
13 (i) the alcoholic liquor is sold only at an event authorized by
14 the governing board of the conservation district, (ii) the
15 issuance of the special use permit is authorized by the local
16 liquor control commissioner of the territory in which the
17 property is located, and (iii) the special use permit
18 authorizes the sale of alcoholic liquor for one day or less.
19 Alcoholic liquors may be delivered to and sold at any airport
20 belonging to or under the control of a municipality of more
21 than 25,000 inhabitants, or in any building or on any golf
22 course owned by a park district organized under the Park
23 District Code, subject to the approval of the governing board
24 of the district, or in any building or on any golf course owned
25 by a forest preserve district organized under the Downstate
26 Forest Preserve District Act, subject to the approval of the

1 governing board of the district, or on the grounds within 500
2 feet of any building owned by a forest preserve district
3 organized under the Downstate Forest Preserve District Act
4 during times when food is dispensed for consumption within 500
5 feet of the building from which the food is dispensed, subject
6 to the approval of the governing board of the district, or in a
7 building owned by a Local Mass Transit District organized
8 under the Local Mass Transit District Act, subject to the
9 approval of the governing Board of the District, or in
10 Bicentennial Park, or on the premises of the City of Mendota
11 Lake Park located adjacent to Route 51 in Mendota, Illinois,
12 or on the premises of Camden Park in Milan, Illinois, or in the
13 community center owned by the City of Loves Park that is
14 located at 1000 River Park Drive in Loves Park, Illinois, or,
15 in connection with the operation of an established food
16 serving facility during times when food is dispensed for
17 consumption on the premises, and at the following aquarium and
18 museums located in public parks: Art Institute of Chicago,
19 Chicago Academy of Sciences, Chicago Historical Society, Field
20 Museum of Natural History, Museum of Science and Industry,
21 DuSable Museum of African American History, John G. Shedd
22 Aquarium and Adler Planetarium, or at Lakeview Museum of Arts
23 and Sciences in Peoria, or in connection with the operation of
24 the facilities of the Chicago Zoological Society or the
25 Chicago Horticultural Society on land owned by the Forest
26 Preserve District of Cook County, or on any land used for a

1 golf course or for recreational purposes owned by the Forest
2 Preserve District of Cook County, subject to the control of
3 the Forest Preserve District Board of Commissioners and
4 applicable local law, provided that dram shop liability
5 insurance is provided at maximum coverage limits so as to hold
6 the District harmless from all financial loss, damage, and
7 harm, or in any building located on land owned by the Chicago
8 Park District if approved by the Park District Commissioners,
9 or on any land used for a golf course or for recreational
10 purposes and owned by the Illinois International Port District
11 if approved by the District's governing board, or at any
12 airport, golf course, faculty center, or facility in which
13 conference and convention type activities take place belonging
14 to or under control of any State university or public
15 community college district, provided that with respect to a
16 facility for conference and convention type activities
17 alcoholic liquors shall be limited to the use of the
18 convention or conference participants or participants in
19 cultural, political or educational activities held in such
20 facilities, and provided further that the faculty or staff of
21 the State university or a public community college district,
22 or members of an organization of students, alumni, faculty or
23 staff of the State university or a public community college
24 district are active participants in the conference or
25 convention, or in Memorial Stadium on the campus of the
26 University of Illinois at Urbana-Champaign during games in

1 which the Chicago Bears professional football team is playing
2 in that stadium during the renovation of Soldier Field, not
3 more than one and a half hours before the start of the game and
4 not after the end of the third quarter of the game, or in the
5 Pavilion Facility on the campus of the University of Illinois
6 at Chicago during games in which the Chicago Storm
7 professional soccer team is playing in that facility, not more
8 than one and a half hours before the start of the game and not
9 after the end of the third quarter of the game, or in the
10 Pavilion Facility on the campus of the University of Illinois
11 at Chicago during games in which the WNBA professional women's
12 basketball team is playing in that facility, not more than one
13 and a half hours before the start of the game and not after the
14 10-minute mark of the second half of the game, or by a catering
15 establishment which has rented facilities from a board of
16 trustees of a public community college district, or in a
17 restaurant that is operated by a commercial tenant in the
18 North Campus Parking Deck building that (1) is located at 1201
19 West University Avenue, Urbana, Illinois and (2) is owned by
20 the Board of Trustees of the University of Illinois, or, if
21 approved by the District board, on land owned by the
22 Metropolitan Sanitary District of Greater Chicago and leased
23 to others for a term of at least 20 years. Nothing in this
24 Section precludes the sale or delivery of alcoholic liquor in
25 the form of original packaged goods in premises located at 500
26 S. Racine in Chicago belonging to the University of Illinois

1 and used primarily as a grocery store by a commercial tenant
2 during the term of a lease that predates the University's
3 acquisition of the premises; but the University shall have no
4 power or authority to renew, transfer, or extend the lease
5 with terms allowing the sale of alcoholic liquor; and the sale
6 of alcoholic liquor shall be subject to all local laws and
7 regulations. After the acquisition by Winnebago County of the
8 property located at 404 Elm Street in Rockford, a commercial
9 tenant who sold alcoholic liquor at retail on a portion of the
10 property under a valid license at the time of the acquisition
11 may continue to do so for so long as the tenant and the County
12 may agree under existing or future leases, subject to all
13 local laws and regulations regarding the sale of alcoholic
14 liquor. Alcoholic liquors may be delivered to and sold at
15 Memorial Hall, located at 211 North Main Street, Rockford,
16 under conditions approved by Winnebago County and subject to
17 all local laws and regulations regarding the sale of alcoholic
18 liquor. Each facility shall provide dram shop liability in
19 maximum insurance coverage limits so as to save harmless the
20 State, municipality, State university, airport, golf course,
21 faculty center, facility in which conference and convention
22 type activities take place, park district, Forest Preserve
23 District, public community college district, aquarium, museum,
24 or sanitary district from all financial loss, damage or harm.
25 Alcoholic liquors may be sold at retail in buildings of golf
26 courses owned by municipalities or Illinois State University

1 in connection with the operation of an established food
2 serving facility during times when food is dispensed for
3 consumption upon the premises. Alcoholic liquors may be
4 delivered to and sold at retail in any building owned by a fire
5 protection district organized under the Fire Protection
6 District Act, provided that such delivery and sale is approved
7 by the board of trustees of the district, and provided further
8 that such delivery and sale is limited to fundraising events
9 and to a maximum of 6 events per year. However, the limitation
10 to fundraising events and to a maximum of 6 events per year
11 does not apply to the delivery, sale, or manufacture of
12 alcoholic liquors at the building located at 59 Main Street in
13 Oswego, Illinois, owned by the Oswego Fire Protection District
14 if the alcoholic liquor is sold or dispensed as approved by the
15 Oswego Fire Protection District and the property is no longer
16 being utilized for fire protection purposes.

17 Alcoholic liquors may be served or sold in buildings under
18 the control of the Board of Trustees of the University of
19 Illinois for events that the Board may determine are public
20 events and not related student activities. The Board of
21 Trustees shall issue a written policy within 6 months of
22 August 15, 2008 (the effective date of Public Act 95-847)
23 concerning the types of events that would be eligible for an
24 exemption. Thereafter, the Board of Trustees may issue
25 revised, updated, new, or amended policies as it deems
26 necessary and appropriate. In preparing its written policy,

1 the Board of Trustees shall, among other factors it considers
2 relevant and important, give consideration to the following:

3 (i) whether the event is a student activity or student-related
4 ~~student related~~ activity; (ii) whether the physical setting of

5 the event is conducive to control of liquor sales and
6 distribution; (iii) the ability of the event operator to

7 ensure that the sale or serving of alcoholic liquors and the
8 demeanor of the participants are in accordance with State law

9 and University policies; (iv) regarding the anticipated
10 attendees at the event, the relative proportion of individuals

11 under the age of 21 to individuals age 21 or older; (v) the
12 ability of the venue operator to prevent the sale or

13 distribution of alcoholic liquors to individuals under the age
14 of 18 or between the ages of 18 and 21 without a parent or

15 guardian present 21; (vi) whether the event prohibits
16 participants from removing alcoholic beverages from the venue;

17 and (vii) whether the event prohibits participants from
18 providing their own alcoholic liquors to the venue. In

19 addition, any policy submitted by the Board of Trustees to the
20 Illinois Liquor Control Commission must require that any event

21 at which alcoholic liquors are served or sold in buildings
22 under the control of the Board of Trustees shall require the

23 prior written approval of the Office of the Chancellor for the
24 University campus where the event is located. The Board of

25 Trustees shall submit its policy, and any subsequently
26 revised, updated, new, or amended policies, to the Illinois

1 Liquor Control Commission, and any University event, or
2 location for an event, exempted under such policies shall
3 apply for a license under the applicable Sections of this Act.

4 Alcoholic liquors may be served or sold in buildings under
5 the control of the Board of Trustees of Northern Illinois
6 University for events that the Board may determine are public
7 events and not student-related activities. The Board of
8 Trustees shall issue a written policy within 6 months after
9 June 28, 2011 (the effective date of Public Act 97-45)
10 concerning the types of events that would be eligible for an
11 exemption. Thereafter, the Board of Trustees may issue
12 revised, updated, new, or amended policies as it deems
13 necessary and appropriate. In preparing its written policy,
14 the Board of Trustees shall, in addition to other factors it
15 considers relevant and important, give consideration to the
16 following: (i) whether the event is a student activity or
17 student-related activity; (ii) whether the physical setting of
18 the event is conducive to control of liquor sales and
19 distribution; (iii) the ability of the event operator to
20 ensure that the sale or serving of alcoholic liquors and the
21 demeanor of the participants are in accordance with State law
22 and University policies; (iv) the anticipated attendees at the
23 event and the relative proportion of individuals under the age
24 of 21 to individuals age 21 or older; (v) the ability of the
25 venue operator to prevent the sale or distribution of
26 alcoholic liquors to individuals under the age of 18 or

1 between the ages of 18 and 21 without a parent or guardian
2 present 21; (vi) whether the event prohibits participants from
3 removing alcoholic beverages from the venue; and (vii) whether
4 the event prohibits participants from providing their own
5 alcoholic liquors to the venue.

6 Alcoholic liquors may be served or sold in buildings under
7 the control of the Board of Trustees of Chicago State
8 University for events that the Board may determine are public
9 events and not student-related activities. The Board of
10 Trustees shall issue a written policy within 6 months after
11 August 2, 2013 (the effective date of Public Act 98-132)
12 concerning the types of events that would be eligible for an
13 exemption. Thereafter, the Board of Trustees may issue
14 revised, updated, new, or amended policies as it deems
15 necessary and appropriate. In preparing its written policy,
16 the Board of Trustees shall, in addition to other factors it
17 considers relevant and important, give consideration to the
18 following: (i) whether the event is a student activity or
19 student-related activity; (ii) whether the physical setting of
20 the event is conducive to control of liquor sales and
21 distribution; (iii) the ability of the event operator to
22 ensure that the sale or serving of alcoholic liquors and the
23 demeanor of the participants are in accordance with State law
24 and University policies; (iv) the anticipated attendees at the
25 event and the relative proportion of individuals under the age
26 of 21 to individuals age 21 or older; (v) the ability of the

1 venue operator to prevent the sale or distribution of
2 alcoholic liquors to individuals under the age of 18 or
3 between the ages of 18 and 21 without a parent or guardian
4 present 21; (vi) whether the event prohibits participants from
5 removing alcoholic beverages from the venue; and (vii) whether
6 the event prohibits participants from providing their own
7 alcoholic liquors to the venue.

