



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1078

Introduced 1/9/2025, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

5 ILCS 140/7.5
235 ILCS 5/1-3.47 new
235 ILCS 5/3-12
235 ILCS 5/5-1 from Ch. 43, par. 115
235 ILCS 5/5-8 new
235 ILCS 5/6-29 from Ch. 43, par. 144e
235 ILCS 5/7-3.5 new
235 ILCS 5/7-15 new

Amends the Liquor Control Act of 1934. Provides that the amendatory Act may be referred to as the Uniform Alcohol Direct-Shipping Compliance Act. Provides for the registration of third-party providers that ship wine to residents of this State on behalf of winery shippers. With regard to third-party providers, sets forth provisions concerning registration applications; recordkeeping; reporting; and suspending, revoking, or refusing to issue or renew a registration. Provides that a carrier may not deliver to a consumer a package known by the carrier to contain wine unless the consignor is a licensed winery shipper or registered third-party provider and the carrier has verified that license or registration for the current license period. Requires winery shippers, third-party providers, and carriers to file with the Illinois Liquor Control Commission a monthly report containing specified information concerning wine shipments. Provides that the State Commission may suspend, revoke, or refuse to issue or renew a license to manufacture, distribute, or sell alcoholic liquor issued by the State Commission if the State Commission finds, after notice and an opportunity for an evidentiary hearing, that the person holding the license has shipped alcoholic liquor into another state in violation of that state's law. Makes other changes. Amends the Freedom of Information Act to make a conforming change. Effective January 1, 2027.

LRB104 03134 RPS 13155 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 1. This Act may be referred to as the Uniform
5 Alcohol Direct-Shipping Compliance Act.

6 Section 5. The Freedom of Information Act is amended by
7 changing Section 7.5 as follows:

8 (5 ILCS 140/7.5)

9 (Text of Section before amendment by P.A. 103-724)

10 Sec. 7.5. Statutory exemptions. To the extent provided for
11 by the statutes referenced below, the following shall be
12 exempt from inspection and copying:

13 (a) All information determined to be confidential
14 under Section 4002 of the Technology Advancement and
15 Development Act.

16 (b) Library circulation and order records identifying
17 library users with specific materials under the Library
18 Records Confidentiality Act.

19 (c) Applications, related documents, and medical
20 records received by the Experimental Organ Transplantation
21 Procedures Board and any and all documents or other
22 records prepared by the Experimental Organ Transplantation

1 Procedures Board or its staff relating to applications it
2 has received.

3 (d) Information and records held by the Department of
4 Public Health and its authorized representatives relating
5 to known or suspected cases of sexually transmitted
6 infection or any information the disclosure of which is
7 restricted under the Illinois Sexually Transmitted
8 Infection Control Act.

9 (e) Information the disclosure of which is exempted
10 under Section 30 of the Radon Industry Licensing Act.

11 (f) Firm performance evaluations under Section 55 of
12 the Architectural, Engineering, and Land Surveying
13 Qualifications Based Selection Act.

14 (g) Information the disclosure of which is restricted
15 and exempted under Section 50 of the Illinois Prepaid
16 Tuition Act.

17 (h) Information the disclosure of which is exempted
18 under the State Officials and Employees Ethics Act, and
19 records of any lawfully created State or local inspector
20 general's office that would be exempt if created or
21 obtained by an Executive Inspector General's office under
22 that Act.

23 (i) Information contained in a local emergency energy
24 plan submitted to a municipality in accordance with a
25 local emergency energy plan ordinance that is adopted
26 under Section 11-21.5-5 of the Illinois Municipal Code.

1 (j) Information and data concerning the distribution
2 of surcharge moneys collected and remitted by carriers
3 under the Emergency Telephone System Act.

4 (k) Law enforcement officer identification information
5 or driver identification information compiled by a law
6 enforcement agency or the Department of Transportation
7 under Section 11-212 of the Illinois Vehicle Code.

8 (l) Records and information provided to a residential
9 health care facility resident sexual assault and death
10 review team or the Executive Council under the Abuse
11 Prevention Review Team Act.

12 (m) Information provided to the predatory lending
13 database created pursuant to Article 3 of the Residential
14 Real Property Disclosure Act, except to the extent
15 authorized under that Article.

16 (n) Defense budgets and petitions for certification of
17 compensation and expenses for court appointed trial
18 counsel as provided under Sections 10 and 15 of the
19 Capital Crimes Litigation Act (repealed). This subsection
20 (n) shall apply until the conclusion of the trial of the
21 case, even if the prosecution chooses not to pursue the
22 death penalty prior to trial or sentencing.

23 (o) Information that is prohibited from being
24 disclosed under Section 4 of the Illinois Health and
25 Hazardous Substances Registry Act.

26 (p) Security portions of system safety program plans,

1 investigation reports, surveys, schedules, lists, data, or
2 information compiled, collected, or prepared by or for the
3 Department of Transportation under Sections 2705-300 and
4 2705-616 of the Department of Transportation Law of the
5 Civil Administrative Code of Illinois, the Regional
6 Transportation Authority under Section 2.11 of the
7 Regional Transportation Authority Act, or the St. Clair
8 County Transit District under the Bi-State Transit Safety
9 Act (repealed).

10 (q) Information prohibited from being disclosed by the
11 Personnel Record Review Act.

12 (r) Information prohibited from being disclosed by the
13 Illinois School Student Records Act.

14 (s) Information the disclosure of which is restricted
15 under Section 5-108 of the Public Utilities Act.

16 (t) (Blank).

17 (u) Records and information provided to an independent
18 team of experts under the Developmental Disability and
19 Mental Health Safety Act (also known as Brian's Law).

20 (v) Names and information of people who have applied
21 for or received Firearm Owner's Identification Cards under
22 the Firearm Owners Identification Card Act or applied for
23 or received a concealed carry license under the Firearm
24 Concealed Carry Act, unless otherwise authorized by the
25 Firearm Concealed Carry Act; and databases under the
26 Firearm Concealed Carry Act, records of the Concealed

1 Carry Licensing Review Board under the Firearm Concealed
2 Carry Act, and law enforcement agency objections under the
3 Firearm Concealed Carry Act.

4 (v-5) Records of the Firearm Owner's Identification
5 Card Review Board that are exempted from disclosure under
6 Section 10 of the Firearm Owners Identification Card Act.

7 (w) Personally identifiable information which is
8 exempted from disclosure under subsection (g) of Section
9 19.1 of the Toll Highway Act.

10 (x) Information which is exempted from disclosure
11 under Section 5-1014.3 of the Counties Code or Section
12 8-11-21 of the Illinois Municipal Code.

13 (y) Confidential information under the Adult
14 Protective Services Act and its predecessor enabling
15 statute, the Elder Abuse and Neglect Act, including
16 information about the identity and administrative finding
17 against any caregiver of a verified and substantiated
18 decision of abuse, neglect, or financial exploitation of
19 an eligible adult maintained in the Registry established
20 under Section 7.5 of the Adult Protective Services Act.

21 (z) Records and information provided to a fatality
22 review team or the Illinois Fatality Review Team Advisory
23 Council under Section 15 of the Adult Protective Services
24 Act.

25 (aa) Information which is exempted from disclosure
26 under Section 2.37 of the Wildlife Code.

1 (bb) Information which is or was prohibited from
2 disclosure by the Juvenile Court Act of 1987.

3 (cc) Recordings made under the Law Enforcement
4 Officer-Worn Body Camera Act, except to the extent
5 authorized under that Act.

6 (dd) Information that is prohibited from being
7 disclosed under Section 45 of the Condominium and Common
8 Interest Community Ombudsperson Act.

9 (ee) Information that is exempted from disclosure
10 under Section 30.1 of the Pharmacy Practice Act.

11 (ff) Information that is exempted from disclosure
12 under the Revised Uniform Unclaimed Property Act.

13 (gg) Information that is prohibited from being
14 disclosed under Section 7-603.5 of the Illinois Vehicle
15 Code.

16 (hh) Records that are exempt from disclosure under
17 Section 1A-16.7 of the Election Code.

18 (ii) Information which is exempted from disclosure
19 under Section 2505-800 of the Department of Revenue Law of
20 the Civil Administrative Code of Illinois.

21 (jj) Information and reports that are required to be
22 submitted to the Department of Labor by registering day
23 and temporary labor service agencies but are exempt from
24 disclosure under subsection (a-1) of Section 45 of the Day
25 and Temporary Labor Services Act.

26 (kk) Information prohibited from disclosure under the

1 Seizure and Forfeiture Reporting Act.

2 (ll) Information the disclosure of which is restricted
3 and exempted under Section 5-30.8 of the Illinois Public
4 Aid Code.

5 (mm) Records that are exempt from disclosure under
6 Section 4.2 of the Crime Victims Compensation Act.

7 (nn) Information that is exempt from disclosure under
8 Section 70 of the Higher Education Student Assistance Act.

9 (oo) Communications, notes, records, and reports
10 arising out of a peer support counseling session
11 prohibited from disclosure under the First Responders
12 Suicide Prevention Act.

13 (pp) Names and all identifying information relating to
14 an employee of an emergency services provider or law
15 enforcement agency under the First Responders Suicide
16 Prevention Act.

17 (qq) Information and records held by the Department of
18 Public Health and its authorized representatives collected
19 under the Reproductive Health Act.

20 (rr) Information that is exempt from disclosure under
21 the Cannabis Regulation and Tax Act.

22 (ss) Data reported by an employer to the Department of
23 Human Rights pursuant to Section 2-108 of the Illinois
24 Human Rights Act.

25 (tt) Recordings made under the Children's Advocacy
26 Center Act, except to the extent authorized under that

1 Act.

2 (uu) Information that is exempt from disclosure under
3 Section 50 of the Sexual Assault Evidence Submission Act.

4 (vv) Information that is exempt from disclosure under
5 subsections (f) and (j) of Section 5-36 of the Illinois
6 Public Aid Code.

7 (ww) Information that is exempt from disclosure under
8 Section 16.8 of the State Treasurer Act.

9 (xx) Information that is exempt from disclosure or
10 information that shall not be made public under the
11 Illinois Insurance Code.

12 (yy) Information prohibited from being disclosed under
13 the Illinois Educational Labor Relations Act.

14 (zz) Information prohibited from being disclosed under
15 the Illinois Public Labor Relations Act.

16 (aaa) Information prohibited from being disclosed
17 under Section 1-167 of the Illinois Pension Code.

18 (bbb) Information that is prohibited from disclosure
19 by the Illinois Police Training Act and the Illinois State
20 Police Act.

21 (ccc) Records exempt from disclosure under Section
22 2605-304 of the Illinois State Police Law of the Civil
23 Administrative Code of Illinois.

24 (ddd) Information prohibited from being disclosed
25 under Section 35 of the Address Confidentiality for
26 Victims of Domestic Violence, Sexual Assault, Human

1 Trafficking, or Stalking Act.

2 (eee) Information prohibited from being disclosed
3 under subsection (b) of Section 75 of the Domestic
4 Violence Fatality Review Act.

5 (fff) Images from cameras under the Expressway Camera
6 Act. This subsection (fff) is inoperative on and after
7 July 1, 2025.

8 (ggg) Information prohibited from disclosure under
9 paragraph (3) of subsection (a) of Section 14 of the Nurse
10 Agency Licensing Act.

11 (hhh) Information submitted to the Illinois State
12 Police in an affidavit or application for an assault
13 weapon endorsement, assault weapon attachment endorsement,
14 .50 caliber rifle endorsement, or .50 caliber cartridge
15 endorsement under the Firearm Owners Identification Card
16 Act.

17 (iii) Data exempt from disclosure under Section 50 of
18 the School Safety Drill Act.

19 (jjj) Information exempt from disclosure under Section
20 30 of the Insurance Data Security Law.

21 (kkk) Confidential business information prohibited
22 from disclosure under Section 45 of the Paint Stewardship
23 Act.

24 (lll) Data exempt from disclosure under Section
25 2-3.196 of the School Code.

26 (mmm) Information prohibited from being disclosed

1 under subsection (e) of Section 1-129 of the Illinois
2 Power Agency Act.

3 (nnn) Materials received by the Department of Commerce
4 and Economic Opportunity that are confidential under the
5 Music and Musicians Tax Credit and Jobs Act.

6 (ooo) ~~(nnn)~~ Data or information provided pursuant to
7 Section 20 of the Statewide Recycling Needs and Assessment
8 Act.

9 (ppp) ~~(nnn)~~ Information that is exempt from disclosure
10 under Section 28-11 of the Lawful Health Care Activity
11 Act.

12 (qqq) ~~(nnn)~~ Information that is exempt from disclosure
13 under Section 7-101 of the Illinois Human Rights Act.

14 (rrr) ~~(nnn)~~ Information prohibited from being
15 disclosed under Section 4-2 of the Uniform Money
16 Transmission Modernization Act.

17 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;
18 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.
19 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;
20 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.
21 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,
22 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;
23 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff.
24 7-1-24; 103-636, eff. 7-1-24; 103-786, eff. 8-7-24; 103-859,
25 eff. 8-9-24; 103-991, eff. 8-9-24; 103-1049, eff. 8-9-24;
26 revised 10-10-24.)

1 (Text of Section after amendment by P.A. 103-724)

2 Sec. 7.5. Statutory exemptions. To the extent provided for
3 by the statutes referenced below, the following shall be
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21 enforcement agency or the Department of Transportation
22 under Section 11-212 of the Illinois Vehicle Code.

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24 health care facility resident sexual assault and death
25 review team or the Executive Council under the Abuse
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7 counsel as provided under Sections 10 and 15 of the
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10 case, even if the prosecution chooses not to pursue the
11 death penalty prior to trial or sentencing.

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19 2705-616 of the Department of Transportation Law of the
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7 team of experts under the Developmental Disability and
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14 Firearm Concealed Carry Act; and databases under the
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16 Carry Licensing Review Board under the Firearm Concealed
17 Carry Act, and law enforcement agency objections under the
18 Firearm Concealed Carry Act.

19 (v-5) Records of the Firearm Owner's Identification
20 Card Review Board that are exempted from disclosure under
21 Section 10 of the Firearm Owners Identification Card Act.

22 (w) Personally identifiable information which is
23 exempted from disclosure under subsection (g) of Section
24 19.1 of the Toll Highway Act.

25 (x) Information which is exempted from disclosure
26 under Section 5-1014.3 of the Counties Code or Section

1 8-11-21 of the Illinois Municipal Code.

2 (y) Confidential information under the Adult
3 Protective Services Act and its predecessor enabling
4 statute, the Elder Abuse and Neglect Act, including
5 information about the identity and administrative finding
6 against any caregiver of a verified and substantiated
7 decision of abuse, neglect, or financial exploitation of
8 an eligible adult maintained in the Registry established
9 under Section 7.5 of the Adult Protective Services Act.

10 (z) Records and information provided to a fatality
11 review team or the Illinois Fatality Review Team Advisory
12 Council under Section 15 of the Adult Protective Services
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26 (ff) Information that is exempted from disclosure

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6 Section 1A-16.7 of the Election Code.

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9 the Civil Administrative Code of Illinois.

10 (jj) Information and reports that are required to be
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13 disclosure under subsection (a-1) of Section 45 of the Day
14 and Temporary Labor Services Act.

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18 and exempted under Section 5-30.8 of the Illinois Public
19 Aid Code.

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21 Section 4.2 of the Crime Victims Compensation Act.

22 (nn) Information that is exempt from disclosure under
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24 (oo) Communications, notes, records, and reports
25 arising out of a peer support counseling session
26 prohibited from disclosure under the First Responders

1 Suicide Prevention Act.

2 (pp) Names and all identifying information relating to
3 an employee of an emergency services provider or law
4 enforcement agency under the First Responders Suicide
5 Prevention Act.

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7 Public Health and its authorized representatives collected
8 under the Reproductive Health Act.

9 (rr) Information that is exempt from disclosure under
10 the Cannabis Regulation and Tax Act.

11 (ss) Data reported by an employer to the Department of
12 Human Rights pursuant to Section 2-108 of the Illinois
13 Human Rights Act.

14 (tt) Recordings made under the Children's Advocacy
15 Center Act, except to the extent authorized under that
16 Act.

17 (uu) Information that is exempt from disclosure under
18 Section 50 of the Sexual Assault Evidence Submission Act.

19 (vv) Information that is exempt from disclosure under
20 subsections (f) and (j) of Section 5-36 of the Illinois
21 Public Aid Code.

22 (ww) Information that is exempt from disclosure under
23 Section 16.8 of the State Treasurer Act.

24 (xx) Information that is exempt from disclosure or
25 information that shall not be made public under the
26 Illinois Insurance Code.

1 (yy) Information prohibited from being disclosed under
2 the Illinois Educational Labor Relations Act.

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4 the Illinois Public Labor Relations Act.

5 (aaa) Information prohibited from being disclosed
6 under Section 1-167 of the Illinois Pension Code.

7 (bbb) Information that is prohibited from disclosure
8 by the Illinois Police Training Act and the Illinois State
9 Police Act.

10 (ccc) Records exempt from disclosure under Section
11 2605-304 of the Illinois State Police Law of the Civil
12 Administrative Code of Illinois.

13 (ddd) Information prohibited from being disclosed
14 under Section 35 of the Address Confidentiality for
15 Victims of Domestic Violence, Sexual Assault, Human
16 Trafficking, or Stalking Act.

17 (eee) Information prohibited from being disclosed
18 under subsection (b) of Section 75 of the Domestic
19 Violence Fatality Review Act.

20 (fff) Images from cameras under the Expressway Camera
21 Act. This subsection (fff) is inoperative on and after
22 July 1, 2025.

23 (ggg) Information prohibited from disclosure under
24 paragraph (3) of subsection (a) of Section 14 of the Nurse
25 Agency Licensing Act.

26 (hhh) Information submitted to the Illinois State

1 Police in an affidavit or application for an assault
2 weapon endorsement, assault weapon attachment endorsement,
3 .50 caliber rifle endorsement, or .50 caliber cartridge
4 endorsement under the Firearm Owners Identification Card
5 Act.

6 (iii) Data exempt from disclosure under Section 50 of
7 the School Safety Drill Act.

8 (jjj) Information exempt from disclosure under Section
9 30 of the Insurance Data Security Law.

10 (kkk) Confidential business information prohibited
11 from disclosure under Section 45 of the Paint Stewardship
12 Act.

13 (lll) Data exempt from disclosure under Section
14 2-3.196 of the School Code.

15 (mmm) Information prohibited from being disclosed
16 under subsection (e) of Section 1-129 of the Illinois
17 Power Agency Act.

18 (nnn) Materials received by the Department of Commerce
19 and Economic Opportunity that are confidential under the
20 Music and Musicians Tax Credit and Jobs Act.

21 (ooo) ~~(nnn)~~ Data or information provided pursuant to
22 Section 20 of the Statewide Recycling Needs and Assessment
23 Act.

24 (ppp) ~~(nnn)~~ Information that is exempt from disclosure
25 under Section 28-11 of the Lawful Health Care Activity
26 Act.

1 (ggg) ~~(nnn)~~ Information that is exempt from disclosure
2 under Section 7-101 of the Illinois Human Rights Act.

3 (rrr) ~~(mmm)~~ Information prohibited from being
4 disclosed under Section 4-2 of the Uniform Money
5 Transmission Modernization Act.

6 (sss) ~~(nnn)~~ Information exempt from disclosure under
7 Section 40 of the Student-Athlete Endorsement Rights Act.

8 (ttt) Information prohibited from being disclosed
9 under Section 6-29 of the Liquor Control Act of 1934.

10 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;
11 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.
12 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;
13 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.
14 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,
15 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;
16 103-580, eff. 12-8-23; 103-592, eff. 6-7-24; 103-605, eff.
17 7-1-24; 103-636, eff. 7-1-24; 103-724, eff. 1-1-25; 103-786,
18 eff. 8-7-24; 103-859, eff. 8-9-24; 103-991, eff. 8-9-24;
19 103-1049, eff. 8-9-24; revised 10-10-24.)

20 Section 10. The Liquor Control Act of 1934 is amended by
21 changing Sections 3-12, 5-1, and 6-29 and by adding Sections
22 1-3.47, 5-8, 7-3.5, and 7-15 as follows:

23 (235 ILCS 5/1-3.47 new)

24 Sec. 1-3.47. Third-party provider. "Third-party provider"

1 means any entity that provides fulfillment house services,
2 including warehousing, packaging, distribution, order
3 processing, or shipment of wine, but not the sale of wine, on
4 behalf of a winery shipper.

5 (235 ILCS 5/3-12)

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

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

9 (1) To receive applications, to register third-party
10 providers, and to issue licenses to manufacturers, foreign
11 importers, importing distributors, distributors,
12 non-resident dealers, on premise consumption retailers,
13 off premise sale retailers, special event retailer
14 licensees, special use permit licenses, auction liquor
15 licenses, brew pubs, caterer retailers, non-beverage
16 users, railroads, including owners and lessees of
17 sleeping, dining and cafe cars, airplanes, boats, brokers,
18 and wine maker's premises licensees in accordance with the
19 provisions of this Act, and to suspend or revoke such
20 licenses and registrations upon the State Commission's
21 determination, upon notice after hearing, that a licensee
22 or registrant has violated any provision of this Act or
23 any rule or regulation issued pursuant thereto and in
24 effect for 30 days prior to such violation. Except in the
25 case of an action taken pursuant to a violation of Section

1 6-3, 6-5, or 6-9, any action by the State Commission to
2 suspend or revoke a licensee's license or a registrant's
3 registration may be limited to the license or registration
4 for the specific premises where the violation occurred. An
5 action for a violation of this Act shall be commenced by
6 the State Commission within 2 years after the date the
7 State Commission becomes aware of the violation.

8 In lieu of suspending or revoking a license or
9 registration, the commission may impose a fine, upon the
10 State Commission's determination and notice after hearing,
11 that a licensee or registrant has violated any provision
12 of this Act or any rule or regulation issued pursuant
13 thereto and in effect for 30 days prior to such violation.

14 For the purpose of this paragraph (1), when
15 determining multiple violations for the sale of alcohol to
16 a person under the age of 21, a second or subsequent
17 violation for the sale of alcohol to a person under the age
18 of 21 shall only be considered if it was committed within 5
19 years after the date when a prior violation for the sale of
20 alcohol to a person under the age of 21 was committed.

21 The fine imposed under this paragraph may not exceed
22 \$500 for each violation. Each day that the activity, which
23 gave rise to the original fine, continues is a separate
24 violation. The maximum fine that may be levied against any
25 licensee or registrant, for the period of the license or
26 registration, shall not exceed \$20,000. The maximum

1 penalty that may be imposed on a licensee for selling a
2 bottle of alcoholic liquor with a foreign object in it or
3 serving from a bottle of alcoholic liquor with a foreign
4 object in it shall be the destruction of that bottle of
5 alcoholic liquor for the first 10 bottles so sold or
6 served from by the licensee. For the eleventh bottle of
7 alcoholic liquor and for each third bottle thereafter sold
8 or served from by the licensee with a foreign object in it,
9 the maximum penalty that may be imposed on the licensee is
10 the destruction of the bottle of alcoholic liquor and a
11 fine of up to \$50.

12 Any notice issued by the State Commission to a
13 licensee or registrant for a violation of this Act or any
14 notice with respect to settlement or offer in compromise
15 shall include the field report, photographs, and any other
16 supporting documentation necessary to reasonably inform
17 the licensee of the nature and extent of the violation or
18 the conduct alleged to have occurred. The failure to
19 include such required documentation shall result in the
20 dismissal of the action.

21 (2) To adopt such rules and regulations consistent
22 with the provisions of this Act which shall be necessary
23 to carry on its functions and duties to the end that the
24 health, safety and welfare of the People of the State of
25 Illinois shall be protected and temperance in the
26 consumption of alcoholic liquors shall be fostered and

1 promoted and to distribute copies of such rules and
2 regulations to all licensees affected thereby.

3 (3) To call upon other administrative departments of
4 the State, county and municipal governments, county and
5 city police departments and upon prosecuting officers for
6 such information and assistance as it deems necessary in
7 the performance of its duties.

8 (4) To recommend to local commissioners rules and
9 regulations, not inconsistent with the law, for the
10 distribution and sale of alcoholic liquors throughout the
11 State.

12 (5) To inspect, or cause to be inspected, any premises
13 in this State where alcoholic liquors are manufactured,
14 distributed, warehoused, or sold. Nothing in this Act
15 authorizes an agent of the State Commission to inspect
16 private areas within the premises without reasonable
17 suspicion or a warrant during an inspection. "Private
18 areas" include, but are not limited to, safes, personal
19 property, and closed desks.