8 Alcoholic liquors may be served or sold in buildings under
9 the control of the Board of Trustees of Illinois State
10 University for events that the Board may determine are public
11 events and not student-related activities. The Board of
12 Trustees shall issue a written policy within 6 months after
13 March 1, 2013 (the effective date of Public Act 97-1166)
14 concerning the types of events that would be eligible for an
15 exemption. Thereafter, the Board of Trustees may issue
16 revised, updated, new, or amended policies as it deems
17 necessary and appropriate. In preparing its written policy,
18 the Board of Trustees shall, in addition to other factors it
19 considers relevant and important, give consideration to the
20 following: (i) whether the event is a student activity or
21 student-related activity; (ii) whether the physical setting of
22 the event is conducive to control of liquor sales and
23 distribution; (iii) the ability of the event operator to
24 ensure that the sale or serving of alcoholic liquors and the
25 demeanor of the participants are in accordance with State law
26 and University policies; (iv) the anticipated attendees at the

1 event and the relative proportion of individuals under the age
2 of 21 to individuals age 21 or older; (v) the ability of the
3 venue operator to prevent the sale or distribution of
4 alcoholic liquors to individuals under the age of 18 or
5 between the ages of 18 and 21 without a parent or guardian
6 present 21; (vi) whether the event prohibits participants from
7 removing alcoholic beverages from the venue; and (vii) whether
8 the event prohibits participants from providing their own
9 alcoholic liquors to the venue.

10 Alcoholic liquors may be served or sold in buildings under
11 the control of the Board of Trustees of Southern Illinois
12 University for events that the Board may determine are public
13 events and not student-related activities. The Board of
14 Trustees shall issue a written policy within 6 months after
15 August 12, 2016 (the effective date of Public Act 99-795)
16 concerning the types of events that would be eligible for an
17 exemption. Thereafter, the Board of Trustees may issue
18 revised, updated, new, or amended policies as it deems
19 necessary and appropriate. In preparing its written policy,
20 the Board of Trustees shall, in addition to other factors it
21 considers relevant and important, give consideration to the
22 following: (i) whether the event is a student activity or
23 student-related activity; (ii) whether the physical setting of
24 the event is conducive to control of liquor sales and
25 distribution; (iii) the ability of the event operator to
26 ensure that the sale or serving of alcoholic liquors and the

1 demeanor of the participants are in accordance with State law
2 and University policies; (iv) the anticipated attendees at the
3 event and the relative proportion of individuals under the age
4 of 21 to individuals age 21 or older; (v) the ability of the
5 venue operator to prevent the sale or distribution of
6 alcoholic liquors to individuals under the age of 18 or
7 between the ages of 18 and 21 without a parent or guardian
8 present 21; (vi) whether the event prohibits participants from
9 removing alcoholic beverages from the venue; and (vii) whether
10 the event prohibits participants from providing their own
11 alcoholic liquors to the venue.

12 Alcoholic liquors may be served or sold in buildings under
13 the control of the Board of Trustees of a public university for
14 events that the Board of Trustees of that public university
15 may determine are public events and not student-related
16 activities. If the Board of Trustees of a public university
17 has not issued a written policy pursuant to an exemption under
18 this Section on or before July 15, 2016 (the effective date of
19 Public Act 99-550), then that Board of Trustees shall issue a
20 written policy within 6 months after July 15, 2016 (the
21 effective date of Public Act 99-550) concerning the types of
22 events that would be eligible for an exemption. Thereafter,
23 the Board of Trustees may issue revised, updated, new, or
24 amended policies as it deems necessary and appropriate. In
25 preparing its written policy, the Board of Trustees shall, in
26 addition to other factors it considers relevant and important,

1 give consideration to the following: (i) whether the event is
2 a student activity or student-related activity; (ii) whether
3 the physical setting of the event is conducive to control of
4 liquor sales and distribution; (iii) the ability of the event
5 operator to ensure that the sale or serving of alcoholic
6 liquors and the demeanor of the participants are in accordance
7 with State law and University policies; (iv) the anticipated
8 attendees at the event and the relative proportion of
9 individuals under the age of 21 to individuals age 21 or older;
10 (v) the ability of the venue operator to prevent the sale or
11 distribution of alcoholic liquors to individuals under the age
12 of 18 or between the ages of 18 and 21 without a parent or
13 guardian present 21; (vi) whether the event prohibits
14 participants from removing alcoholic beverages from the venue;
15 and (vii) whether the event prohibits participants from
16 providing their own alcoholic liquors to the venue. As used in
17 this paragraph, "public university" means the University of
18 Illinois, Illinois State University, Chicago State University,
19 Governors State University, Southern Illinois University,
20 Northern Illinois University, Eastern Illinois University,
21 Western Illinois University, and Northeastern Illinois
22 University.

23 Alcoholic liquors may be served or sold in buildings under
24 the control of the Board of Trustees of a community college
25 district for events that the Board of Trustees of that
26 community college district may determine are public events and

1 not student-related activities. The Board of Trustees shall
2 issue a written policy within 6 months after July 15, 2016 (the
3 effective date of Public Act 99-550) concerning the types of
4 events that would be eligible for an exemption. Thereafter,
5 the Board of Trustees may issue revised, updated, new, or
6 amended policies as it deems necessary and appropriate. In
7 preparing its written policy, the Board of Trustees shall, in
8 addition to other factors it considers relevant and important,
9 give consideration to the following: (i) whether the event is
10 a student activity or student-related activity; (ii) whether
11 the physical setting of the event is conducive to control of
12 liquor sales and distribution; (iii) the ability of the event
13 operator to ensure that the sale or serving of alcoholic
14 liquors and the demeanor of the participants are in accordance
15 with State law and community college district policies; (iv)
16 the anticipated attendees at the event and the relative
17 proportion of individuals under the age of 21 to individuals
18 age 21 or older; (v) the ability of the venue operator to
19 prevent the sale or distribution of alcoholic liquors to
20 individuals under the age of 18 or between the ages of 18 and
21 21 without a parent or guardian present 21; (vi) whether the
22 event prohibits participants from removing alcoholic beverages
23 from the venue; and (vii) whether the event prohibits
24 participants from providing their own alcoholic liquors to the
25 venue. This paragraph does not apply to any community college
26 district authorized to sell or serve alcoholic liquor under

1 any other provision of this Section.

2 Alcoholic liquor may be delivered to and sold at retail in
3 the Dorchester Senior Business Center owned by the Village of
4 Dolton if the alcoholic liquor is sold or dispensed only in
5 connection with organized functions for which the planned
6 attendance is 20 or more persons, and if the person or facility
7 selling or dispensing the alcoholic liquor has provided dram
8 shop liability insurance in maximum limits so as to hold
9 harmless the Village of Dolton and the State from all
10 financial loss, damage and harm.

11 Alcoholic liquors may be delivered to and sold at retail
12 in any building used as an Illinois State Armory provided:

13 (i) the Adjutant General's written consent to the
14 issuance of a license to sell alcoholic liquor in such
15 building is filed with the Commission;

16 (ii) the alcoholic liquor is sold or dispensed only in
17 connection with organized functions held on special
18 occasions;

19 (iii) the organized function is one for which the
20 planned attendance is 25 or more persons; and

21 (iv) the facility selling or dispensing the alcoholic
22 liquors has provided dram shop liability insurance in
23 maximum limits so as to save harmless the facility and the
24 State from all financial loss, damage or harm.

25 Alcoholic liquors may be delivered to and sold at retail
26 in the Chicago Civic Center, provided that:

(i) the written consent of the Public Building Commission which administers the Chicago Civic Center is filed with the Commission;

(ii) the alcoholic liquor is sold or dispensed only in connection with organized functions held on special occasions;

(iii) the organized function is one for which the planned attendance is 25 or more persons;

(iv) the facility selling or dispensing the alcoholic liquors has provided dram shop liability insurance in maximum limits so as to hold harmless the Civic Center, the City of Chicago and the State from all financial loss, damage or harm; and

(v) all applicable local ordinances are complied with.

Alcoholic liquors may be delivered or sold in any building belonging to or under the control of any city, village or incorporated town where more than 75% of the physical properties of the building is used for commercial or recreational purposes, and the building is located upon a pier extending into or over the waters of a navigable lake or stream or on the shore of a navigable lake or stream. In accordance with a license issued under this Act, alcoholic liquor may be sold, served, or delivered in buildings and facilities under the control of the Department of Natural Resources during events or activities lasting no more than 7 continuous days upon the written approval of the Director of Natural Resources

1 acting as the controlling government authority. The Director
2 of Natural Resources may specify conditions on that approval,
3 including, but not limited to, requirements for insurance and
4 hours of operation. Notwithstanding any other provision of
5 this Act, alcoholic liquor sold by a United States Army Corps
6 of Engineers or Department of Natural Resources concessionaire
7 who was operating on June 1, 1991 for on-premises consumption
8 only is not subject to the provisions of Articles IV and IX.
9 Beer and wine may be sold on the premises of the Joliet Park
10 District Stadium owned by the Joliet Park District when
11 written consent to the issuance of a license to sell beer and
12 wine in such premises is filed with the local liquor
13 commissioner by the Joliet Park District. Beer and wine may be
14 sold in buildings on the grounds of State veterans' homes when
15 written consent to the issuance of a license to sell beer and
16 wine in such buildings is filed with the Commission by the
17 Department of Veterans' Affairs, and the facility shall
18 provide dram shop liability in maximum insurance coverage
19 limits so as to save the facility harmless from all financial
20 loss, damage or harm. Such liquors may be delivered to and sold
21 at any property owned or held under lease by a Metropolitan
22 Pier and Exposition Authority or Metropolitan Exposition and
23 Auditorium Authority.

24 Beer and wine may be sold and dispensed at professional
25 sporting events and at professional concerts and other
26 entertainment events conducted on premises owned by the Forest

1 Preserve District of Kane County, subject to the control of
2 the District Commissioners and applicable local law, provided
3 that dram shop liability insurance is provided at maximum
4 coverage limits so as to hold the District harmless from all
5 financial loss, damage and harm.

6 Nothing in this Section shall preclude the sale or
7 delivery of beer and wine at a State or county fair or the sale
8 or delivery of beer or wine at a city fair in any otherwise
9 lawful manner.