20 (5.1) Upon receipt of a complaint or upon having
21 knowledge that any person is engaged in business as a
22 manufacturer, importing distributor, distributor, or
23 retailer without a license or valid license or as a
24 third-party provider without registering with the State
25 Commission, to conduct an investigation. If, after
26 conducting an investigation, the State Commission is

1 satisfied that the alleged conduct occurred or is
2 occurring, it may issue a cease and desist notice as
3 provided in this Act, impose civil penalties as provided
4 in this Act, notify the local liquor authority, or file a
5 complaint with the State's Attorney's Office of the county
6 where the incident occurred or the Attorney General.

7 (5.2) Upon receipt of a complaint or upon having
8 knowledge that any person is shipping alcoholic liquor
9 into this State from a point outside of this State if the
10 shipment is in violation of this Act, 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 foreign jurisdiction, or
16 file a complaint with the State's Attorney's Office of the
17 county where the incident occurred or the Attorney
18 General.

19 (5.3) To receive complaints from licensees,
20 registrants, local officials, law enforcement agencies,
21 organizations, and persons stating that any licensee or
22 registrant has been or is violating any provision of this
23 Act or the rules and regulations issued pursuant to this
24 Act. Such complaints shall be in writing, signed and sworn
25 to by the person making the complaint, and shall state
26 with specificity the facts in relation to the alleged

1 violation. If the State Commission has reasonable grounds
2 to believe that the complaint substantially alleges a
3 violation of this Act or rules and regulations adopted
4 pursuant to this Act, it shall conduct an investigation.
5 If, after conducting an investigation, the State
6 Commission is satisfied that the alleged violation did
7 occur, it shall proceed with disciplinary action against
8 the licensee or registrant as provided in this Act.

9 (5.4) To make arrests and issue notices of civil
10 violations where necessary for the enforcement of this
11 Act.

12 (5.5) To investigate any and all unlicensed or
13 unregistered activity.

14 (5.6) To impose civil penalties or fines to any person
15 who, without holding a valid license or registration,
16 engages in conduct that requires a license or registration
17 pursuant to this Act, in an amount not to exceed \$20,000
18 for each offense as determined by the State Commission. A
19 civil penalty shall be assessed by the State Commission
20 after a hearing is held in accordance with the provisions
21 set forth in this Act regarding the provision of a hearing
22 for the revocation or suspension of a license or
23 registration.

24 (6) To hear and determine appeals from orders of a
25 local commission in accordance with the provisions of this
26 Act, as hereinafter set forth. Hearings under this

1 subsection shall be held in Springfield or Chicago, at
2 whichever location is the more convenient for the majority
3 of persons who are parties to the hearing.

4 (7) The State Commission shall establish uniform
5 systems of accounts to be kept by all retail licensees
6 having more than 4 employees, and for this purpose the
7 State Commission may classify all retail licensees having
8 more than 4 employees and establish a uniform system of
9 accounts for each class and prescribe the manner in which
10 such accounts shall be kept. The State Commission may also
11 prescribe the forms of accounts to be kept by all retail
12 licensees having more than 4 employees, including, but not
13 limited to, accounts of earnings and expenses and any
14 distribution, payment, or other distribution of earnings
15 or assets, and any other forms, records, and memoranda
16 which in the judgment of the commission may be necessary
17 or appropriate to carry out any of the provisions of this
18 Act, including, but not limited to, such forms, records,
19 and memoranda as will readily and accurately disclose at
20 all times the beneficial ownership of such retail licensed
21 business. The accounts, forms, records, and memoranda
22 shall be available at all reasonable times for inspection
23 by authorized representatives of the State Commission or
24 by any local liquor control commissioner or his or her
25 authorized representative. The commission may, from time
26 to time, alter, amend, or repeal, in whole or in part, any

1 uniform system of accounts, or the form and manner of
2 keeping accounts.

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

18 Any circuit court may, by order duly entered, require
19 the attendance of witnesses and the production of relevant
20 books subpoenaed by the State Commission and the court may
21 compel obedience to its order by proceedings for contempt.

22 (9) To investigate the administration of laws in
23 relation to alcoholic liquors in this and other states and
24 any foreign countries, and to recommend from time to time
25 to the Governor and through him or her to the legislature
26 of this State, such amendments to this Act, if any, as it

1 may think desirable and as will serve to further the
2 general broad purposes contained in Section 1-2 hereof.

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

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

12 (11.1) To license persons providing education and
13 training to alcohol beverage sellers and servers for
14 mandatory and non-mandatory training under the Beverage
15 Alcohol Sellers and Servers Education and Training
16 (BASSET) programs and to develop and administer a public
17 awareness program in Illinois to reduce or eliminate the
18 illegal purchase and consumption of alcoholic beverage
19 products by persons under the age of 21. Application for a
20 license shall be made on forms provided by the State
21 Commission.

22 (12) To develop and maintain a repository of license
23 and regulatory information.

24 (13) (Blank).

25 (14) On or before April 30, 2008 and every 2 years
26 thereafter, the State Commission shall present a written

1 report to the Governor and the General Assembly that shall
2 be based on a study of the impact of Public Act 95-634 on
3 the business of soliciting, selling, and shipping wine
4 from inside and outside of this State directly to
5 residents of this State. As part of its report, the State
6 Commission shall provide all of the following information:

7 (A) The amount of State excise and sales tax
8 revenues generated.

9 (B) The amount of licensing fees received.

10 (C) The number of cases of wine shipped from
11 inside and outside of this State directly to residents
12 of this State.

13 (D) The number of alcohol compliance operations
14 conducted.

15 (E) The number of winery shipper's licenses
16 issued.

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

26 (15) As a means to reduce the underage consumption of

1 alcoholic liquors, the State Commission shall conduct
2 alcohol compliance operations to investigate whether
3 businesses that are soliciting, selling, and shipping wine
4 from inside or outside of this State directly to residents
5 of this State are licensed by this State or are selling or
6 attempting to sell wine to persons under 21 years of age in
7 violation of this Act.

8 (16) The State Commission shall, in addition to
9 notifying any appropriate law enforcement agency, submit
10 notices of complaints or violations of Sections 6-29 and
11 6-29.1 by persons who do not hold a winery shipper's
12 license under this Act to the Illinois Attorney General
13 and to the U.S. Department of Treasury's Alcohol and
14 Tobacco Tax and Trade Bureau.

15 (17) (A) A person licensed to make wine under the laws
16 of another state who has a winery shipper's license under
17 this Act and annually produces less than 25,000 gallons of
18 wine or a person who has a first-class or second-class
19 wine manufacturer's license, a first-class or second-class
20 wine-maker's license, or a limited wine manufacturer's
21 license under this Act and annually produces less than
22 25,000 gallons of wine may make application to the
23 Commission for a self-distribution exemption to allow the
24 sale of not more than 5,000 gallons of the exemption
25 holder's wine to retail licensees per year and to sell
26 cider, mead, or both cider and mead to brewers, class 1

1 brewers, class 2 brewers, and class 3 brewers that,
2 pursuant to subsection (e) of Section 6-4 of this Act,
3 sell beer, cider, mead, or any combination thereof to
4 non-licensees at their breweries.

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

14 (C) The State Commission shall approve the application
15 for a self-distribution exemption if such person: (1) is
16 in compliance with State revenue and liquor laws; (2) is
17 not a member of any affiliated group that produces
18 directly or indirectly more than 25,000 gallons of wine
19 per annum, 930,000 gallons of beer per annum, or 50,000
20 gallons of spirits per annum; (3) will not annually
21 produce for sale more than 25,000 gallons of wine, 930,000
22 gallons of beer, or 50,000 gallons of spirits; and (4)
23 will not annually sell more than 5,000 gallons of its wine
24 to retail licensees.

25 (D) A self-distribution exemption holder shall
26 annually certify to the State Commission its production of

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

13 (E) Except in hearings for violations of this Act or
14 Public Act 95-634 or a bona fide investigation by duly
15 sworn law enforcement officials, the State Commission, or
16 its agents, the State Commission shall maintain the
17 production and sales information of a self-distribution
18 exemption holder as confidential and shall not release
19 such information to any person.

20 (F) The State Commission shall issue regulations
21 governing self-distribution exemptions consistent with
22 this Section and this Act.

23 (G) Nothing in this paragraph (17) shall prohibit a
24 self-distribution exemption holder from entering into or
25 simultaneously having a distribution agreement with a
26 licensed Illinois distributor.

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

13 (18)(A) A class 1 brewer licensee, who must also be
14 either a licensed brewer or licensed non-resident dealer
15 and annually manufacture less than 930,000 gallons of
16 beer, may make application to the State Commission for a
17 self-distribution exemption to allow the sale of not more
18 than 232,500 gallons per year of the exemption holder's
19 beer to retail licensees and to brewers, class 1 brewers,
20 and class 2 brewers that, pursuant to subsection (e) of
21 Section 6-4 of this Act, sell beer, cider, mead, or any
22 combination thereof to non-licensees at their breweries.

23 (B) In the application, which shall be sworn under
24 penalty of perjury, the class 1 brewer licensee shall
25 state (1) the date it was established; (2) its volume of
26 beer manufactured and sold for each year since its

1 establishment; (3) its efforts to establish distributor
2 relationships; (4) that a self-distribution exemption is
3 necessary to facilitate the marketing of its beer; and (5)
4 that it will comply with the alcoholic beverage and
5 revenue laws of the United States, this State, and any
6 other state where it is licensed.

7 (C) Any application submitted shall be posted on the
8 State Commission's website at least 45 days prior to
9 action by the State Commission. The State Commission shall
10 approve the application for a self-distribution exemption
11 if the class 1 brewer licensee: (1) is in compliance with
12 the State, revenue, and alcoholic beverage laws; (2) is
13 not a member of any affiliated group that manufactures,
14 directly or indirectly, more than 930,000 gallons of beer
15 per annum, 25,000 gallons of wine per annum, or 50,000
16 gallons of spirits per annum; (3) shall not annually
17 manufacture for sale more than 930,000 gallons of beer,
18 25,000 gallons of wine, or 50,000 gallons of spirits; (4)
19 shall not annually sell more than 232,500 gallons of its
20 beer to retail licensees and class 3 brewers and to
21 brewers, class 1 brewers, and class 2 brewers that,
22 pursuant to subsection (e) of Section 6-4 of this Act,
23 sell beer, cider, mead, or any combination thereof to
24 non-licensees at their breweries; and (5) has relinquished
25 any brew pub license held by the licensee, including any
26 ownership interest it held in the licensed brew pub.

1 (D) A self-distribution exemption holder shall
2 annually certify to the State Commission its manufacture
3 of beer during the previous 12 months and its anticipated
4 manufacture and sales of beer for the next 12 months. The
5 State Commission may fine, suspend, or revoke a
6 self-distribution exemption after a hearing if it finds
7 that the exemption holder has made a material
8 misrepresentation in its application, violated a revenue
9 or alcoholic beverage law of Illinois, exceeded the
10 manufacture of 930,000 gallons of beer, 25,000 gallons of
11 wine, or 50,000 gallons of spirits in any calendar year or
12 became part of an affiliated group manufacturing more than
13 930,000 gallons of beer, 25,000 gallons of wine, or 50,000
14 gallons of spirits.

15 (E) The State Commission shall issue rules and
16 regulations governing self-distribution exemptions
17 consistent with this Act.

18 (F) Nothing in this paragraph (18) shall prohibit a
19 self-distribution exemption holder from entering into or
20 simultaneously having a distribution agreement with a
21 licensed Illinois importing distributor or a distributor.
22 If a self-distribution exemption holder enters into a
23 distribution agreement and has assigned distribution
24 rights to an importing distributor or distributor, then
25 the self-distribution exemption holder's distribution
26 rights in the assigned territories shall cease in a

1 reasonable time not to exceed 60 days.

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

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

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

1 (C) Any application submitted shall be posted on the
2 State Commission's website at least 45 days prior to
3 action by the State Commission. The State Commission shall
4 approve the application for a self-distribution exemption
5 if the applicant: (1) is in compliance with State revenue
6 and alcoholic beverage laws; (2) is not a member of any
7 affiliated group that produces more than 50,000 gallons of
8 spirits per annum, 930,000 gallons of beer per annum, or
9 25,000 gallons of wine per annum; (3) does not annually
10 manufacture for sale more than 50,000 gallons of spirits,
11 930,000 gallons of beer, or 25,000 gallons of wine; and
12 (4) does not annually sell more than 5,000 gallons of its
13 spirits to retail licensees.

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

1 or 25,000 gallons of wine.

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

4 (F) Nothing in this paragraph (19) shall prohibit a
5 self-distribution exemption holder from entering into or
6 simultaneously having a distribution agreement with a
7 licensed Illinois importing distributor or a distributor.