10 Alcoholic liquors may be sold at retail in buildings in
11 State parks under the control of the Department of Natural
12 Resources, provided:

13 a. the State park has overnight lodging facilities
14 with some restaurant facilities or, not having overnight
15 lodging facilities, has restaurant facilities which serve
16 complete luncheon and dinner or supper meals,

17 b. (blank), and

18 c. the alcoholic liquors are sold by the State park
19 lodge or restaurant concessionaire only during the hours
20 from 11 o'clock a.m. until 12 o'clock midnight.
21 Notwithstanding any other provision of this Act, alcoholic
22 liquor sold by the State park or restaurant concessionaire
23 is not subject to the provisions of Articles IV and IX.

24 Alcoholic liquors may be sold at retail in buildings on
25 properties under the control of the Division of Historic
26 Preservation of the Department of Natural Resources or the

1 Abraham Lincoln Presidential Library and Museum provided:

2 a. the property has overnight lodging facilities with
3 some restaurant facilities or, not having overnight
4 lodging facilities, has restaurant facilities which serve
5 complete luncheon and dinner or supper meals,

6 b. consent to the issuance of a license to sell
7 alcoholic liquors in the buildings has been filed with the
8 commission by the Division of Historic Preservation of the
9 Department of Natural Resources or the Abraham Lincoln
10 Presidential Library and Museum, and

11 c. the alcoholic liquors are sold by the lodge or
12 restaurant concessionaire only during the hours from 11
13 o'clock a.m. until 12 o'clock midnight.

14 The sale of alcoholic liquors pursuant to this Section
15 does not authorize the establishment and operation of
16 facilities commonly called taverns, saloons, bars, cocktail
17 lounges, and the like except as a part of lodge and restaurant
18 facilities in State parks or golf courses owned by Forest
19 Preserve Districts with a population of less than 3,000,000 or
20 municipalities or park districts.

21 Alcoholic liquors may be sold at retail in the Springfield
22 Administration Building of the Department of Transportation
23 and the Illinois State Armory in Springfield; provided, that
24 the controlling government authority may consent to such sales
25 only if

26 a. the request is from a not-for-profit organization;

1 b. such sales would not impede normal operations of
2 the departments involved;

3 c. the not-for-profit organization provides dram shop
4 liability in maximum insurance coverage limits and agrees
5 to defend, save harmless and indemnify the State of
6 Illinois from all financial loss, damage or harm;

7 d. no such sale shall be made during normal working
8 hours of the State of Illinois; and

9 e. the consent is in writing.

10 Alcoholic liquors may be sold at retail in buildings in
11 recreational areas of river conservancy districts under the
12 control of, or leased from, the river conservancy districts.
13 Such sales are subject to reasonable local regulations as
14 provided in Article IV; however, no such regulations may
15 prohibit or substantially impair the sale of alcoholic liquors
16 on Sundays or Holidays.

17 Alcoholic liquors may be provided in long term care
18 facilities owned or operated by a county under Division 5-21
19 or 5-22 of the Counties Code, when approved by the facility
20 operator and not in conflict with the regulations of the
21 Illinois Department of Public Health, to residents of the
22 facility who have had their consumption of the alcoholic
23 liquors provided approved in writing by a physician licensed
24 to practice medicine in all its branches.

25 Alcoholic liquors may be delivered to and dispensed in
26 State housing assigned to employees of the Department of

1 Corrections. No person shall furnish or allow to be furnished
2 any alcoholic liquors to any prisoner confined in any jail,
3 reformatory, prison or house of correction except upon a
4 physician's prescription for medicinal purposes.

5 Alcoholic liquors may be sold at retail or dispensed at
6 the Willard Ice Building in Springfield, at the State Library
7 in Springfield, and at Illinois State Museum facilities by (1)
8 an agency of the State, whether legislative, judicial or
9 executive, provided that such agency first obtains written
10 permission to sell or dispense alcoholic liquors from the
11 controlling government authority, or by (2) a not-for-profit
12 organization, provided that such organization:

13 a. Obtains written consent from the controlling
14 government authority;

15 b. Sells or dispenses the alcoholic liquors in a
16 manner that does not impair normal operations of State
17 offices located in the building;

18 c. Sells or dispenses alcoholic liquors only in
19 connection with an official activity in the building;

20 d. Provides, or its catering service provides, dram
21 shop liability insurance in maximum coverage limits and in
22 which the carrier agrees to defend, save harmless and
23 indemnify the State of Illinois from all financial loss,
24 damage or harm arising out of the selling or dispensing of
25 alcoholic liquors.

26 Nothing in this Act shall prevent a not-for-profit

1 organization or agency of the State from employing the
2 services of a catering establishment for the selling or
3 dispensing of alcoholic liquors at authorized functions.

4 The controlling government authority for the Willard Ice
5 Building in Springfield shall be the Director of the
6 Department of Revenue. The controlling government authority
7 for Illinois State Museum facilities shall be the Director of
8 the Illinois State Museum. The controlling government
9 authority for the State Library in Springfield shall be the
10 Secretary of State.

11 Alcoholic liquors may be delivered to and sold at retail
12 or dispensed at any facility, property or building under the
13 jurisdiction of the Division of Historic Preservation of the
14 Department of Natural Resources, the Abraham Lincoln
15 Presidential Library and Museum, or the State Treasurer where
16 the delivery, sale or dispensing is by (1) an agency of the
17 State, whether legislative, judicial or executive, provided
18 that such agency first obtains written permission to sell or
19 dispense alcoholic liquors from a controlling government
20 authority, or by (2) an individual or organization provided
21 that such individual or organization:

22 a. Obtains written consent from the controlling
23 government authority;

24 b. Sells or dispenses the alcoholic liquors in a
25 manner that does not impair normal workings of State
26 offices or operations located at the facility, property or

1 building;

2 c. Sells or dispenses alcoholic liquors only in
3 connection with an official activity of the individual or
4 organization in the facility, property or building;

5 d. Provides, or its catering service provides, dram
6 shop liability insurance in maximum coverage limits and in
7 which the carrier agrees to defend, save harmless and
8 indemnify the State of Illinois from all financial loss,
9 damage or harm arising out of the selling or dispensing of
10 alcoholic liquors.

11 The controlling government authority for the Division of
12 Historic Preservation of the Department of Natural Resources
13 shall be the Director of Natural Resources, the controlling
14 government authority for the Abraham Lincoln Presidential
15 Library and Museum shall be the Executive Director of the
16 Abraham Lincoln Presidential Library and Museum, and the
17 controlling government authority for the facilities, property,
18 or buildings under the jurisdiction of the State Treasurer
19 shall be the State Treasurer or the State Treasurer's
20 designee.

21 Alcoholic liquors may be delivered to and sold at retail
22 or dispensed for consumption at the Michael Bilandic Building
23 at 160 North LaSalle Street, Chicago IL 60601, after the
24 normal business hours of any day care or child care facility
25 located in the building, by (1) a commercial tenant or
26 subtenant conducting business on the premises under a lease

1 made pursuant to Section 405-315 of the Department of Central
2 Management Services Law ~~(20 ILCS 405/405-315)~~, provided that
3 such tenant or subtenant who accepts delivery of, sells, or
4 dispenses alcoholic liquors shall procure and maintain dram
5 shop liability insurance in maximum coverage limits and in
6 which the carrier agrees to defend, indemnify, and save
7 harmless the State of Illinois from all financial loss,
8 damage, or harm arising out of the delivery, sale, or
9 dispensing of alcoholic liquors, or by (2) an agency of the
10 State, whether legislative, judicial, or executive, provided
11 that such agency first obtains written permission to accept
12 delivery of and sell or dispense alcoholic liquors from the
13 Director of Central Management Services, or by (3) a
14 not-for-profit organization, provided that such organization:

- 15 a. obtains written consent from the Department of
16 Central Management Services;
- 17 b. accepts delivery of and sells or dispenses the
18 alcoholic liquors in a manner that does not impair normal
19 operations of State offices located in the building;
- 20 c. accepts delivery of and sells or dispenses
21 alcoholic liquors only in connection with an official
22 activity in the building; and
- 23 d. provides, or its catering service provides, dram
24 shop liability insurance in maximum coverage limits and in
25 which the carrier agrees to defend, save harmless, and
26 indemnify the State of Illinois from all financial loss,

1 damage, or harm arising out of the selling or dispensing
2 of alcoholic liquors.

3 Nothing in this Act shall prevent a not-for-profit
4 organization or agency of the State from employing the
5 services of a catering establishment for the selling or
6 dispensing of alcoholic liquors at functions authorized by the
7 Director of Central Management Services.

8 Alcoholic liquors may be sold at retail or dispensed at
9 the James R. Thompson Center in Chicago, subject to the
10 provisions of Section 7.4 of the State Property Control Act,
11 and 222 South College Street in Springfield, Illinois by (1) a
12 commercial tenant or subtenant conducting business on the
13 premises under a lease or sublease made pursuant to Section
14 405-315 of the Department of Central Management Services Law
15 ~~(20 ILCS 405/405-315)~~, provided that such tenant or subtenant
16 who sells or dispenses alcoholic liquors shall procure and
17 maintain dram shop liability insurance in maximum coverage
18 limits and in which the carrier agrees to defend, indemnify
19 and save harmless the State of Illinois from all financial
20 loss, damage or harm arising out of the sale or dispensing of
21 alcoholic liquors, or by (2) an agency of the State, whether
22 legislative, judicial or executive, provided that such agency
23 first obtains written permission to sell or dispense alcoholic
24 liquors from the Director of Central Management Services, or
25 by (3) a not-for-profit organization, provided that such
26 organization:

1 a. Obtains written consent from the Department of
2 Central Management Services;

3 b. Sells or dispenses the alcoholic liquors in a
4 manner that does not impair normal operations of State
5 offices located in the building;

6 c. Sells or dispenses alcoholic liquors only in
7 connection with an official activity in the building;

8 d. Provides, or its catering service provides, dram
9 shop liability insurance in maximum coverage limits and in
10 which the carrier agrees to defend, save harmless and
11 indemnify the State of Illinois from all financial loss,
12 damage or harm arising out of the selling or dispensing of
13 alcoholic liquors.

14 Nothing in this Act shall prevent a not-for-profit
15 organization or agency of the State from employing the
16 services of a catering establishment for the selling or
17 dispensing of alcoholic liquors at functions authorized by the
18 Director of Central Management Services.

19 Alcoholic liquors may be sold or delivered at any facility
20 owned by the Illinois Sports Facilities Authority provided
21 that dram shop liability insurance has been made available in
22 a form, with such coverage and in such amounts as the Authority
23 reasonably determines is necessary.

24 Alcoholic liquors may be sold at retail or dispensed at
25 the Rockford State Office Building by (1) an agency of the
26 State, whether legislative, judicial or executive, provided

1 that such agency first obtains written permission to sell or
2 dispense alcoholic liquors from the Department of Central
3 Management Services, or by (2) a not-for-profit organization,
4 provided that such organization:

5 a. Obtains written consent from the Department of
6 Central Management Services;

7 b. Sells or dispenses the alcoholic liquors in a
8 manner that does not impair normal operations of State
9 offices located in the building;

10 c. Sells or dispenses alcoholic liquors only in
11 connection with an official activity in the building;

12 d. Provides, or its catering service provides, dram
13 shop liability insurance in maximum coverage limits and in
14 which the carrier agrees to defend, save harmless and
15 indemnify the State of Illinois from all financial loss,
16 damage or harm arising out of the selling or dispensing of
17 alcoholic liquors.

18 Nothing in this Act shall prevent a not-for-profit
19 organization or agency of the State from employing the
20 services of a catering establishment for the selling or
21 dispensing of alcoholic liquors at functions authorized by the
22 Department of Central Management Services.

23 Alcoholic liquors may be sold or delivered in a building
24 that is owned by McLean County, situated on land owned by the
25 county in the City of Bloomington, and used by the McLean
26 County Historical Society if the sale or delivery is approved

1 by an ordinance adopted by the county board, and the
2 municipality in which the building is located may not prohibit
3 that sale or delivery, notwithstanding any other provision of
4 this Section. The regulation of the sale and delivery of
5 alcoholic liquor in a building that is owned by McLean County,
6 situated on land owned by the county, and used by the McLean
7 County Historical Society as provided in this paragraph is an
8 exclusive power and function of the State and is a denial and
9 limitation under Article VII, Section 6, subsection (h) of the
10 Illinois Constitution of the power of a home rule municipality
11 to regulate that sale and delivery.

12 Alcoholic liquors may be sold or delivered in any building
13 situated on land held in trust for any school district
14 organized under Article 34 of the School Code, if the building
15 is not used for school purposes and if the sale or delivery is
16 approved by the board of education.

17 Alcoholic liquors may be delivered to and sold at retail
18 in any building owned by a public library district, provided
19 that the delivery and sale is approved by the board of trustees
20 of that public library district and is limited to library
21 fundraising events or programs of a cultural or educational
22 nature. Before the board of trustees of a public library
23 district may approve the delivery and sale of alcoholic
24 liquors, the board of trustees of the public library district
25 must have a written policy that has been approved by the board
26 of trustees of the public library district governing when and

1 under what circumstances alcoholic liquors may be delivered to
2 and sold at retail on property owned by that public library
3 district. The written policy must (i) provide that no
4 alcoholic liquor may be sold, distributed, or consumed in any
5 area of the library accessible to the general public during
6 the event or program, (ii) prohibit the removal of alcoholic
7 liquor from the venue during the event, and (iii) require that
8 steps be taken to prevent the sale or distribution of
9 alcoholic liquor to persons under the age of 18 or between the
10 ages of 18 and 21 without a parent or guardian present 21. Any
11 public library district that has alcoholic liquor delivered to
12 or sold at retail on property owned by the public library
13 district shall provide dram shop liability insurance in
14 maximum insurance coverage limits so as to save harmless the
15 public library districts from all financial loss, damage, or
16 harm.

17 Alcoholic liquors may be sold or delivered in buildings
18 owned by the Community Building Complex Committee of Boone
19 County, Illinois if the person or facility selling or
20 dispensing the alcoholic liquor has provided dram shop
21 liability insurance with coverage and in amounts that the
22 Committee reasonably determines are necessary.

23 Alcoholic liquors may be sold or delivered in the building
24 located at 1200 Centerville Avenue in Belleville, Illinois and
25 occupied by either the Belleville Area Special Education
26 District or the Belleville Area Special Services Cooperative.

1 Alcoholic liquors may be delivered to and sold at the
2 Louis Joliet Renaissance Center, City Center Campus, located
3 at 214 N. Ottawa Street, Joliet, and the Food
4 Services/Culinary Arts Department facilities, Main Campus,
5 located at 1215 Houbolt Road, Joliet, owned by or under the
6 control of Joliet Junior College, Illinois Community College
7 District No. 525.

8 Alcoholic liquors may be delivered to and sold at Triton
9 College, Illinois Community College District No. 504.

10 Alcoholic liquors may be delivered to and sold at the
11 College of DuPage, Illinois Community College District No.
12 502.

13 Alcoholic liquors may be delivered to and sold on any
14 property owned, operated, or controlled by Lewis and Clark
15 Community College, Illinois Community College District No.
16 536.

17 Alcoholic liquors may be delivered to and sold at the
18 building located at 446 East Hickory Avenue in Apple River,
19 Illinois, owned by the Apple River Fire Protection District,
20 and occupied by the Apple River Community Association if the
21 alcoholic liquor is sold or dispensed only in connection with
22 organized functions approved by the Apple River Community
23 Association for which the planned attendance is 20 or more
24 persons and if the person or facility selling or dispensing
25 the alcoholic liquor has provided dram shop liability
26 insurance in maximum limits so as to hold harmless the Apple

1 River Fire Protection District, the Village of Apple River,
2 and the Apple River Community Association from all financial
3 loss, damage, and harm.

4 Alcoholic liquors may be delivered to and sold at the
5 Sikia Restaurant, Kennedy King College Campus, located at 740
6 West 63rd Street, Chicago, and at the Food Services in the
7 Great Hall/Washburne Culinary Institute Department facility,
8 Kennedy King College Campus, located at 740 West 63rd Street,
9 Chicago, owned by or under the control of City Colleges of
10 Chicago, Illinois Community College District No. 508.

11 Alcoholic liquors may be delivered to and sold at the
12 building located at 305 West Grove St. in Poplar Grove,
13 Illinois that is owned and operated by North Boone Fire
14 District #3 if the alcoholic liquor is sold or dispensed only
15 in connection with organized functions approved by the North
16 Boone Fire District #3 for which the planned attendance is 20
17 or more persons and if the person or facility selling or
18 dispensing the alcoholic liquor has provided dram shop
19 liability insurance in maximum limits so as to hold harmless
20 North Boone County Fire District #3 from all financial loss,
21 damage, and harm.

22 (Source: P.A. 103-956, eff. 8-9-24; 103-971, eff. 8-9-24;
23 revised 9-25-24.)

24 (235 ILCS 5/6-16) (from Ch. 43, par. 131)

25 Sec. 6-16. Prohibited sales and possession.

(a) (i) No licensee nor any officer, associate, member, representative, agent, or employee of such licensee shall sell, give, or deliver alcoholic liquor to any person under the age of 18 21 years, or between the ages of 18 and 21 without a parent or guardian present, or to any intoxicated person, except as provided in Section 6-16.1. (ii) No express company, common carrier, or contract carrier nor any representative, agent, or employee on behalf of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor for delivery within this State shall knowingly give or knowingly deliver to a residential address any shipping container clearly labeled as containing alcoholic liquor and labeled as requiring signature of an adult of at least 21 years of age, or between the ages of 18 and 21 with a parent or guardian present, to any person in this State under the age of 18 21 years, or between the ages of 18 and 21 without a parent or guardian present. An express company, common carrier, or contract carrier that carries or transports such alcoholic liquor for delivery within this State shall obtain a signature at the time of delivery acknowledging receipt of the alcoholic liquor by an adult who is at least 21 years of age, or between the ages of 18 and 21 with a parent or guardian present. At no time while delivering alcoholic beverages within this State may any representative, agent, or employee of an express company, common carrier, or contract carrier that carries or transports alcoholic liquor

1 for delivery within this State deliver the alcoholic liquor to
2 a residential address without the acknowledgement of the
3 consignee and without first obtaining a signature at the time
4 of the delivery by an adult who is at least 21 years of age, or
5 between the ages of 18 and 21 with a parent or guardian
6 present. A signature of a person on file with the express
7 company, common carrier, or contract carrier does not
8 constitute acknowledgement of the consignee. Any express
9 company, common carrier, or contract carrier that transports
10 alcoholic liquor for delivery within this State that violates
11 this item (ii) of this subsection (a) by delivering alcoholic
12 liquor without the acknowledgement of the consignee and
13 without first obtaining a signature at the time of the
14 delivery by an adult who is at least 21 years of age, or
15 between the ages of 18 and 21 with a parent or guardian
16 present, is guilty of a business offense for which the express
17 company, common carrier, or contract carrier that transports
18 alcoholic liquor within this State shall be fined not more
19 than \$1,001 for a first offense, not more than \$5,000 for a
20 second offense, and not more than \$10,000 for a third or
21 subsequent offense. An express company, common carrier, or
22 contract carrier shall be held vicariously liable for the
23 actions of its representatives, agents, or employees. For
24 purposes of this Act, in addition to other methods authorized
25 by law, an express company, common carrier, or contract
26 carrier shall be considered served with process when a

1 representative, agent, or employee alleged to have violated
2 this Act is personally served. Each shipment of alcoholic
3 liquor delivered in violation of this item (ii) of this
4 subsection (a) constitutes a separate offense. (iii) No
5 person, after purchasing or otherwise obtaining alcoholic
6 liquor, shall sell, give, or deliver such alcoholic liquor to
7 another person under the age of 18 21 years, or between the
8 ages of 18 and 21 without a parent or guardian present, except
9 in the performance of a religious ceremony or service. Except
10 as otherwise provided in item (ii), any express company,
11 common carrier, or contract carrier that transports alcoholic
12 liquor within this State that violates the provisions of item
13 (i), (ii), or (iii) of this paragraph of this subsection (a) is
14 guilty of a Class A misdemeanor and the sentence shall
15 include, but shall not be limited to, a fine of not less than
16 \$500. Any person who violates the provisions of item (iii) of
17 this paragraph of this subsection (a) is guilty of a Class A
18 misdemeanor and the sentence shall include, but shall not be
19 limited to a fine of not less than \$500 for a first offense and
20 not less than \$2,000 for a second or subsequent offense. Any
21 person who knowingly violates the provisions of item (iii) of
22 this paragraph of this subsection (a) is guilty of a Class 4
23 felony if a death occurs as the result of the violation.

24 If a licensee or officer, associate, member,
25 representative, agent, or employee of the licensee, or a
26 representative, agent, or employee of an express company,

1 common carrier, or contract carrier that carries or transports
2 alcoholic liquor for delivery within this State, is prosecuted
3 under this paragraph of this subsection (a) for selling,
4 giving, or delivering alcoholic liquor to a person under the
5 age of 18 21 years, or between the ages of 18 and 21 without a
6 parent or guardian present, the person under 18 21 years of
7 age, or between the ages of 18 and 21 without a parent or
8 guardian present, who attempted to buy or receive the
9 alcoholic liquor may be prosecuted pursuant to Section 6-20 of
10 this Act, unless the person under 18 21 years of age, or
11 between the ages of 18 and 21 without a parent or guardian
12 present, was acting under the authority of a law enforcement
13 agency, the Illinois Liquor Control Commission, or a local
14 liquor control commissioner pursuant to a plan or action to
15 investigate, patrol, or conduct any similar enforcement
16 action.