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

16 (20) (A) A class 3 brewer licensee who must manufacture
17 less than 465,000 gallons of beer in the aggregate and not
18 more than 155,000 gallons at any single brewery premises
19 may make application to the State Commission for a
20 self-distribution exemption to allow the sale of not more
21 than 6,200 gallons of beer from each in-state or
22 out-of-state class 3 brewery premises, which shall not
23 exceed 18,600 gallons annually in the aggregate, that is
24 manufactured at a wholly owned class 3 brewer's in-state
25 or out-of-state licensed premises to retail licensees and
26 class 3 brewers and to brewers, class 1 brewers, class 2

1 brewers that, pursuant to subsection (e) of Section 6-4,
2 sell beer, cider, or both beer and cider to non-licensees
3 at their licensed breweries.

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

7 (1) the date it was established;

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

10 (3) its efforts to establish distributor
11 relationships;

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

14 (5) that it will comply with the alcoholic
15 beverage and revenue laws of the United States, this
16 State, and any other state where it is licensed.

17 (C) Any application submitted shall be posted on the
18 State Commission's website at least 45 days before action
19 by the State Commission. The State Commission shall
20 approve the application for a self-distribution exemption
21 if the class 3 brewer licensee: (1) is in compliance with
22 the State, revenue, and alcoholic beverage laws; (2) is
23 not a member of any affiliated group that manufacturers,
24 directly or indirectly, more than 465,000 gallons of beer
25 per annum; (3) shall not annually manufacture for sale
26 more than 465,000 gallons of beer or more than 155,000

1 gallons at any single brewery premises; and (4) shall not
2 annually sell more than 6,200 gallons of beer from each
3 in-state or out-of-state class 3 brewery premises, and
4 shall not exceed 18,600 gallons annually in the aggregate,
5 to retail licensees and class 3 brewers and to brewers,
6 class 1 brewers, and class 2 brewers that, pursuant to
7 subsection (e) of Section 6-4 of this Act, sell beer,
8 cider, or both beer and cider to non-licensees at their
9 breweries.

10 (D) A self-distribution exemption holder shall
11 annually certify to the State Commission its manufacture
12 of beer during the previous 12 months and its anticipated
13 manufacture and sales of beer for the next 12 months. The
14 State 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 alcoholic beverage law of Illinois, exceeded the
19 manufacture of 465,000 gallons of beer in any calendar
20 year or became part of an affiliated group manufacturing
21 more than 465,000 gallons of beer, or exceeded the sale to
22 retail licensees, brewers, class 1 brewers, class 2
23 brewers, and class 3 brewers of 6,200 gallons per brewery
24 location or 18,600 gallons in the aggregate.

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

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

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

19 (b) On or before April 30, 1999, the Commission shall
20 present a written report to the Governor and the General
21 Assembly that shall be based on a study of the impact of Public
22 Act 90-739 on the business of soliciting, selling, and
23 shipping alcoholic liquor from outside of this State directly
24 to residents of this State.

25 As part of its report, the Commission shall provide the
26 following information:

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

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

5 (iii) the number of reported violations, the number of
6 cease and desist notices issued by the Commission, the
7 number of notices of violations issued to the Department
8 of Revenue, and the number of notices and complaints of
9 violations to law enforcement officials.

10 (Source: P.A. 101-37, eff. 7-3-19; 101-81, eff. 7-12-19;
11 101-482, eff. 8-23-19; 102-442, eff. 8-20-21; 102-558, eff.
12 8-20-21; 102-813, eff. 5-13-22.)

13 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

16 (a) Manufacturer's license - Class 1. Distiller, Class 2.
17 Rectifier, Class 3. Brewer, Class 4. First Class Wine
18 Manufacturer, Class 5. Second Class Wine Manufacturer, Class
19 6. First Class Winemaker, Class 7. Second Class Winemaker,
20 Class 8. Limited Wine Manufacturer, Class 9. Craft Distiller,
21 Class 10. Class 1 Craft Distiller, Class 11. Class 2 Craft
22 Distiller, Class 12. Class 1 Brewer, Class 13. Class 2 Brewer,
23 Class 14. Class 3 Brewer,

24 (b) Distributor's license,

25 (c) Importing Distributor's license,

- 1 (d) Retailer's license,
- 2 (e) Special Event Retailer's license (not-for-profit),
- 3 (f) Railroad license,
- 4 (g) Boat license,
- 5 (h) Non-Beverage User's license,
- 6 (i) Wine-maker's premises license,
- 7 (j) Airplane license,
- 8 (k) Foreign importer's license,
- 9 (l) Broker's license,
- 10 (m) Non-resident dealer's license,
- 11 (n) Brew Pub license,
- 12 (o) Auction liquor license,
- 13 (p) Caterer retailer license,
- 14 (q) Special use permit license,
- 15 (r) Winery shipper's license,
- 16 (s) Craft distiller tasting permit,
- 17 (t) Brewer warehouse permit,
- 18 (u) Distilling pub license,
- 19 (v) Craft distiller warehouse permit,
- 20 (w) Beer showcase permit.

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

25 (a) A manufacturer's license shall allow the manufacture,
26 importation in bulk, storage, distribution and sale of

1 alcoholic liquor to persons without the State, as may be
2 permitted by law and to licensees in this State as follows:

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

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

11 Class 3. A Brewer may make sales and deliveries of beer to
12 importing distributors and distributors and may make sales as
13 authorized under subsection (e) of Section 6-4 of this Act,
14 including any alcoholic liquor that subsection (e) of Section
15 6-4 authorizes a brewer to sell in its original package only to
16 a non-licensee for pick-up by a non-licensee either within the
17 interior of the brewery premises or at outside of the brewery
18 premises at a curb-side or parking lot adjacent to the brewery
19 premises, subject to any local ordinance.

20 Class 4. A first class wine-manufacturer may make sales
21 and deliveries of up to 50,000 gallons of wine to
22 manufacturers, importing distributors and distributors, and to
23 no other licensees. If a first-class wine-manufacturer
24 manufactures beer, it shall also obtain and shall only be
25 eligible for, in addition to any current license, a class 1
26 brewer license, shall not manufacture more than 930,000

1 gallons of beer per year, and shall not be a member of or
2 affiliated with, directly or indirectly, a manufacturer that
3 produces more than 930,000 gallons of beer per year. If the
4 first-class wine-manufacturer manufactures spirits, it shall
5 also obtain and shall only be eligible for, in addition to any
6 current license, a class 1 craft distiller license, shall not
7 manufacture more than 50,000 gallons of spirits per year, and
8 shall not be a member of or affiliated with, directly or
9 indirectly, a manufacturer that produces more than 50,000
10 gallons of spirits per year. A first-class wine-manufacturer
11 shall be permitted to sell wine manufactured at the
12 first-class wine-manufacturer premises to non-licensees.

13 Class 5. A second class Wine manufacturer may make sales
14 and deliveries of more than 50,000 gallons of wine to
15 manufacturers, importing distributors and distributors and to
16 no other licensees.

17 Class 6. A first-class wine-maker's license shall allow
18 the manufacture of up to 50,000 gallons of wine per year, and
19 the storage and sale of such wine to distributors in the State
20 and to persons without the State, as may be permitted by law. A
21 person who, prior to June 1, 2008 (the effective date of Public
22 Act 95-634), is a holder of a first-class wine-maker's license
23 and annually produces more than 25,000 gallons of its own wine
24 and who distributes its wine to licensed retailers shall cease
25 this practice on or before July 1, 2008 in compliance with
26 Public Act 95-634. If a first-class wine-maker manufactures

1 beer, it shall also obtain and shall only be eligible for, in
2 addition to any current license, a class 1 brewer license,
3 shall not manufacture more than 930,000 gallons of beer per
4 year, and shall not be a member of or affiliated with, directly
5 or indirectly, a manufacturer that produces more than 930,000
6 gallons of beer per year. If the first-class wine-maker
7 manufactures spirits, it shall also obtain and shall only be
8 eligible for, in addition to any current license, a class 1
9 craft distiller license, shall not manufacture more than
10 50,000 gallons of spirits per year, and shall not be a member
11 of or affiliated with, directly or indirectly, a manufacturer
12 that produces more than 50,000 gallons of spirits per year. A
13 first-class wine-maker holding a class 1 brewer license or a
14 class 1 craft distiller license shall not be eligible for a
15 wine-maker's premises license but shall be permitted to sell
16 wine manufactured at the first-class wine-maker premises to
17 non-licensees.

18 Class 7. A second-class wine-maker's license shall allow
19 the manufacture of up to 150,000 gallons of wine per year, and
20 the storage and sale of such wine to distributors in this State
21 and to persons without the State, as may be permitted by law. A
22 person who, prior to June 1, 2008 (the effective date of Public
23 Act 95-634), is a holder of a second-class wine-maker's
24 license and annually produces more than 25,000 gallons of its
25 own wine and who distributes its wine to licensed retailers
26 shall cease this practice on or before July 1, 2008 in

1 compliance with Public Act 95-634. If a second-class
2 wine-maker manufactures beer, it shall also obtain and shall
3 only be eligible for, in addition to any current license, a
4 class 2 brewer license, shall not manufacture more than
5 3,720,000 gallons of beer per year, and shall not be a member
6 of or affiliated with, directly or indirectly, a manufacturer
7 that produces more than 3,720,000 gallons of beer per year. If
8 a second-class wine-maker manufactures spirits, it shall also
9 obtain and shall only be eligible for, in addition to any
10 current license, a class 2 craft distiller license, shall not
11 manufacture more than 100,000 gallons of spirits per year, and
12 shall not be a member of or affiliated with, directly or
13 indirectly, a manufacturer that produces more than 100,000
14 gallons of spirits per year.

15 Class 8. A limited wine-manufacturer may make sales and
16 deliveries not to exceed 40,000 gallons of wine per year to
17 distributors, and to non-licensees in accordance with the
18 provisions of this Act.

19 Class 9. A craft distiller license, which may only be held
20 by a class 1 craft distiller licensee or class 2 craft
21 distiller licensee but not held by both a class 1 craft
22 distiller licensee and a class 2 craft distiller licensee,
23 shall grant all rights conveyed by either: (i) a class 1 craft
24 distiller license if the craft distiller holds a class 1 craft
25 distiller license; or (ii) a class 2 craft distiller licensee
26 if the craft distiller holds a class 2 craft distiller

1 license.

2 Class 10. A class 1 craft distiller license, which may
3 only be issued to a licensed craft distiller or licensed
4 non-resident dealer, shall allow the manufacture of up to
5 50,000 gallons of spirits per year provided that the class 1
6 craft distiller licensee does not manufacture more than a
7 combined 50,000 gallons of spirits per year and is not a member
8 of or affiliated with, directly or indirectly, a manufacturer
9 that produces more than 50,000 gallons of spirits per year. If
10 a class 1 craft distiller manufactures beer, it shall also
11 obtain and shall only be eligible for, in addition to any
12 current license, a class 1 brewer license, shall not
13 manufacture more than 930,000 gallons of beer per year, and
14 shall not be a member of or affiliated with, directly or
15 indirectly, a manufacturer that produces more than 930,000
16 gallons of beer per year. If a class 1 craft distiller
17 manufactures wine, it shall also obtain and shall only be
18 eligible for, in addition to any current license, a
19 first-class wine-manufacturer license or a first-class
20 wine-maker's license, shall not manufacture more than 50,000
21 gallons of wine per year, and shall not be a member of or
22 affiliated with, directly or indirectly, a manufacturer that
23 produces more than 50,000 gallons of wine per year. A class 1
24 craft distiller licensee may make sales and deliveries to
25 importing distributors and distributors and to retail
26 licensees in accordance with the conditions set forth in

1 paragraph (19) of subsection (a) of Section 3-12 of this Act.
2 However, the aggregate amount of spirits sold to non-licensees
3 and sold or delivered to retail licensees may not exceed 5,000
4 gallons per year.

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

13 A class 1 craft distiller licensee may hold more than one
14 class 1 craft distiller's license. However, a class 1 craft
15 distiller that holds more than one class 1 craft distiller
16 license shall not manufacture, in the aggregate, more than
17 50,000 gallons of spirits by distillation per year and shall
18 not sell, in the aggregate, more than 5,000 gallons of such
19 spirits to non-licensees in accordance with an exemption
20 approved by the State Commission pursuant to Section 6-4 of
21 this Act.