17 For the purpose of preventing the violation of this
18 Section, any licensee, or his agent or employee, or a
19 representative, agent, or employee of an express company,
20 common carrier, or contract carrier that carries or transports
21 alcoholic liquor for delivery within this State, shall refuse
22 to sell, deliver, or serve alcoholic beverages to any person
23 who is unable to produce adequate written evidence of identity
24 and of the fact that he or she is over the age of 21 years, or
25 between the ages of 18 and 21 and has a parent or guardian
26 present, if requested by the licensee, agent, employee, or

1 representative.

2 Adequate written evidence of age and identity of the
3 person is a document issued by a federal, state, county, or
4 municipal government, or subdivision or agency thereof,
5 including, but not limited to, a motor vehicle operator's
6 license, a registration certificate issued under the Federal
7 Selective Service Act, or an identification card issued to a
8 member of the Armed Forces. Proof that the defendant-licensee,
9 or his employee or agent, or the representative, agent, or
10 employee of the express company, common carrier, or contract
11 carrier that carries or transports alcoholic liquor for
12 delivery within this State demanded, was shown and reasonably
13 relied upon such written evidence in any transaction forbidden
14 by this Section is an affirmative defense in any criminal
15 prosecution therefor or to any proceedings for the suspension
16 or revocation of any license based thereon. It shall not,
17 however, be an affirmative defense if the agent or employee
18 accepted the written evidence knowing it to be false or
19 fraudulent. If a false or fraudulent Illinois driver's license
20 or Illinois identification card is presented by a person less
21 than 21 years of age to a licensee or the licensee's agent or
22 employee for the purpose of ordering, purchasing, attempting
23 to purchase, or otherwise obtaining or attempting to obtain
24 the serving of any alcoholic beverage, the law enforcement
25 officer or agency investigating the incident shall, upon the
26 conviction of the person who presented the fraudulent license

1 or identification, make a report of the matter to the
2 Secretary of State on a form provided by the Secretary of
3 State.

4 However, no agent or employee of the licensee or employee
5 of an express company, common carrier, or contract carrier
6 that carries or transports alcoholic liquor for delivery
7 within this State shall be disciplined or discharged for
8 selling or furnishing liquor to a person under 18 21 years of
9 age, or between the ages of 18 and 21 without a parent or
10 guardian present, if the agent or employee demanded and was
11 shown, before furnishing liquor to a person under 18 21 years
12 of age, or between the ages of 18 and 21 without a parent or
13 guardian present, adequate written evidence of age and
14 identity of the person issued by a federal, state, county or
15 municipal government, or subdivision or agency thereof,
16 including but not limited to a motor vehicle operator's
17 license, a registration certificate issued under the Federal
18 Selective Service Act, or an identification card issued to a
19 member of the Armed Forces. This paragraph, however, shall not
20 apply if the agent or employee accepted the written evidence
21 knowing it to be false or fraudulent.

22 Any person who sells, gives, or furnishes to any person
23 under the age of 21 years any false or fraudulent written,
24 printed, or photostatic evidence of the age and identity of
25 such person or who sells, gives or furnishes to any person
26 under the age of 21 years evidence of age and identification of

1 any other person is guilty of a Class A misdemeanor and the
2 person's sentence shall include, but shall not be limited to,
3 a fine of not less than \$500.

4 Any person under the age of 21 years who presents or offers
5 to any licensee, his agent or employee, any written, printed
6 or photostatic evidence of age and identity that is false,
7 fraudulent, or not actually his or her own for the purpose of
8 ordering, purchasing, attempting to purchase or otherwise
9 procuring or attempting to procure, the serving of any
10 alcoholic beverage, who falsely states in writing that he or
11 she is at least 21 years of age, or between the ages of 18 and
12 21 and has a parent or guardian present, when receiving
13 alcoholic liquor from a representative, agent, or employee of
14 an express company, common carrier, or contract carrier, or
15 who has in his or her possession any false or fraudulent
16 written, printed, or photostatic evidence of age and identity,
17 is guilty of a Class A misdemeanor and the person's sentence
18 shall include, but shall not be limited to, the following: a
19 fine of not less than \$500 and at least 25 hours of community
20 service. If possible, any community service shall be performed
21 for an alcohol abuse prevention program.

22 Any person under the age of 21 years who has any alcoholic
23 beverage in his or her possession on any street or highway or
24 in any public place or in any place open to the public is
25 guilty of a Class A misdemeanor. This Section does not apply to
26 possession by a person under the age of 21 years making a

1 delivery of an alcoholic beverage in pursuance of the order of
2 his or her parent or in pursuance of his or her employment.

3 (a-1) It is unlawful for any parent or guardian to
4 knowingly permit his or her residence, any other private
5 property under his or her control, or any vehicle, conveyance,
6 or watercraft under his or her control to be used by an invitee
7 of the parent's child or the guardian's ward, if the invitee is
8 under the age of 18 or between the ages of 18 and 21 without a
9 parent or guardian present 21, in a manner that constitutes a
10 violation of this Section. A parent or guardian is deemed to
11 have knowingly permitted his or her residence, any other
12 private property under his or her control, or any vehicle,
13 conveyance, or watercraft under his or her control to be used
14 in violation of this Section if he or she knowingly authorizes
15 or permits consumption of alcoholic liquor by underage
16 invitees. Any person who violates this subsection (a-1) is
17 guilty of a Class A misdemeanor and the person's sentence
18 shall include, but shall not be limited to, a fine of not less
19 than \$500. Where a violation of this subsection (a-1) directly
20 or indirectly results in great bodily harm or death to any
21 person, the person violating this subsection shall be guilty
22 of a Class 4 felony. Nothing in this subsection (a-1) shall be
23 construed to prohibit the giving of alcoholic liquor to a
24 person under the age of 21 years in the performance of a
25 religious ceremony or service in observation of a religious
26 holiday.

1 For the purposes of this subsection (a-1) where the
2 residence or other property has an owner and a tenant or
3 lessee, the trier of fact may infer that the residence or other
4 property is occupied only by the tenant or lessee.

5 (b) Except as otherwise provided in this Section whoever
6 violates this Section shall, in addition to other penalties
7 provided for in this Act, be guilty of a Class A misdemeanor.

8 (c) Any person shall be guilty of a Class A misdemeanor
9 where he or she knowingly authorizes or permits a residence
10 which he or she occupies to be used by an invitee under 18 21
11 years of age, or between the ages of 18 and 21 without a parent
12 or guardian present, and:

13 (1) the person occupying the residence knows that any
14 such person under the age of 18, or between the ages of 18
15 and 21 without a parent or guardian present, 21 is in
16 possession of or is consuming any alcoholic beverage; and

17 (2) the possession or consumption of the alcohol by
18 the person under 18, or between the ages of 18 and 21
19 without a parent or guardian present, 21 is not otherwise
20 permitted by this Act.

21 For the purposes of this subsection (c) where the
22 residence has an owner and a tenant or lessee, the trier of
23 fact may infer that the residence is occupied only by the
24 tenant or lessee. The sentence of any person who violates this
25 subsection (c) shall include, but shall not be limited to, a
26 fine of not less than \$500. Where a violation of this

1 subsection (c) directly or indirectly results in great bodily
2 harm or death to any person, the person violating this
3 subsection (c) shall be guilty of a Class 4 felony. Nothing in
4 this subsection (c) shall be construed to prohibit the giving
5 of alcoholic liquor to a person under the age of 21 years in
6 the performance of a religious ceremony or service in
7 observation of a religious holiday.

8 A person shall not be in violation of this subsection (c)
9 if (A) he or she requests assistance from the police
10 department or other law enforcement agency to either (i)
11 remove any person who refuses to abide by the person's
12 performance of the duties imposed by this subsection (c) or
13 (ii) terminate the activity because the person has been unable
14 to prevent a person under the age of 18 21 years, or between
15 the ages of 18 and 21 without a parent or guardian present,
16 from consuming alcohol despite having taken all reasonable
17 steps to do so and (B) this assistance is requested before any
18 other person makes a formal complaint to the police department
19 or other law enforcement agency about the activity.

20 (d) Any person who rents a hotel or motel room from the
21 proprietor or agent thereof for the purpose of or with the
22 knowledge that such room shall be used for the consumption of
23 alcoholic liquor by persons under the age of 18 21 years, or
24 between the ages of 18 and 21 without a parent or guardian
25 present, shall be guilty of a Class A misdemeanor.

26 (e) Except as otherwise provided in this Act, any person

1 who has alcoholic liquor in his or her possession on public
2 school district property on school days or at events on public
3 school district property when children are present is guilty
4 of a petty offense, unless the alcoholic liquor (i) is in the
5 original container with the seal unbroken and is in the
6 possession of a person who is not otherwise legally prohibited
7 from possessing the alcoholic liquor or (ii) is in the
8 possession of a person in or for the performance of a religious
9 service or ceremony authorized by the school board.

10 (Source: P.A. 97-1049, eff. 1-1-13; 98-1017, eff. 1-1-15.)

11 (235 ILCS 5/6-16.1)

12 Sec. 6-16.1. Enforcement actions.

13 (a) A licensee or an officer, associate, member,
14 representative, agent, or employee of a licensee may sell,
15 give, or deliver alcoholic liquor to a person under the age of
16 21 years or authorize the sale, gift, or delivery of alcoholic
17 liquor to a person under the age of 21 years pursuant to a plan
18 or action to investigate, patrol, or otherwise conduct a
19 "sting operation" or enforcement action against a person
20 employed by the licensee or on any licensed premises if the
21 licensee or officer, associate, member, representative, agent,
22 or employee of the licensee provides written notice, at least
23 14 days before the "sting operation" or enforcement action,
24 unless governing body of the municipality or county having
25 jurisdiction sets a shorter period by ordinance, to the law

1 enforcement agency having jurisdiction, the local liquor
2 control commissioner, or both. Notice provided under this
3 Section shall be valid for a "sting operation" or enforcement
4 action conducted within 60 days of the provision of that
5 notice, unless the governing body of the municipality or
6 county having jurisdiction sets a shorter period by ordinance.

7 (b) A local liquor control commission or unit of local
8 government that conducts alcohol and tobacco compliance
9 operations shall establish a policy and standards for alcohol
10 and tobacco compliance operations to investigate whether a
11 licensee is furnishing (1) alcoholic liquor to persons under
12 18 21 years of age, or between the ages of 18 and 21 without a
13 parent or guardian present, in violation of this Act or (2)
14 tobacco to persons in violation of the Prevention of Tobacco
15 Use by Persons under 21 Years of Age and Sale and Distribution
16 of Tobacco Products Act.

17 (c) The Illinois Law Enforcement Training Standards Board
18 shall develop a model policy and guidelines for the operation
19 of alcohol and tobacco compliance checks by local law
20 enforcement officers. The Illinois Law Enforcement Training
21 Standards Board shall also require the supervising officers of
22 such compliance checks to have met a minimum training standard
23 as determined by the Board. The Board shall have the right to
24 waive any training based on current written policies and
25 procedures for alcohol and tobacco compliance check operations
26 and in-service training already administered by the local law

1 enforcement agency, department, or office.