22 Class 11. A class 2 craft distiller license, which may
23 only be issued to a licensed craft distiller or licensed
24 non-resident dealer, shall allow the manufacture of up to
25 100,000 gallons of spirits per year provided that the class 2
26 craft distiller licensee does not manufacture more than a

1 combined 100,000 gallons of spirits per year and is not a
2 member of or affiliated with, directly or indirectly, a
3 manufacturer that produces more than 100,000 gallons of
4 spirits per year. If a class 2 craft distiller manufactures
5 beer, it shall also obtain and shall only be eligible for, in
6 addition to any current license, a class 2 brewer license,
7 shall not manufacture more than 3,720,000 gallons of beer per
8 year, and shall not be a member of or affiliated with, directly
9 or indirectly, a manufacturer that produces more than
10 3,720,000 gallons of beer per year. If a class 2 craft
11 distiller manufactures wine, it shall also obtain and shall
12 only be eligible for, in addition to any current license, a
13 second-class wine-maker's license, shall not manufacture more
14 than 150,000 gallons of wine per year, and shall not be a
15 member of or affiliated with, directly or indirectly, a
16 manufacturer that produces more than 150,000 gallons of wine
17 per year. A class 2 craft distiller licensee may make sales and
18 deliveries to importing distributors and distributors, but
19 shall not make sales or deliveries to any other licensee. If
20 the State Commission provides prior approval, a class 2 craft
21 distiller licensee may annually transfer up to 100,000 gallons
22 of spirits manufactured by that class 2 craft distiller
23 licensee to the premises of a licensed class 2 craft distiller
24 wholly owned and operated by the same licensee. A class 2 craft
25 distiller may transfer spirits to a distilling pub wholly
26 owned and operated by the class 2 craft distiller subject to

1 the following limitations and restrictions: (i) the transfer
2 shall not annually exceed more than 5,000 gallons; (ii) the
3 annual amount transferred shall reduce the distilling pub's
4 annual permitted production limit; (iii) all spirits
5 transferred shall be subject to Article VIII of this Act; (iv)
6 a written record shall be maintained by the distiller and
7 distilling pub specifying the amount, date of delivery, and
8 receipt of the product by the distilling pub; and (v) the
9 distilling pub shall be located no farther than 80 miles from
10 the class 2 craft distiller's licensed location.

11 A class 2 craft distiller shall, prior to transferring
12 spirits to a distilling pub wholly owned by the class 2 craft
13 distiller, furnish a written notice to the State Commission of
14 intent to transfer spirits setting forth the name and address
15 of the distilling pub and shall annually submit to the State
16 Commission a verified report identifying the total gallons of
17 spirits transferred to the distilling pub wholly owned by the
18 class 2 craft distiller.

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

24 Class 12. A class 1 brewer license, which may only be
25 issued to a licensed brewer or licensed non-resident dealer,
26 shall allow the manufacture of up to 930,000 gallons of beer

1 per year provided that the class 1 brewer licensee does not
2 manufacture more than a combined 930,000 gallons of beer per
3 year and is not a member of or affiliated with, directly or
4 indirectly, a manufacturer that produces more than 930,000
5 gallons of beer per year. If a class 1 brewer manufactures
6 spirits, it shall also obtain and shall only be eligible for,
7 in addition to any current license, a class 1 craft distiller
8 license, shall not manufacture more than 50,000 gallons of
9 spirits per year, and shall not be a member of or affiliated
10 with, directly or indirectly, a manufacturer that produces
11 more than 50,000 gallons of spirits per year. If a class 1
12 craft brewer manufactures wine, it shall also obtain and shall
13 only be eligible for, in addition to any current license, a
14 first-class wine-manufacturer license or a first-class
15 wine-maker's license, shall not manufacture more than 50,000
16 gallons of wine per year, and shall not be a member of or
17 affiliated with, directly or indirectly, a manufacturer that
18 produces more than 50,000 gallons of wine per year. A class 1
19 brewer licensee may make sales and deliveries to importing
20 distributors and distributors and to retail licensees in
21 accordance with the conditions set forth in paragraph (18) of
22 subsection (a) of Section 3-12 of this Act. If the State
23 Commission provides prior approval, a class 1 brewer may
24 annually transfer up to 930,000 gallons of beer manufactured
25 by that class 1 brewer to the premises of a licensed class 1
26 brewer wholly owned and operated by the same licensee.

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

1 brewer licensee to the premises of a licensed class 2 brewer
2 wholly owned and operated by the same licensee.

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

14 A class 2 brewer shall, prior to transferring beer to a
15 brew pub wholly owned by the class 2 brewer, furnish a written
16 notice to the State Commission of intent to transfer beer
17 setting forth the name and address of the brew pub and shall
18 annually submit to the State Commission a verified report
19 identifying the total gallons of beer transferred to the brew
20 pub wholly owned by the class 2 brewer.

21 Class 14. A class 3 brewer license, which may be issued to
22 a brewer or a non-resident dealer, shall allow the manufacture
23 of no more than 465,000 gallons of beer per year and no more
24 than 155,000 gallons at a single brewery premises, and shall
25 allow the sale of no more than 6,200 gallons of beer from each
26 in-state or out-of-state class 3 brewery premises, or 18,600

1 gallons in the aggregate, to retail licensees, class 1
2 brewers, class 2 brewers, and class 3 brewers as long as the
3 class 3 brewer licensee does not manufacture more than a
4 combined 465,000 gallons of beer per year and is not a member
5 of or affiliated with, directly or indirectly, a manufacturer
6 that produces more than 465,000 gallons of beer per year to
7 make sales to importing distributors, distributors, retail
8 licensees, brewers, class 1 brewers, class 2 brewers, and
9 class 3 brewers in accordance with the conditions set forth in
10 paragraph (20) of subsection (a) of Section 3-12. If the State
11 Commission provides prior approval, a class 3 brewer may
12 annually transfer up to 155,000 gallons of beer manufactured
13 by that class 3 brewer to the premises of a licensed class 3
14 brewer wholly owned and operated by the same licensee. A class
15 3 brewer shall manufacture beer at the brewer's class 3
16 designated licensed premises, and may sell beer as otherwise
17 provided in this Act.

18 (a-1) A manufacturer which is licensed in this State to
19 make sales or deliveries of alcoholic liquor to licensed
20 distributors or importing distributors and which enlists
21 agents, representatives, or individuals acting on its behalf
22 who contact licensed retailers on a regular and continual
23 basis in this State must register those agents,
24 representatives, or persons acting on its behalf with the
25 State Commission.

26 Registration of agents, representatives, or persons acting

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

17 (b) A distributor's license shall allow (i) the wholesale
18 purchase and storage of alcoholic liquors and sale of
19 alcoholic liquors to licensees in this State and to persons
20 without the State, as may be permitted by law; (ii) the sale of
21 beer, cider, mead, or any combination thereof to brewers,
22 class 1 brewers, and class 2 brewers that, pursuant to
23 subsection (e) of Section 6-4 of this Act, sell beer, cider,
24 mead, or any combination thereof to non-licensees at their
25 breweries; (iii) the sale of vermouth to class 1 craft
26 distillers and class 2 craft distillers that, pursuant to

1 subsection (e) of Section 6-4 of this Act, sell spirits,
2 vermouth, or both spirits and vermouth to non-licensees at
3 their distilleries; or (iv) as otherwise provided in this Act.
4 No person licensed as a distributor shall be granted a
5 non-resident dealer's license.

6 (c) An importing distributor's license may be issued to
7 and held by those only who are duly licensed distributors,
8 upon the filing of an application by a duly licensed
9 distributor, with the Commission and the Commission shall,
10 without the payment of any fee, immediately issue such
11 importing distributor's license to the applicant, which shall
12 allow the importation of alcoholic liquor by the licensee into
13 this State from any point in the United States outside this
14 State, and the purchase of alcoholic liquor in barrels, casks
15 or other bulk containers and the bottling of such alcoholic
16 liquors before resale thereof, but all bottles or containers
17 so filled shall be sealed, labeled, stamped and otherwise made
18 to comply with all provisions, rules and regulations governing
19 manufacturers in the preparation and bottling of alcoholic
20 liquors. The importing distributor's license shall permit such
21 licensee to purchase alcoholic liquor from Illinois licensed
22 non-resident dealers and foreign importers only. No person
23 licensed as an importing distributor shall be granted a
24 non-resident dealer's license.

25 (d) A retailer's license shall allow the licensee to sell
26 and offer for sale at retail, only in the premises specified in

1 the license, alcoholic liquor for use or consumption, but not
2 for resale in any form. Except as provided in Section 6-16,
3 6-29, or 6-29.1, nothing in this Act shall deny, limit,
4 remove, or restrict the ability of a holder of a retailer's
5 license to transfer or ship alcoholic liquor to the purchaser
6 for use or consumption subject to any applicable local law or
7 ordinance. For the purposes of this Section, "shipping" means
8 the movement of alcoholic liquor from a licensed retailer to a
9 consumer via a common carrier. Except as provided in Section
10 6-16, 6-29, or 6-29.1, nothing in this Act shall deny, limit,
11 remove, or restrict the ability of a holder of a retailer's
12 license to deliver alcoholic liquor to the purchaser for use
13 or consumption. The delivery shall be made only within 12
14 hours from the time the alcoholic liquor leaves the licensed
15 premises of the retailer for delivery. For the purposes of
16 this Section, "delivery" means the movement of alcoholic
17 liquor purchased from a licensed retailer to a consumer
18 through the following methods:

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

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

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

26 Under subsection (1), (2), or (3), delivery shall not

1 include the use of common carriers.

2 Any retail license issued to a manufacturer shall only
3 permit the manufacturer to sell beer at retail on the premises
4 actually occupied by the manufacturer. For the purpose of
5 further describing the type of business conducted at a retail
6 licensed premises, a retailer's licensee may be designated by
7 the State Commission as (i) an on premise consumption
8 retailer, (ii) an off premise sale retailer, or (iii) a
9 combined on premise consumption and off premise sale retailer.

10 Except for a municipality with a population of more than
11 1,000,000 inhabitants, a home rule unit may not regulate the
12 delivery of alcoholic liquor inconsistent with this
13 subsection. This paragraph is a limitation under subsection
14 (i) of Section 6 of Article VII of the Illinois Constitution on
15 the concurrent exercise by home rule units of powers and
16 functions exercised by the State. A non-home rule municipality
17 may not regulate the delivery of alcoholic liquor inconsistent
18 with this subsection.

19 Notwithstanding any other provision of this subsection
20 (d), a retail licensee may sell alcoholic liquors to a special
21 event retailer licensee for resale to the extent permitted
22 under subsection (e).

23 (e) A special event retailer's license (not-for-profit)
24 shall permit the licensee to purchase alcoholic liquors from
25 an Illinois licensed distributor (unless the licensee
26 purchases less than \$500 of alcoholic liquors for the special

1 event, in which case the licensee may purchase the alcoholic
2 liquors from a licensed retailer) and shall allow the licensee
3 to sell and offer for sale, at retail, alcoholic liquors for
4 use or consumption, but not for resale in any form and only at
5 the location and on the specific dates designated for the
6 special event in the license. An applicant for a special event
7 retailer license must (i) furnish with the application: (A) a
8 resale number issued under Section 2c of the Retailers'
9 Occupation Tax Act or evidence that the applicant is
10 registered under Section 2a of the Retailers' Occupation Tax
11 Act, (B) a current, valid exemption identification number
12 issued under Section 1g of the Retailers' Occupation Tax Act,
13 and a certification to the Commission that the purchase of
14 alcoholic liquors will be a tax-exempt purchase, or (C) a
15 statement that the applicant is not registered under Section
16 2a of the Retailers' Occupation Tax Act, does not hold a resale
17 number under Section 2c of the Retailers' Occupation Tax Act,
18 and does not hold an exemption number under Section 1g of the
19 Retailers' Occupation Tax Act, in which event the Commission
20 shall set forth on the special event retailer's license a
21 statement to that effect; (ii) submit with the application
22 proof satisfactory to the State Commission that the applicant
23 will provide dram shop liability insurance in the maximum
24 limits; and (iii) show proof satisfactory to the State
25 Commission that the applicant has obtained local authority
26 approval.

1 Nothing in this Act prohibits an Illinois licensed
2 distributor from offering credit or a refund for unused,
3 salable alcoholic liquors to a holder of a special event
4 retailer's license or the special event retailer's licensee
5 from accepting the credit or refund of alcoholic liquors at
6 the conclusion of the event specified in the license.

7 (f) A railroad license shall permit the licensee to import
8 alcoholic liquors into this State from any point in the United
9 States outside this State and to store such alcoholic liquors
10 in this State; to make wholesale purchases of alcoholic
11 liquors directly from manufacturers, foreign importers,
12 distributors and importing distributors from within or outside
13 this State; and to store such alcoholic liquors in this State;
14 provided that the above powers may be exercised only in
15 connection with the importation, purchase or storage of
16 alcoholic liquors to be sold or dispensed on a club, buffet,
17 lounge or dining car operated on an electric, gas or steam
18 railway in this State; and provided further, that railroad
19 licensees exercising the above powers shall be subject to all
20 provisions of Article VIII of this Act as applied to importing
21 distributors. A railroad license shall also permit the
22 licensee to sell or dispense alcoholic liquors on any club,
23 buffet, lounge or dining car operated on an electric, gas or
24 steam railway regularly operated by a common carrier in this
25 State, but shall not permit the sale for resale of any
26 alcoholic liquors to any licensee within this State. A license

1 shall be obtained for each car in which such sales are made.

2 (g) A boat license shall allow the sale of alcoholic
3 liquor in individual drinks, on any passenger boat regularly
4 operated as a common carrier on navigable waters in this State
5 or on any riverboat operated under the Illinois Gambling Act,
6 which boat or riverboat maintains a public dining room or
7 restaurant thereon.

8 (h) A non-beverage user's license shall allow the licensee
9 to purchase alcoholic liquor from a licensed manufacturer or
10 importing distributor, without the imposition of any tax upon
11 the business of such licensed manufacturer or importing
12 distributor as to such alcoholic liquor to be used by such
13 licensee solely for the non-beverage purposes set forth in
14 subsection (a) of Section 8-1 of this Act, and such licenses
15 shall be divided and classified and shall permit the purchase,
16 possession and use of limited and stated quantities of
17 alcoholic liquor as follows:

- 18 Class 1, not to exceed 500 gallons
- 19 Class 2, not to exceed 1,000 gallons
- 20 Class 3, not to exceed 5,000 gallons
- 21 Class 4, not to exceed 10,000 gallons
- 22 Class 5, not to exceed 50,000 gallons

23 (i) A wine-maker's premises license shall allow a licensee
24 that concurrently holds a first-class wine-maker's license to
25 sell and offer for sale at retail in the premises specified in
26 such license not more than 50,000 gallons of the first-class

1 wine-maker's wine that is made at the first-class wine-maker's
2 licensed premises per year for use or consumption, but not for
3 resale in any form. A wine-maker's premises license shall
4 allow a licensee who concurrently holds a second-class
5 wine-maker's license to sell and offer for sale at retail in
6 the premises specified in such license up to 100,000 gallons
7 of the second-class wine-maker's wine that is made at the
8 second-class wine-maker's licensed premises per year for use
9 or consumption but not for resale in any form. A first-class
10 wine-maker that concurrently holds a class 1 brewer license or
11 a class 1 craft distiller license shall not be eligible to hold
12 a wine-maker's premises license. A wine-maker's premises
13 license shall allow a licensee that concurrently holds a
14 first-class wine-maker's license or a second-class
15 wine-maker's license to sell and offer for sale at retail at
16 the premises specified in the wine-maker's premises license,
17 for use or consumption but not for resale in any form, any
18 beer, wine, and spirits purchased from a licensed distributor.
19 Upon approval from the State Commission, a wine-maker's
20 premises license shall allow the licensee to sell and offer
21 for sale at (i) the wine-maker's licensed premises and (ii) at
22 up to 2 additional locations for use and consumption and not
23 for resale. Each location shall require additional licensing
24 per location as specified in Section 5-3 of this Act. A
25 wine-maker's premises licensee shall secure liquor liability
26 insurance coverage in an amount at least equal to the maximum

1 liability amounts set forth in subsection (a) of Section 6-21
2 of this Act.

3 (j) An airplane license shall permit the licensee to
4 import alcoholic liquors into this State from any point in the
5 United States outside this State and to store such alcoholic
6 liquors in this State; to make wholesale purchases of
7 alcoholic liquors directly from manufacturers, foreign
8 importers, distributors and importing distributors from within
9 or outside this State; and to store such alcoholic liquors in
10 this State; provided that the above powers may be exercised
11 only in connection with the importation, purchase or storage
12 of alcoholic liquors to be sold or dispensed on an airplane;
13 and provided further, that airplane licensees exercising the
14 above powers shall be subject to all provisions of Article
15 VIII of this Act as applied to importing distributors. An
16 airplane licensee shall also permit the sale or dispensing of
17 alcoholic liquors on any passenger airplane regularly operated
18 by a common carrier in this State, but shall not permit the
19 sale for resale of any alcoholic liquors to any licensee
20 within this State. A single airplane license shall be required
21 of an airline company if liquor service is provided on board
22 aircraft in this State. The annual fee for such license shall
23 be as determined in Section 5-3.

24 (k) A foreign importer's license shall permit such
25 licensee to purchase alcoholic liquor from Illinois licensed
26 non-resident dealers only, and to import alcoholic liquor

1 other than in bulk from any point outside the United States and
2 to sell such alcoholic liquor to Illinois licensed importing
3 distributors and to no one else in Illinois; provided that (i)
4 the foreign importer registers with the State Commission every
5 brand of alcoholic liquor that it proposes to sell to Illinois
6 licensees during the license period, (ii) the foreign importer
7 complies with all of the provisions of Section 6-9 of this Act
8 with respect to registration of such Illinois licensees as may
9 be granted the right to sell such brands at wholesale, and
10 (iii) the foreign importer complies with the provisions of
11 Sections 6-5 and 6-6 of this Act to the same extent that these
12 provisions apply to manufacturers.

13 (1) (i) A broker's license shall be required of all
14 persons who solicit orders for, offer to sell or offer to
15 supply alcoholic liquor to retailers in the State of Illinois,
16 or who offer to retailers to ship or cause to be shipped or to
17 make contact with distillers, craft distillers, rectifiers,
18 brewers or manufacturers or any other party within or without
19 the State of Illinois in order that alcoholic liquors be
20 shipped to a distributor, importing distributor or foreign
21 importer, whether such solicitation or offer is consummated
22 within or without the State of Illinois.

23 No holder of a retailer's license issued by the Illinois
24 Liquor Control Commission shall purchase or receive any
25 alcoholic liquor, the order for which was solicited or offered
26 for sale to such retailer by a broker unless the broker is the

1 holder of a valid broker's license.

2 The broker shall, upon the acceptance by a retailer of the
3 broker's solicitation of an order or offer to sell or supply or
4 deliver or have delivered alcoholic liquors, promptly forward
5 to the Illinois Liquor Control Commission a notification of
6 said transaction in such form as the Commission may by
7 regulations prescribe.

8 (ii) A broker's license shall be required of a person
9 within this State, other than a retail licensee, who, for a fee
10 or commission, promotes, solicits, or accepts orders for
11 alcoholic liquor, for use or consumption and not for resale,
12 to be shipped from this State and delivered to residents
13 outside of this State by an express company, common carrier,
14 or contract carrier. This Section does not apply to any person
15 who promotes, solicits, or accepts orders for wine as
16 specifically authorized in Section 6-29 of this Act.

17 A broker's license under this subsection (1) shall not
18 entitle the holder to buy or sell any alcoholic liquors for his
19 own account or to take or deliver title to such alcoholic
20 liquors.

21 This subsection (1) shall not apply to distributors,
22 employees of distributors, or employees of a manufacturer who
23 has registered the trademark, brand or name of the alcoholic
24 liquor pursuant to Section 6-9 of this Act, and who regularly
25 sells such alcoholic liquor in the State of Illinois only to
26 its registrants thereunder.

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

4 (m) A non-resident dealer's license shall permit such
5 licensee to ship into and warehouse alcoholic liquor into this
6 State from any point outside of this State, and to sell such
7 alcoholic liquor to Illinois licensed foreign importers and
8 importing distributors and to no one else in this State;
9 provided that (i) said non-resident dealer shall register with
10 the Illinois Liquor Control Commission each and every brand of
11 alcoholic liquor which it proposes to sell to Illinois
12 licensees during the license period, (ii) it shall comply with
13 all of the provisions of Section 6-9 hereof with respect to
14 registration of such Illinois licensees as may be granted the
15 right to sell such brands at wholesale by duly filing such
16 registration statement, thereby authorizing the non-resident
17 dealer to proceed to sell such brands at wholesale, and (iii)
18 the non-resident dealer shall comply with the provisions of
19 Sections 6-5 and 6-6 of this Act to the same extent that these
20 provisions apply to manufacturers. No person licensed as a
21 non-resident dealer shall be granted a distributor's or
22 importing distributor's license.

23 (n) A brew pub license shall allow the licensee to only (i)
24 manufacture up to 155,000 gallons of beer per year only on the
25 premises specified in the license, (ii) make sales of the beer
26 manufactured on the premises or, with the approval of the

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

20 A brew pub licensee shall not under any circumstance sell
21 or offer for sale beer manufactured by the brew pub licensee to
22 retail licensees.

23 A person who holds a class 2 brewer license may
24 simultaneously hold a brew pub license if the class 2 brewer
25 (i) does not, under any circumstance, sell or offer for sale
26 beer manufactured by the class 2 brewer to retail licensees;

1 (ii) does not hold more than 3 brew pub licenses in this State;
2 (iii) does not manufacture more than a combined 3,720,000
3 gallons of beer per year, including the beer manufactured at
4 the brew pub; and (iv) is not a member of or affiliated with,
5 directly or indirectly, a manufacturer that produces more than
6 3,720,000 gallons of beer per year or any other alcoholic
7 liquor.

8 Notwithstanding any other provision of this Act, a
9 licensed brewer, class 2 brewer, or non-resident dealer who
10 before July 1, 2015 manufactured less than 3,720,000 gallons
11 of beer per year and held a brew pub license on or before July
12 1, 2015 may (i) continue to qualify for and hold that brew pub
13 license for the licensed premises and (ii) manufacture more
14 than 3,720,000 gallons of beer per year and continue to
15 qualify for and hold that brew pub license if that brewer,
16 class 2 brewer, or non-resident dealer does not simultaneously
17 hold a class 1 brewer license and is not a member of or
18 affiliated with, directly or indirectly, a manufacturer that
19 produces more than 3,720,000 gallons of beer per year or that
20 produces any other alcoholic liquor.

21 A brew pub licensee may apply for a class 3 brewer license
22 and, upon meeting all applicable qualifications of this Act
23 and relinquishing all commonly owned brew pub or retail
24 licenses, shall be issued a class 3 brewer license. Nothing in
25 this Act shall prohibit the issuance of a class 3 brewer
26 license if the applicant:

1 (1) has a valid retail license on or before May 1,
2 2021;

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

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

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

10 If a brew pub licensee is issued a class 3 brewer license,
11 the class 3 brewer license shall expire on the same date as the
12 existing brew pub license and the State Commission shall not
13 require a class 3 brewer licensee to obtain a brewer license,
14 or in the alternative to pay a fee for a brewer license, until
15 the date the brew pub license of the applicant would have
16 expired.

17 (o) A caterer retailer license shall allow the holder to
18 serve alcoholic liquors as an incidental part of a food
19 service that serves prepared meals which excludes the serving
20 of snacks as the primary meal, either on or off-site whether
21 licensed or unlicensed. A caterer retailer license shall allow
22 the holder, a distributor, or an importing distributor to
23 transfer any inventory to and from the holder's retail
24 premises and shall allow the holder to purchase alcoholic
25 liquor from a distributor or importing distributor to be
26 delivered directly to an off-site event.

1 Nothing in this Act prohibits a distributor or importing
2 distributor from offering credit or a refund for unused,
3 salable beer to a holder of a caterer retailer license or a
4 caterer retailer licensee from accepting a credit or refund
5 for unused, salable beer, in the event an act of God is the
6 sole reason an off-site event is cancelled and if: (i) the
7 holder of a caterer retailer license has not transferred
8 alcoholic liquor from its caterer retailer premises to an
9 off-site location; (ii) the distributor or importing
10 distributor offers the credit or refund for the unused,
11 salable beer that it delivered to the off-site premises and
12 not for any unused, salable beer that the distributor or
13 importing distributor delivered to the caterer retailer's
14 premises; and (iii) the unused, salable beer would likely
15 spoil if transferred to the caterer retailer's premises. A
16 caterer retailer license shall allow the holder to transfer
17 any inventory from any off-site location to its caterer
18 retailer premises at the conclusion of an off-site event or
19 engage a distributor or importing distributor to transfer any
20 inventory from any off-site location to its caterer retailer
21 premises at the conclusion of an off-site event, provided that
22 the distributor or importing distributor issues bona fide
23 charges to the caterer retailer licensee for fuel, labor, and
24 delivery and the distributor or importing distributor collects
25 payment from the caterer retailer licensee prior to the
26 distributor or importing distributor transferring inventory to

1 the caterer retailer premises.