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

4 (e) A home rule unit, other than a home rule unit with more
5 than 2,000,000 inhabitants, may not regulate enforcement
6 actions in a manner inconsistent with the regulation of
7 enforcement actions under this Section. This subsection (e) is
8 a limitation under subsection (i) of Section 6 of Article VII
9 of the Illinois Constitution on the concurrent exercise by
10 home rule units of powers and functions exercised by the
11 State.

12 (f) A licensee who is the subject of an enforcement action
13 or "sting operation" under this Section and is found, pursuant
14 to the enforcement action, to be in compliance with this Act
15 shall be notified by the enforcement agency action that no
16 violation was found within 30 days after the finding.

17 (Source: P.A. 101-2, eff. 7-1-19.)

18 (235 ILCS 5/6-16.2)

19 Sec. 6-16.2. Prohibited entry to a licensed premises. A
20 municipality or county may prohibit a licensee or any officer,
21 associate, member, representative, agent, or employee of a
22 licensee from permitting a person under the age of 18 21 years,
23 or between the ages of 18 and 21 without a parent or guardian
24 present, to enter and remain in that portion of a licensed
25 premises that sells, gives, or delivers alcoholic liquor for

1 consumption on the premises. No prohibition under this
2 Section, however, shall apply to any licensed premises, such
3 as without limitation a restaurant or food shop, where
4 selling, giving, or delivering alcoholic liquor is not the
5 principal business of the licensee at those premises.

6 In those instances where a person under the age of 18 21
7 years, or between the ages of 18 and 21 without a parent or
8 guardian present, is prohibited from entering and remaining on
9 the premises, proof that the defendant-licensee, or his
10 employee or agent, demanded, was shown, and reasonably relied
11 upon adequate written evidence for purposes of entering and
12 remaining on the licensed premises is an affirmative defense
13 in any criminal prosecution therefor or to any proceedings for
14 the suspension or revocation of any license based thereon. It
15 shall not, however, be an affirmative defense if the
16 defendant-licensee, or his agent or employee, accepted the
17 written evidence knowing it to be false or fraudulent.

18 Adequate written evidence of age and identity of the
19 person is a document issued by a federal, state, county, or
20 municipal government, or subdivision or agency thereof,
21 including, but not limited to, a motor vehicle operator's
22 license, a registration certificate issued under the Federal
23 Selective Service Act, or an identification card issued to a
24 member of the armed forces.

25 If a false or fraudulent Illinois driver's license or
26 Illinois identification card is presented by a person less

1 than 18 21 years of age, or between the ages of 18 and 21 with
2 a parent or guardian present, to a licensee or the licensee's
3 agent or employee for the purpose of obtaining entry and
4 remaining on a licensed premises, the law enforcement officer
5 or agency investigating the incident shall, upon the
6 conviction of the person who presented the fraudulent license
7 or identification, make a report of the matter to the
8 Secretary of State on a form provided by the Secretary of
9 State.

10 (Source: P.A. 95-331, eff. 8-21-07.)

11 (235 ILCS 5/6-20) (from Ch. 43, par. 134a)

12 Sec. 6-20. Transfer, possession, and consumption of
13 alcoholic liquor; restrictions.

14 (a) Any person to whom the sale, gift or delivery of any
15 alcoholic liquor is prohibited because of age shall not
16 purchase, or accept a gift of such alcoholic liquor or have
17 such alcoholic liquor in his possession.

18 (b) If a licensee or his or her agents or employees
19 believes or has reason to believe that a sale or delivery of
20 any alcoholic liquor is prohibited because of the non-age of
21 the prospective recipient, he or she shall, before making such
22 sale or delivery demand presentation of some form of positive
23 identification, containing proof of age, issued by a public
24 officer in the performance of his or her official duties.

25 (c) No person shall transfer, alter, or deface such an

1 identification card; use the identification card of another;
2 carry or use a false or forged identification card; or obtain
3 an identification card by means of false information.

4 (d) No person shall purchase, accept delivery or have
5 possession of alcoholic liquor in violation of this Section.

6 (e) The consumption of alcoholic liquor by any person
7 under 18 21 years of age, or between the ages of 18 and 21
8 without a parent or guardian present, is forbidden.

9 (f) Whoever violates any provisions of this Section shall
10 be guilty of a Class A misdemeanor.

11 (g) The possession and dispensing, or consumption by a
12 person under 21 years of age of alcoholic liquor in the
13 performance of a religious service or ceremony, or the
14 consumption by a person under 18 21 years of age under the
15 direct supervision and approval of the parents or parent or
16 those persons standing in loco parentis of such person under
17 18 21 years of age in the privacy of a home, is not prohibited
18 by this Act.

19 (h) The provisions of this Act prohibiting the possession
20 of alcoholic liquor by a person under 21 years of age and
21 dispensing of alcoholic liquor to a person under 21 years of
22 age do not apply in the case of a student under 21 years of
23 age, but 18 years of age or older, who:

24 (1) tastes, but does not imbibe, alcoholic liquor only
25 during times of a regularly scheduled course while under
26 the direct supervision of an instructor who is at least 21

1 years of age and employed by an educational institution
2 described in subdivision (2);

3 (2) is enrolled as a student in a college, university,
4 or post-secondary educational institution that is
5 accredited or certified by an agency recognized by the
6 United States Department of Education or a nationally
7 recognized accrediting agency or association, or that has
8 a permit of approval issued by the Board of Higher
9 Education pursuant to the Private Business and Vocational
10 Schools Act of 2012;

11 (3) is participating in a culinary arts, fermentation
12 science, food service, or restaurant management degree
13 program of which a portion of the program includes
14 instruction on responsible alcoholic beverage serving
15 methods modeled after the Beverage Alcohol Sellers and
16 Server Education and Training (BASSET) curriculum; and

17 (4) tastes, but does not imbibe, alcoholic liquor for
18 instructional purposes up to, but not exceeding, 6 times
19 per class as a part of a required course in which the
20 student temporarily possesses alcoholic liquor for
21 tasting, not imbibing, purposes only in a class setting on
22 the campus and, thereafter, the alcoholic liquor is
23 possessed and remains under the control of the instructor.

24 (i) A law enforcement officer may not charge or otherwise
25 take a person into custody based solely on the commission of an
26 offense that involves alcohol and violates subsection (d) or

1 (e) of this Section if the law enforcement officer, after
2 making a reasonable determination and considering the facts
3 and surrounding circumstances, reasonably believes that all of
4 the following apply:

5 (1) The law enforcement officer has contact with the
6 person because that person either:

7 (A) requested emergency medical assistance for an
8 individual who reasonably appeared to be in need of
9 medical assistance due to alcohol consumption; or

10 (B) acted in concert with another person who
11 requested emergency medical assistance for an
12 individual who reasonably appeared to be in need of
13 medical assistance due to alcohol consumption;
14 however, the provisions of this subparagraph (B) shall
15 not apply to more than 3 persons acting in concert for
16 any one occurrence.

17 (2) The person described in subparagraph (A) or (B) of
18 paragraph (1) of this subsection (i):

19 (A) provided his or her full name and any other
20 relevant information requested by the law enforcement
21 officer;

22 (B) remained at the scene with the individual who
23 reasonably appeared to be in need of medical
24 assistance due to alcohol consumption until emergency
25 medical assistance personnel arrived; and

26 (C) cooperated with emergency medical assistance

1 personnel and law enforcement officers at the scene.

2 (i-5) (1) In this subsection (i-5):

3 "Medical forensic services" has the meaning defined in
4 Section 1a of the Sexual Assault Survivors Emergency Treatment
5 Act.

6 "Sexual assault" means an act of sexual conduct or sexual
7 penetration, defined in Section 11-0.1 of the Criminal Code of
8 2012, including, without limitation, acts prohibited under
9 Sections 11-1.20 through 11-1.60 of the Criminal Code of 2012.

10 (2) A law enforcement officer may not charge or otherwise
11 take a person into custody based solely on the commission of an
12 offense that involves alcohol and violates subsection (d) or
13 (e) of this Section if the law enforcement officer, after
14 making a reasonable determination and considering the facts
15 and surrounding circumstances, reasonably believes that all of
16 the following apply:

17 (A) The law enforcement officer has contact with the
18 person because the person:

19 (i) reported that he or she was sexually
20 assaulted;

21 (ii) reported a sexual assault of another person
22 or requested emergency medical assistance or medical
23 forensic services for another person who had been
24 sexually assaulted; or

25 (iii) acted in concert with another person who
26 reported a sexual assault of another person or

1 requested emergency medical assistance or medical
2 forensic services for another person who had been
3 sexually assaulted; however, the provisions of this
4 item (iii) shall not apply to more than 3 persons
5 acting in concert for any one occurrence.

6 The report of a sexual assault may have been made to a
7 health care provider, to law enforcement, including the
8 campus police or security department of an institution of
9 higher education, or to the Title IX coordinator of an
10 institution of higher education or another employee of the
11 institution responsible for responding to reports of
12 sexual assault under State or federal law.

13 (B) The person who reports the sexual assault:

14 (i) provided his or her full name;
15 (ii) remained at the scene until emergency medical
16 assistance personnel arrived, if emergency medical
17 assistance was summoned for the person who was
18 sexually assaulted and he or she cooperated with
19 emergency medical assistance personnel; and

20 (iii) cooperated with the agency or person to whom
21 the sexual assault was reported if he or she witnessed
22 or reported the sexual assault of another person.

23 (j) A person who meets the criteria of paragraphs (1) and
24 (2) of subsection (i) of this Section or a person who meets the
25 criteria of paragraph (2) of subsection (i-5) of this Section
26 shall be immune from criminal liability for an offense under

1 subsection (d) or (e) of this Section.

2 (k) A person may not initiate an action against a law
3 enforcement officer based on the officer's compliance or
4 failure to comply with subsection (i) or (i-5) of this
5 Section, except for willful or wanton misconduct.

6 (Source: P.A. 99-447, eff. 6-1-16; 99-795, eff. 8-12-16;
7 100-1087, eff. 1-1-19.)