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

6 (p) An auction liquor license shall allow the licensee to
7 sell and offer for sale at auction wine and spirits for use or
8 consumption, or for resale by an Illinois liquor licensee in
9 accordance with provisions of this Act. An auction liquor
10 license will be issued to a person and it will permit the
11 auction liquor licensee to hold the auction anywhere in the
12 State. An auction liquor license must be obtained for each
13 auction at least 14 days in advance of the auction date.

14 (q) A special use permit license shall allow an Illinois
15 licensed retailer to transfer a portion of its alcoholic
16 liquor inventory from its retail licensed premises to the
17 premises specified in the license hereby created; to purchase
18 alcoholic liquor from a distributor or importing distributor
19 to be delivered directly to the location specified in the
20 license hereby created; and to sell or offer for sale at
21 retail, only in the premises specified in the license hereby
22 created, the transferred or delivered alcoholic liquor for use
23 or consumption, but not for resale in any form. A special use
24 permit license may be granted for the following time periods:
25 one day or less; 2 or more days to a maximum of 15 days per
26 location in any 12-month period. An applicant for the special

1 use permit license must also submit with the application proof
2 satisfactory to the State Commission that the applicant will
3 provide dram shop liability insurance to the maximum limits
4 and have local authority approval.

5 A special use permit license shall allow the holder to
6 transfer any inventory from the holder's special use premises
7 to its retail premises at the conclusion of the special use
8 event or engage a distributor or importing distributor to
9 transfer any inventory from the holder's special use premises
10 to its retail premises at the conclusion of an off-site event,
11 provided that the distributor or importing distributor issues
12 bona fide charges to the special use permit licensee for fuel,
13 labor, and delivery and the distributor or importing
14 distributor collects payment from the retail licensee prior to
15 the distributor or importing distributor transferring
16 inventory to the retail premises.

17 Nothing in this Act prohibits a distributor or importing
18 distributor from offering credit or a refund for unused,
19 salable beer to a special use permit licensee or a special use
20 permit licensee from accepting a credit or refund for unused,
21 salable beer at the conclusion of the event specified in the
22 license if: (i) the holder of the special use permit license
23 has not transferred alcoholic liquor from its retail licensed
24 premises to the premises specified in the special use permit
25 license; (ii) the distributor or importing distributor offers
26 the credit or refund for the unused, salable beer that it

1 delivered to the premises specified in the special use permit
2 license and not for any unused, salable beer that the
3 distributor or importing distributor delivered to the
4 retailer's premises; and (iii) the unused, salable beer would
5 likely spoil if transferred to the retailer premises.

6 (r) A winery shipper's license shall allow a person with a
7 first-class or second-class wine manufacturer's license, a
8 first-class or second-class wine-maker's license, or a limited
9 wine manufacturer's license or who is licensed to make wine
10 under the laws of another state to ship wine made by that
11 licensee directly to a resident of this State who is 21 years
12 of age or older for that resident's personal use and not for
13 resale. Prior to receiving a winery shipper's license, an
14 applicant for the license must provide the Commission with a
15 true copy of its current license in any state in which it is
16 licensed as a manufacturer of wine. An applicant for a winery
17 shipper's license must also complete an application form that
18 provides any other information the Commission deems necessary.
19 The application form shall include all addresses from which
20 the applicant for a winery shipper's license intends to ship
21 wine, including the name and address of any third party,
22 except for a common carrier, authorized to ship wine on behalf
23 of the manufacturer. The application form shall include an
24 acknowledgement consenting to the jurisdiction of the
25 Commission, the Illinois Department of Revenue, and the courts
26 of this State concerning the enforcement of this Act and any

1 related laws, rules, and regulations, including authorizing
2 the Department of Revenue and the Commission to conduct audits
3 for the purpose of ensuring compliance with Public Act 95-634,
4 and an acknowledgement that the wine manufacturer is in
5 compliance with Section 6-2 of this Act. Any third party,
6 except for a common carrier, authorized to ship wine on behalf
7 of a first-class or second-class wine manufacturer's licensee,
8 a first-class or second-class wine-maker's licensee, a limited
9 wine manufacturer's licensee, or a person who is licensed to
10 make wine under the laws of another state shall also be
11 disclosed by the winery shipper's licensee, and a copy of the
12 written appointment of the third-party ~~wine~~ provider, except
13 for a common carrier, to the wine manufacturer shall be filed
14 with the State Commission as a supplement to the winery
15 shipper's license application or any renewal thereof. The
16 winery shipper's license holder shall affirm under penalty of
17 perjury, as part of the winery shipper's license application
18 or renewal, that he or she only ships wine, either directly or
19 indirectly through a third-party provider registered under
20 Section 5-8, from the licensee's own production. A third-party
21 provider's shipment of wine on behalf of a winery shipper must
22 comply with Section 5-8.

23 Except for a common carrier, a third-party provider
24 shipping wine on behalf of a winery shipper's license holder
25 is the agent of the winery shipper's license holder and, as
26 such, a winery shipper's license holder is responsible for the

1 acts and omissions of the third-party provider acting on
2 behalf of the license holder. A winery shipper's use of the
3 services of a third-party provider does not relieve the winery
4 shipper of any obligation under this Act or any rule adopted
5 under this Act. A third-party provider, ~~except for a common~~
6 ~~carrier,~~ that engages in shipping wine into Illinois must
7 comply with Section 5-8 and ~~on behalf of a winery shipper's~~
8 ~~license holder shall~~ consent to the jurisdiction of the State
9 Commission and the State. ~~Any third party, except for a common~~
10 ~~carrier, holding such an appointment shall, by February 1 of~~
11 ~~each calendar year and upon request by the State Commission or~~
12 ~~the Department of Revenue, file with the State Commission a~~
13 ~~statement detailing each shipment made to an Illinois~~
14 ~~resident. The statement shall include the name and address of~~
15 ~~the third party provider filing the statement, the time period~~
16 ~~covered by the statement, and the following information:~~

17 ~~(1) the name, address, and license number of the~~
18 ~~winery shipper on whose behalf the shipment was made;~~

19 ~~(2) the quantity of the products delivered; and~~

20 ~~(3) the date and address of the shipment.~~

21 If the Department of Revenue or the State Commission requests
22 a statement under this paragraph, the third-party provider
23 must provide that statement no later than 30 days after the
24 request is made. ~~Any books, records, supporting papers, and~~
25 ~~documents containing information and data relating to a~~
26 ~~statement under this paragraph shall be kept and preserved for~~

1 ~~a period of 3 years, unless their destruction sooner is~~
2 ~~authorized, in writing, by the Director of Revenue, and shall~~
3 ~~be open and available to inspection by the Director of Revenue~~
4 ~~or the State Commission or any duly authorized officer, agent,~~
5 ~~or employee of the State Commission or the Department of~~
6 ~~Revenue, at all times during business hours of the day. Any~~
7 ~~person who violates any provision of this paragraph or any~~
8 ~~rule of the State Commission for the administration and~~
9 ~~enforcement of the provisions of this paragraph is guilty of a~~
10 ~~Class C misdemeanor. In case of a continuing violation, each~~
11 ~~day's continuance thereof shall be a separate and distinct~~
12 ~~offense.~~

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

20 A winery shipper licensee must pay to the Department of
21 Revenue the State liquor gallonage tax under Section 8-1 for
22 all wine that is sold by the licensee and shipped to a person
23 in this State. For the purposes of Section 8-1, a winery
24 shipper licensee shall be taxed in the same manner as a
25 manufacturer of wine. A licensee who is not otherwise required
26 to register under the Retailers' Occupation Tax Act must

1 register under the Use Tax Act to collect and remit use tax to
2 the Department of Revenue for all gallons of wine that are sold
3 by the licensee and shipped to persons in this State. If a
4 licensee fails to remit the tax imposed under this Act in
5 accordance with the provisions of Article VIII of this Act,
6 the winery shipper's license shall be revoked in accordance
7 with the provisions of Article VII of this Act. If a licensee
8 fails to properly register and remit tax under the Use Tax Act
9 or the Retailers' Occupation Tax Act for all wine that is sold
10 by the winery shipper and shipped to persons in this State, the
11 winery shipper's license shall be revoked in accordance with
12 the provisions of Article VII of this Act.

13 For tax purposes, a ~~A~~ winery shipper licensee must
14 collect, maintain, and submit to the State Commission on a
15 semi-annual basis the total number of cases per resident of
16 wine shipped to residents of this State. A winery shipper
17 licensed under this subsection (r) must comply with the
18 requirements of Section 6-29 of this Act.

19 Pursuant to paragraph (5.1) or (5.3) of subsection (a) of
20 Section 3-12, the State Commission may receive, respond to,
21 and investigate any complaint and impose any of the remedies
22 specified in paragraph (1) of subsection (a) of Section 3-12.

23 ~~As used in this subsection, "third party provider" means~~
24 ~~any entity that provides fulfillment house services, including~~
25 ~~warehousing, packaging, distribution, order processing, or~~
26 ~~shipment of wine, but not the sale of wine, on behalf of a~~

1 ~~licensed winery shipper.~~

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

16 (t) A brewer warehouse permit may be issued to the holder
17 of a class 1 brewer license or a class 2 brewer license. If the
18 holder of the permit is a class 1 brewer licensee, the brewer
19 warehouse permit shall allow the holder to store or warehouse
20 up to 930,000 gallons of tax-determined beer manufactured by
21 the holder of the permit at the premises specified on the
22 permit. If the holder of the permit is a class 2 brewer
23 licensee, the brewer warehouse permit shall allow the holder
24 to store or warehouse up to 3,720,000 gallons of
25 tax-determined beer manufactured by the holder of the permit
26 at the premises specified on the permit. Sales to

1 non-licensees are prohibited at the premises specified in the
2 brewer warehouse permit.

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

22 A distilling pub licensee shall not under any circumstance
23 sell or offer for sale spirits manufactured by the distilling
24 pub licensee to retail licensees.

25 A person who holds a class 2 craft distiller license may
26 simultaneously hold a distilling pub license if the class 2

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

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

18 (w) A beer showcase permit license shall allow an
19 Illinois-licensed distributor to transfer a portion of its
20 beer inventory from its licensed premises to the premises
21 specified in the beer showcase permit license, and, in the
22 case of a class 3 brewer, transfer only beer the class 3 brewer
23 manufactures from its licensed premises to the premises
24 specified in the beer showcase permit license; and to sell or
25 offer for sale at retail, only in the premises specified in the
26 beer showcase permit license, the transferred or delivered

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

13 (Source: P.A. 101-16, eff. 6-14-19; 101-31, eff. 6-28-19;
14 101-81, eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff.
15 8-23-19; 101-615, eff. 12-20-19; 101-668, eff. 1-1-22;
16 102-442, eff. 8-20-21; 102-1142, eff. 2-17-23.)

17 (235 ILCS 5/5-8 new)

18 Sec. 5-8. Third-party provider registration.

19 (a) A third-party provider must register with the State
20 Commission before shipping wine into this State. Registration
21 as a third-party provider is valid for a 2-year period and may
22 be renewed. The application for registration as a third-party
23 provider must include:

24 (1) each address from which the third-party provider
25 will ship wine to a consumer;

1 (2) the name, business address, and license number of
2 each winery shipper, with the name stated as it appears on
3 the winery shipper license, on whose behalf the
4 third-party provider will ship wine to a consumer; and

5 (3) any other information the State Commission may
6 require.

7 (b) To register as a third-party provider, the third-party
8 provider must pay a \$50 fee and agree to:

9 (1) allow the State Commission to inspect and audit
10 its records under subsection (e);

11 (2) allow the State Commission to inspect a location
12 under Section 3-12;

13 (3) appoint and maintain an agent for service of
14 process under subsection (g); and

15 (4) submit to the jurisdiction of the State
16 Commission, the courts, and any other enforcement
17 authority of this State in a matter relating to
18 enforcement of a law of this State regulating shipment of
19 wine to a person in this State.

20 (c) A third-party provider may ship wine on behalf of a
21 winery shipper to a consumer only if:

22 (1) the third-party provider maintains a registration
23 under this Section that is not suspended, revoked, or
24 canceled;

25 (2) the wine was supplied to the third-party provider
26 by a licensed winery shipper;

1 (3) the package containing the wine clearly indicates:

2 (A) on the shipping label, the name and applicable
3 address of the third-party provider, as they appear in
4 the registration under this Section, as consignor, and
5 the name and address of the consumer, as intended
6 recipient;

7 (B) on the package or shipping label, the name and
8 winery shipper's license number of the licensed winery
9 shipper that supplied to the third-party provider the
10 wine contained in the package; and

11 (4) the shipment is otherwise authorized under this
12 Act.