8 (235 ILCS 5/6-21) (from Ch. 43, par. 135)

9 Sec. 6-21. (a) Every person who is injured within this
10 State, in person or property, by any intoxicated person has a
11 right of action in his or her own name, severally or jointly,
12 against any person, licensed under the laws of this State or of
13 any other state to sell alcoholic liquor, who, by selling or
14 giving alcoholic liquor, within or without the territorial
15 limits of this State, causes the intoxication of such person.
16 Any person at least 21 years of age who pays for a hotel or
17 motel room or facility knowing that the room or facility is to
18 be used by any person under 18 21 years of age, or between 18
19 and 21 years of age without a parent or guardian present, for
20 the unlawful consumption of alcoholic liquors and such
21 consumption causes the intoxication of the person under 18 21
22 years of age, or between 18 and 21 years of age without a
23 parent or guardian present, shall be liable to any person who
24 is injured in person or property by the intoxicated person
25 under 18 21 years of age, or between 18 and 21 years of age

1 without a parent or guardian present. Any person owning,
2 renting, leasing or permitting the occupation of any building
3 or premises with knowledge that alcoholic liquors are to be
4 sold therein, or who having leased the same for other
5 purposes, shall knowingly permit therein the sale of any
6 alcoholic liquors that have caused the intoxication of any
7 person, shall be liable, severally or jointly, with the person
8 selling or giving the liquors. However, if such building or
9 premises belong to a minor or other person under guardianship
10 the guardian of such person shall be held liable instead of the
11 ward. A married woman has the same right to bring the action
12 and to control it and the amount recovered as an unmarried
13 woman. All damages recovered by a minor under this Act shall be
14 paid either to the minor, or to his or her parent, guardian or
15 next friend as the court shall direct. The unlawful sale or
16 gift of alcoholic liquor works a forfeiture of all rights of
17 the lessee or tenant under any lease or contract of rent upon
18 the premises where the unlawful sale or gift takes place. All
19 actions for damages under this Act may be by any appropriate
20 action in the circuit court. An action shall lie for injuries
21 to either means of support or loss of society, but not both,
22 caused by an intoxicated person or in consequence of the
23 intoxication of any person resulting as hereinabove set out.
24 "Loss of society" means the mutual benefits that each family
25 member receives from the other's continued existence,
26 including love, affection, care, attention, companionship,

1 comfort, guidance, and protection. "Family" includes spouse,
2 children, parents, brothers, and sisters. The action, if the
3 person from whom support or society was furnished is living,
4 shall be brought by any person injured in means of support or
5 society in his or her name for his or her benefit and the
6 benefit of all other persons injured in means of support or
7 society. However, any person claiming to be injured in means
8 of support or society and not included in any action brought
9 hereunder may join by motion made within the times herein
10 provided for bringing such action or the personal
11 representative of the deceased person from whom such support
12 or society was furnished may so join. In every such action the
13 jury shall determine the amount of damages to be recovered
14 without regard to and with no special instructions as to the
15 dollar limits on recovery imposed by this Section. The amount
16 recovered in every such action is for the exclusive benefit of
17 the person injured in loss of support or society and shall be
18 distributed to such persons in the proportions determined by
19 the verdict rendered or judgment entered in the action. If the
20 right of action is settled by agreement with the personal
21 representative of a deceased person from whom support or
22 society was furnished, the court having jurisdiction of the
23 estate of the deceased person shall distribute the amount of
24 the settlement to the person injured in loss of support or
25 society in the proportion, as determined by the court, that
26 the percentage of dependency of each such person upon the

1 deceased person bears to the sum of the percentages of
2 dependency of all such persons upon the deceased person. For
3 all causes of action involving persons injured, killed, or
4 incurring property damage before September 12, 1985, in no
5 event shall the judgment or recovery under this Act for injury
6 to the person or to the property of any person as hereinabove
7 set out exceed \$15,000, and recovery under this Act for loss of
8 means of support resulting from the death or injury of any
9 person, as hereinabove set out, shall not exceed \$20,000. For
10 all causes of action involving persons injured, killed, or
11 incurring property damage after September 12, 1985 but before
12 July 1, 1998, in no event shall the judgment or recovery for
13 injury to the person or property of any person exceed \$30,000
14 for each person incurring damages, and recovery under this Act
15 for loss of means of support resulting from the death or injury
16 of any person shall not exceed \$40,000. For all causes of
17 action involving persons injured, killed, or incurring
18 property damage on or after July 1, 1998, in no event shall the
19 judgment or recovery for injury to the person or property of
20 any person exceed \$45,000 for each person incurring damages,
21 and recovery under this Act for either loss of means of support
22 or loss of society resulting from the death or injury of any
23 person shall not exceed \$55,000. Beginning in 1999, every
24 January 20, these liability limits shall automatically be
25 increased or decreased, as applicable, by a percentage equal
26 to the percentage change in the consumer price index-u during

1 the preceding 12-month calendar year. "Consumer price index-u"
2 means the index published by the Bureau of Labor Statistics of
3 the United States Department of Labor that measures the
4 average change in prices of goods and services purchased by
5 all urban consumers, United States city average, all items,
6 1982-84 = 100. The new amount resulting from each annual
7 adjustment shall be determined by the Comptroller and made
8 available via the Comptroller's official website by January 31
9 of every year and to the chief judge of each judicial circuit.
10 The liability limits at the time at which damages subject to
11 such limits are awarded by final judgment or settlement shall
12 be utilized by the courts. Nothing in this Section bars any
13 person from making separate claims which, in the aggregate,
14 exceed any one limit where such person incurs more than one
15 type of compensable damage, including personal injury,
16 property damage, and loss to means of support or society.
17 However, all persons claiming loss to means of support or
18 society shall be limited to an aggregate recovery not to
19 exceed the single limitation set forth herein for the death or
20 injury of each person from whom support or society is claimed.

21 Nothing in this Act shall be construed to confer a cause of
22 action for injuries to the person or property of the
23 intoxicated person himself, nor shall anything in this Act be
24 construed to confer a cause of action for loss of means of
25 support or society on the intoxicated person himself or on any
26 person claiming to be supported by such intoxicated person or

1 claiming the society of such person. In conformance with the
2 rule of statutory construction enunciated in the general
3 Illinois saving provision in Section 4 of "An Act to revise the
4 law in relation to the construction of the statutes", approved
5 March 5, 1874, as amended, no amendment of this Section
6 purporting to abolish or having the effect of abolishing a
7 cause of action shall be applied to invalidate a cause of
8 action accruing before its effective date, irrespective of
9 whether the amendment was passed before or after the effective
10 date of this amendatory Act of 1986.

11 Each action hereunder shall be barred unless commenced
12 within one year next after the cause of action accrued.

13 However, a licensed distributor or brewer whose only
14 connection with the furnishing of alcoholic liquor which is
15 alleged to have caused intoxication was the furnishing or
16 maintaining of any apparatus for the dispensing or cooling of
17 beer is not liable under this Section, and if such licensee is
18 named as a defendant, a proper motion to dismiss shall be
19 granted.

20 (b) Any person licensed under any state or local law to
21 sell alcoholic liquor, whether or not a citizen or resident of
22 this State, who in person or through an agent causes the
23 intoxication, by the sale or gift of alcoholic liquor, of any
24 person who, while intoxicated, causes injury to any person or
25 property in the State of Illinois thereby submits such
26 licensed person, and, if an individual, his or her personal

1 representative, to the jurisdiction of the courts of this
2 State for a cause of action arising under subsection (a)
3 above.

4 Service of process upon any person who is subject to the
5 jurisdiction of the courts of this State, as provided in this
6 subsection, may be made by personally serving the summons upon
7 the defendant outside this State, as provided in the Code of
8 Civil Procedure, as now or hereafter amended, with the same
9 force and effect as though summons had been personally served
10 within this State.

11 Only causes of action arising under subsection (a) above
12 may be asserted against a defendant in an action in which
13 jurisdiction over him or her is based upon this subsection.

14 Nothing herein contained limits or affects the right to
15 serve any process in any other manner now or hereafter
16 provided by law.

17 (Source: P.A. 94-982, eff. 6-30-06.)

18 (235 ILCS 5/6-28.8)

19 (Section scheduled to be repealed on August 1, 2028)

20 Sec. 6-28.8. Delivery and carry out of mixed drinks
21 permitted.

22 (a) In this Section:

23 "Cocktail" or "mixed drink" means any beverage obtained by
24 combining ingredients alcoholic in nature, whether brewed,
25 fermented, or distilled, with ingredients non-alcoholic in

1 nature, such as fruit juice, lemonade, cream, or a carbonated
2 beverage.

3 "Original container" means, for the purposes of this
4 Section only, a container that is (i) filled, sealed, and
5 secured by a retail licensee's employee at the retail
6 licensee's location with a tamper-evident lid or cap or (ii)
7 filled and labeled by the manufacturer and secured by the
8 manufacturer's original unbroken seal.

9 "Sealed container" means a rigid container that contains a
10 mixed drink or a single serving of wine, is new, has never been
11 used, has a secured lid or cap designed to prevent consumption
12 without removal of the lid or cap, and is tamper-evident.

13 "Sealed container" includes a manufacturer's original
14 container as defined in this subsection. "Sealed container"
15 does not include a container with a lid with sipping holes or
16 openings for straws or a container made of plastic, paper, or
17 polystyrene foam.

18 "Tamper-evident" means a lid or cap that has been sealed
19 with tamper-evident covers, including, but not limited to, wax
20 dip or heat shrink wrap.

21 (b) A cocktail, mixed drink, or single serving of wine
22 placed in a sealed container by a retail licensee at the retail
23 licensee's location or a manufacturer's original container may
24 be transferred and sold for off-premises consumption if the
25 following requirements are met:

26 (1) the cocktail, mixed drink, or single serving of

1 wine is transferred within the licensed premises, by a
2 curbside pickup, or by delivery by an employee of the
3 retail licensee who:

4 (A) has been trained in accordance with Section
5 6-27.1 at the time of the sale;

6 (B) is at least 21 years of age; and

7 (C) upon delivery, verifies the age of the person
8 to whom the cocktail, mixed drink, or single serving
9 of wine is being delivered;

10 (2) if the employee delivering the cocktail, mixed
11 drink, or single serving of wine is not able to safely
12 verify a person's age or level of intoxication upon
13 delivery, the employee shall cancel the sale of alcohol
14 and return the product to the retail license holder;

15 (3) the sealed container is placed in the trunk of the
16 vehicle or if there is no trunk, in the vehicle's rear
17 compartment that is not readily accessible to the
18 passenger area;

19 (4) except for a manufacturer's original container, a
20 container filled and sealed at a retail licensee's
21 location shall be affixed with a label or tag that
22 contains the following information:

23 (A) the cocktail or mixed drink ingredients, type,
24 and name of the alcohol;

25 (B) the name, license number, and address of the
26 retail licensee that filled the original container and

1 sold the product;

2 (C) the volume of the cocktail, mixed drink, or
3 single serving of wine in the sealed container; and

4 (D) the sealed container was filled less than 7
5 days before the date of sale; and

6 (5) a manufacturer's original container shall be
7 affixed with a label or tag that contains the name,
8 license number, and address of the retail licensee that
9 sold the product.

10 (c) Third-party delivery services are not permitted to
11 deliver cocktails and mixed drinks under this Section.

12 (d) If there is an executive order of the Governor in
13 effect during a disaster, the employee delivering the mixed
14 drink, cocktail, or single serving of wine must comply with
15 any requirements of that executive order, including, but not
16 limited to, wearing gloves and a mask and maintaining
17 distancing requirements when interacting with the public.

18 (e) Delivery or carry out of a cocktail, mixed drink, or
19 single serving of wine is prohibited if:

20 (1) a third party delivers the cocktail or mixed
21 drink;

22 (2) a container of a mixed drink, cocktail, or single
23 serving of wine is not tamper-evident and sealed;

24 (3) a container of a mixed drink, cocktail, or single
25 serving of wine is transported in the passenger area of a
26 vehicle;

(4) a mixed drink, cocktail, or single serving of wine is delivered by a person under the age of 21 or to a person who is under the age of 18, or between the ages of 18 and 21 without a parent or guardian present 21; or

(5) the person delivering a mixed drink, cocktail, or single serving of wine fails to verify the age of the person to whom the mixed drink or cocktail is being delivered.

(f) Violations of this Section shall be subject to any applicable penalties, including, but not limited to, the penalties specified under Section 11-502 of the Illinois Vehicle Code.

(f-5) This Section is not intended to prohibit or preempt the ability of a brew pub, tap room, or distilling pub to continue to temporarily deliver alcoholic liquor pursuant to guidance issued by the State Commission on March 19, 2020 entitled "Illinois Liquor Control Commission, COVID-19 Related Actions, Guidance on Temporary Delivery of Alcoholic Liquor". This Section shall only grant authorization to holders of State of Illinois retail liquor licenses but not to licensees that simultaneously hold any licensure or privilege to manufacture alcoholic liquors within or outside of the State of Illinois.

(g) This Section is not a denial or limitation of home rule powers and functions under Section 6 of Article VII of the Illinois Constitution.

(h) This Section is repealed on August 1, 2028.

(Source: P.A. 102-8, eff. 6-2-21; 103-4, eff. 5-31-23.)

(235 ILCS 5/10-1) (from Ch. 43, par. 183)

4 Sec. 10-1. Violations; penalties. Whereas a substantial
5 threat to the sound and careful control, regulation, and
6 taxation of the manufacture, sale, and distribution of
7 alcoholic liquors exists by virtue of individuals who
8 manufacture, import, distribute, or sell alcoholic liquors
9 within the State without having first obtained a valid license
10 to do so, and whereas such threat is especially serious along
11 the borders of this State, and whereas such threat requires
12 immediate correction by this Act, by active investigation and
13 prosecution by the State Commission, law enforcement
14 officials, and prosecutors, and by prompt and strict
15 enforcement through the courts of this State to punish
16 violators and to deter such conduct in the future:

1 30 days prior to a violation shall be guilty of a business
2 offense and fined not more than \$1,000 for the first such
3 offense and shall be guilty of a Class 4 felony for each
4 subsequent offense.

5 Any person who manufactures, imports for distribution,
6 transports from outside this State into this State for sale or
7 resale in this State, or distributes or sells less than 108
8 liters (28.53 gallons) of wine, less than 45 liters (11.88
9 gallons) of distilled spirits, or less than 118 liters (31.17
10 gallons) of beer at any place within the State without having
11 first obtained a valid license to do so under the provisions of
12 this Act shall be guilty of a business offense and fined not
13 more than \$1,000 for the first such offense and shall be guilty
14 of a Class 4 felony for each subsequent offense. This
15 subsection does not apply to a motor carrier or freight
16 forwarder, as defined in Section 13102 of Title 49 of the
17 United States Code, an air carrier, as defined in Section
18 40102 of Title 49 of the United States Code, or a rail carrier,
19 as defined in Section 10102 of Title 49 of the United States
20 Code.

21 Any person who: (1) has been issued an initial cease and
22 desist notice from the State Commission; and (2) for
23 compensation, does any of the following: (i) ships alcoholic
24 liquor into this State without a license authorized by Section
25 5-1 issued by the State Commission or in violation of that
26 license; or (ii) manufactures, imports for distribution,

1 transports from outside this State into this State for sale or
2 resale in this State, or distributes or sells alcoholic
3 liquors at any place without having first obtained a valid
4 license to do so is guilty of a Class 4 felony for each
5 offense.

6 (b) (1) Any retailer, caterer retailer, brew pub, special
7 event retailer, special use permit holder, homebrewer special
8 event permit holder, or craft distiller tasting permit holder
9 who knowingly causes alcoholic liquors to be imported directly
10 into the State of Illinois from outside of the State for the
11 purpose of furnishing, giving, or selling to another, except
12 when having received the product from a duly licensed
13 distributor or importing distributor, shall have his license
14 suspended for 30 days for the first offense and for the second
15 offense, shall have his license revoked by the Commission.

16 (2) In the event the State Commission receives a certified
17 copy of a final order from a foreign jurisdiction that an
18 Illinois retail licensee has been found to have violated that
19 foreign jurisdiction's laws, rules, or regulations concerning
20 the importation of alcoholic liquor into that foreign
21 jurisdiction, the violation may be grounds for the State
22 Commission to revoke, suspend, or refuse to issue or renew a
23 license, to impose a fine, or to take any additional action
24 provided by this Act with respect to the Illinois retail
25 license or licensee. Any such action on the part of the State
26 Commission shall be in accordance with this Act and

1 implementing rules.

2 For the purposes of paragraph (2): (i) "foreign
3 jurisdiction" means a state, territory, or possession of the
4 United States, the District of Columbia, or the Commonwealth
5 of Puerto Rico, and (ii) "final order" means an order or
6 judgment of a court or administrative body that determines the
7 rights of the parties respecting the subject matter of the
8 proceeding, that remains in full force and effect, and from
9 which no appeal can be taken.

10 (c) Any person who shall make any false statement or
11 otherwise violates any of the provisions of this Act in
12 obtaining any license hereunder, or who having obtained a
13 license hereunder shall violate any of the provisions of this
14 Act with respect to the manufacture, possession, distribution
15 or sale of alcoholic liquor, or with respect to the
16 maintenance of the licensed premises, or shall violate any
17 other provision of this Act, shall for a first offense be
18 guilty of a petty offense and fined not more than \$500, and for
19 a second or subsequent offense shall be guilty of a Class B
20 misdemeanor.

21 (c-5) Any owner of an establishment that serves alcohol on
22 its premises, if more than 50% of the establishment's gross
23 receipts within the prior 3 months is from the sale of alcohol,
24 who knowingly fails to prohibit concealed firearms on its
25 premises or who knowingly makes a false statement or record to
26 avoid the prohibition of concealed firearms on its premises

1 under the Firearm Concealed Carry Act shall be guilty of a
2 business offense with a fine up to \$5,000.

3 (d) Each day any person engages in business as a
4 manufacturer, foreign importer, importing distributor,
5 distributor or retailer in violation of the provisions of this
6 Act shall constitute a separate offense.

7 (e) Any person, under the age of 18 21 years or between the
8 ages of 18 and 21 without a parent or guardian present who, for
9 the purpose of buying, accepting or receiving alcoholic liquor
10 from a licensee, represents that he is 21 years of age or over,
11 or between the ages of 18 and 21 and has a parent or guardian
12 present, shall be guilty of a Class A misdemeanor.

13 (f) In addition to the penalties herein provided, any
14 person licensed as a wine-maker in either class who
15 manufactures more wine than authorized by his license shall be
16 guilty of a business offense and shall be fined \$1 for each
17 gallon so manufactured.

18 (g) A person shall be exempt from prosecution for a
19 violation of this Act if he is a peace officer in the
20 enforcement of the criminal laws and such activity is approved
21 in writing by one of the following:

22 (1) In all counties, the respective State's Attorney;
23 (2) The Director of the Illinois State Police under
24 Section 2605-10, 2605-15, 2605-51, 2605-52, 2605-75,
25 2605-190, 2605-200, 2605-205, 2605-210, 2605-215,
26 2605-250, 2605-275, 2605-305, 2605-315, 2605-325,

1 2605-335, 2605-340, 2605-350, 2605-355, 2605-360,
2 2605-365, 2605-375, 2605-400, 2605-405, 2605-420,
3 2605-430, 2605-435, 2605-525, or 2605-550 of the Illinois
4 State Police Law; or

5 (3) In cities over 1,000,000, the Superintendent of
6 Police.

7 (Source: P.A. 101-37, eff. 7-3-19; 102-538, eff. 8-20-21.)

8 Section 15. The Innkeeper Protection Act is amended by
9 changing Sections 10 and 11 as follows:

10 (740 ILCS 90/10)

11 Sec. 10. Refusal of admission. A proprietor or manager of
12 a hotel may refuse to admit or refuse service or
13 accommodations to a person who:

14 (1) while on the premises of the hotel, destroys or
15 threatens to destroy hotel property or causes or threatens
16 to cause a public disturbance; or

17 (2) is seeking accommodations for the unlawful
18 possession or use of controlled substances or the use of
19 the premises for the consumption of alcoholic liquor by a
20 person under the age of 18 or between the ages of 18 and 21
21 without a parent or guardian present 21.

22 (Source: P.A. 103-147, eff. 8-29-23.)

23 (740 ILCS 90/11)

1 Sec. 11. Right to eject.

2 (a) A proprietor or manager of a hotel may remove or cause
3 to be removed from a hotel a guest or other person who:

4 (1) refuses to pay for accommodations or services;

5 (2) while on the premises of the hotel, destroys or
6 threatens to destroy hotel property, verbally or
7 physically threatens employees or guests, or causes or
8 threatens to cause a public disturbance;

9 (3) is using the premises for the unlawful possession
10 or use of controlled substances by the person or using the
11 premises for the consumption of alcoholic liquor by a
12 person under the age of 18 21 years of age or between the
13 ages of 18 and 21 without a parent or guardian present;

14 (4) violates any federal, State, or local laws,
15 ordinances, or rules relating to the hotel;

16 (5) violates a rule of the hotel that is clearly and
17 conspicuously posted at or near the front desk or posted
18 online where the guest can view it before making a
19 reservation at the hotel; or

20 (6) uses verbally abusive language toward the hotel's
21 employees or guests. As used in this Section, "verbally
22 abusive language" means any language that would reasonably
23 be found to be threatening or demeaning.

24 (b) If the guest has paid in advance, the proprietor or
25 manager of a hotel shall tender to the guest any unused portion
26 of the advance payment at the time of removal.

1 (c) Nothing in this Section shall be used as a pretext to
2 discriminate against a guest on the basis of characteristics
3 protected under local, State, or federal antidiscrimination
4 laws. This Section does not limit any rights or protections
5 that a guest or other person may have under local, State, or
6 federal antidiscrimination or civil rights laws.

7 (d) A proprietor or manager of a hotel shall not eject a
8 guest while the area the hotel is located in is under a severe
9 weather warning without first giving a verbal or written
10 warning to the guest that the guest may be ejected for the
11 guest's behavior. As used in this subsection, "severe weather
12 warning" means a tornado warning, severe thunderstorm warning,
13 flash flood warning, or winter storm warning issued by the
14 National Weather Service.

15 (e) Nothing in this Section shall be used as a pretext to
16 terminate a month-to-month, yearly, or any other term lease,
17 written or oral, of a permanent resident. A proprietor or
18 manager of a hotel shall not terminate the lease of a permanent
19 resident without first going through the appropriate legal
20 process required to lawfully terminate such lease. This
21 Section does not limit any rights or protections a permanent
22 resident may have under local, State, or federal landlord or
23 tenant laws or fair housing laws.

24 (Source: P.A. 103-147, eff. 8-29-23.)