13 (d) A registered third-party provider is subject to the
14 jurisdiction of the State Commission, the courts, and any
15 other enforcement authority of this State in a matter relating
16 to the enforcement of the laws of this State regulating
17 shipment of alcoholic liquor directly to a person in this
18 State.

19 (e) The State Commission may inspect and audit the records
20 of a registered third-party provider for compliance with the
21 laws of this State regulating shipment of wine directly to a
22 person in this State. A registered third-party provider shall
23 allow the State Commission to inspect and audit its records
24 and, at the State Commission's request in a record, provide
25 complete and accurate copies of its records to the State
26 Commission at a location specified by the State Commission,

1 not later than 15 days after the date of the request.

2 (f) The State Commission may inspect, during ordinary
3 hours of operation, a location where a registered third-party
4 provider conducts business to assess compliance with the laws
5 of this State regulating shipment of alcoholic liquor directly
6 to a person in this State.

7 (g) A registered third-party provider shall appoint and
8 continuously maintain with the State Commission an agent for
9 service of process. The agent may be located in this State or
10 another state. By appointing an agent under this subsection,
11 the registered third-party provider affirms that the agent
12 consents to accept service. Service of process on the agent
13 constitutes valid service of process on the registered
14 third-party provider in an action or proceeding arising out of
15 enforcement of law of this State regulating shipment of wine
16 directly to a person in this State. If a registered
17 third-party provider fails to maintain in the records of the
18 State Commission a current agent for service of process or if
19 the current agent cannot be served with reasonable diligence,
20 the State Commission is the agent for service of process.

21 (h) The State Commission may disclose a report, record,
22 order, or other information in its possession, for a
23 regulatory or enforcement purpose, to:

24 (1) a State agency or law enforcement agency;

25 (2) a local or state agency in another state with
26 regulatory authority over matters relating to alcoholic

1 liquor or taxation or a law enforcement agency of another
2 state; and

3 (3) a federal agency with regulatory authority
4 relating to alcoholic liquor or taxation or a federal law
5 enforcement agency.

6 (i) The State Commission may disclose to the public an
7 order resulting from a completed investigation.

8 (235 ILCS 5/6-29) (from Ch. 43, par. 144e)

9 Sec. 6-29. Winery shipper's license.

10 (a) The General Assembly declares that the following is
11 the intent of this Section:

12 (1) To authorize direct shipment of wine by an
13 out-of-state maker of wine on the same basis permitted an
14 in-state maker of wine pursuant to the authority of the
15 State under the provisions of Section 2 of the
16 Twenty-First Amendment to the United States Constitution
17 and in conformance with the United States Supreme Court
18 decision decided on May 16, 2005 in *Granholm v. Heald*.

19 (2) To reaffirm that the General Assembly's findings
20 and declarations that selling alcoholic liquor through
21 various direct marketing means such as catalogs,
22 newspapers, mailings, and the Internet directly to
23 consumers of this State poses a serious threat to the
24 State's efforts to further temperance and prevent youth
25 from accessing alcoholic liquor and the expansion of youth

1 access to additional types of alcoholic liquors.

2 (3) To maintain the State's broad powers granted by
3 Section 2 of the Twenty-First Amendment to the United
4 States Constitution to control the importation or sale of
5 alcoholic liquor and its right to structure its alcoholic
6 liquor distribution system.

7 (4) To ensure that the General Assembly, by
8 authorizing limited direct shipment of wine to meet the
9 directives of the United States Supreme Court, does not
10 intend to impair or modify the State's distribution of
11 wine through distributors or importing distributors, but
12 only to permit limited shipment of wine for personal use.

13 (5) To provide that, in the event that a court of
14 competent jurisdiction declares or finds that this
15 Section, which is enacted to conform Illinois law to the
16 United States Supreme Court decision, is invalid or
17 unconstitutional, the Illinois General Assembly at its
18 earliest general session shall conduct hearings and study
19 methods to conform to any directive or order of the court
20 consistent with the temperance and revenue collection
21 purposes of this Act.

22 (a-5) In this Section, "carrier" means a person or entity
23 that:

24 (1) holds himself, herself, or itself out to the
25 general public as engaged in the business of transporting
26 goods for a fee; and

1 (2) is engaged in the business of transporting and
2 delivering alcoholic beverages in this State directly to
3 consumers.

4 (b) Notwithstanding any other provision of law, a wine
5 shipper licensee may ship, for personal use and not for
6 resale, not more than 12 cases of wine per year to any resident
7 of this State who is 21 years of age or older.

8 (b-3) Notwithstanding any other provision of law, sale and
9 shipment by a winery shipper licensee pursuant to this Section
10 shall be deemed to constitute a sale in this State.

11 (b-5) The shipping container of any wine shipped under
12 this Section shall be clearly labeled with the following
13 words: "CONTAINS ALCOHOL. SIGNATURE OF A PERSON 21 YEARS OF
14 AGE OR OLDER REQUIRED FOR DELIVERY. PROOF OF AGE AND IDENTITY
15 MUST BE SHOWN BEFORE DELIVERY.". This warning must be
16 prominently displayed on the packaging. A licensee shall
17 require the transporter or common carrier that delivers the
18 wine to obtain the signature of a person 21 years of age or
19 older at the delivery address at the time of delivery. At the
20 expense of the licensee, the licensee shall receive a delivery
21 confirmation from the express company, common carrier, or
22 contract carrier indicating the location of the delivery, time
23 of delivery, and the name and signature of the individual 21
24 years of age or older who accepts delivery. The State
25 Commission shall design and create a label or approve a label
26 that must be affixed to the shipping container by the

1 licensee.

2 (b-10) A carrier may not deliver to a consumer a package
3 known by the carrier to contain wine unless:

4 (1) the consignor is a licensed winery shipper and the
5 carrier has verified its winery shipper license for the
6 current license period; or

7 (2) the consignor is a registered third-party provider
8 and the carrier has verified the registration.

9 A carrier that verifies that a winery shipper has a winery
10 shipper license for the current license period may consider
11 the license to be valid for the remainder of the license
12 period, unless the carrier receives notice from the State
13 Commission that the license has been suspended or revoked. A
14 carrier that verifies that a third-party provider is
15 registered may consider the registration to be valid unless
16 the carrier receives notice from the State Commission that the
17 registration has been suspended or revoked.

18 (b-15) A registered third-party provider shall file with
19 the State Commission a monthly report that includes:

20 (1) the name, business address, and registration
21 number of the third-party provider;

22 (2) the total number of gallons of wine shipped to
23 consumers by the third-party provider during the reporting
24 period; and

25 (3) for each shipment of wine to a consumer during the
26 reporting period:

1 (A) the name, business address, and license number
2 of the winery shipper on whose behalf the third-party
3 provider shipped the wine, with the name stated, if
4 possible, as it appears on the winery shipper license;

5 (B) the name and address of the consumer to whom
6 the wine was shipped;

7 (C) the address from which the third-party
8 provider originated the shipment, stated identically
9 as an address provided by the third-party provider
10 under paragraph (1) of subsection (a) of Section 5-8;

11 (D) the date the shipment was delivered;

12 (E) the type and quantity by volume of wine
13 shipped; and

14 (F) the name and business address of the carrier
15 that delivered the wine and the carrier's parcel
16 tracking number for the shipment.

17 If no business was transacted in this State during the
18 reporting period, a report under this subsection must include
19 the information under paragraph (1) and report that no
20 business was transacted in this State during the reporting
21 period.

22 Any books, records, supporting papers, and documents
23 containing information and data relating to a statement under
24 this subsection shall be kept and preserved for a period of 3
25 years, unless their destruction is authorized sooner in
26 writing by the Director of Revenue, and shall be open and

1 available to inspection by the Director of Revenue or the
2 State Commission or any duly authorized officer, agent, or
3 employee of the State Commission or the Department of Revenue,
4 at all times during business hours of the day. Any person who
5 violates any provision of this subsection or any rule of the
6 State Commission for the administration and enforcement of the
7 provisions of this subsection is guilty of a Class C
8 misdemeanor. In case of a continuing violation, each day's
9 continuance thereof shall be a separate and distinct offense.

10 (b-20) A licensed winery shipper shall file with the State
11 Commission a monthly report that includes:

12 (1) the name, business address, and license number of
13 the licensed winery shipper;

14 (2) the total gallons of each type of wine shipped to
15 consumers during the reporting period; and

16 (3) for each shipment of wine to a consumer during the
17 reporting period:

18 (A) the name and address of the consumer to whom
19 the wine was shipped;

20 (B) the date the shipment was delivered;

21 (C) the type and quantity by volume of wine
22 shipped;

23 (D) the purchase price of the wine shipped and the
24 amount and type of each tax charged in connection with
25 the wine;

26 (E) if the wine was shipped for the licensed

1 winery shipper by a third-party provider, the name,
2 business address, and registration number of the
3 third-party provider, with the name stated, if
4 possible, as it appears on the third-party provider's
5 registration; and

6 (F) if the wine was delivered by a carrier, the
7 name and business address of the carrier and the
8 carrier's parcel tracking number for the shipment.

9 If no business was transacted in this State during the
10 reporting period, a report under this subsection must include
11 the information under paragraph (1) and report that no
12 business was transacted in this State during the reporting
13 period.

14 (b-25) A carrier shall file with the State Commission a
15 monthly report that includes:

16 (1) the name and business address of the carrier;

17 (2) a list containing the name, business address, and
18 winery shipper license number or third-party provider
19 registration number of each licensed winery shipper and
20 registered third-party provider with which the carrier has
21 an agreement to ship wine, with the name stated, if
22 possible, as it appears on the winery shipper license or
23 third-party provider registration; and

24 (3) for each shipment known by the carrier to contain
25 wine that was delivered to a consumer during the reporting
26 period:

1 (A) the name and business address of the consignor
2 of the shipment;

3 (B) the name and address of the consumer;

4 (C) the date the shipment was delivered by the
5 carrier;

6 (D) the weight, in pounds, of the package; and

7 (E) the carrier's parcel tracking number for the
8 shipment.

9 If no business was transacted in this State during the
10 reporting period, a report under this subsection must include
11 the information under paragraph (1) and report that no
12 business was transacted in this State during the reporting
13 period.

14 (b-30) The State Commission shall prescribe the form and
15 deadline for filing a report under this Section. The State
16 Commission may require the report to be filed electronically.
17 The State Commission may require a person filing the report to
18 submit additional information, including business records, to
19 substantiate information in the report.

20 (b-35) Except as provided in subsection (b-40), reports
21 filed under this Section and information obtained from the
22 report, records inspected or obtained by the State Commission
23 under subsection (e) of Section 5-8, and other information
24 obtained by the State Commission relating to enforcement or
25 investigation of a violation of this Act are confidential,
26 exempt from disclosure under the Freedom of Information Act,

1 and exempt from public inspection.

2 (b-40) The State Commission may disclose a report under
3 this Section or information from the report:

4 (1) if reasonably necessary to enforce or implement
5 this Act or other law of this State relating to the
6 shipment of alcoholic liquor directly to individuals in
7 this State; or

8 (2) as a compilation of aggregated data if personally
9 identifiable information is not disclosed.

10 The State Commission may disclose to a carrier the
11 information specified under paragraph (3) of subsection (b-15)
12 and information specified under paragraph (2) of subsection
13 (a) of Section 5-8.

14 (b-42) A carrier shipping wine into or within this State
15 shall appoint and continuously maintain with the State
16 Commission an agent for service of process. The agent may be
17 located in this State or another state. By appointing an agent
18 under this subsection, the carrier affirms that the agent
19 consents to accept service. Service of process on the agent
20 constitutes valid service of process on the carrier in an
21 action or proceeding arising out of enforcement of law of this
22 State regulating shipment of wine directly to a person in this
23 State. If a carrier fails to maintain in the records of the
24 State Commission a current agent for service of process or if
25 the current agent cannot be served with reasonable diligence,
26 the State Commission is the agent for service of process.

1 (b-45) If the State Commission has reason to believe that
2 alcoholic liquor has been shipped unlawfully into or within
3 this State, the State Commission may give notice to the
4 consignor requiring the consignor to show cause why shipments
5 by the consignor into or within this State should not be
6 prohibited. If the State Commission, after an opportunity for
7 an evidentiary hearing, determines that the consignor shipped
8 alcoholic liquor into or within this State unlawfully, the
9 State Commission may issue an administrative order prohibiting
10 additional shipments by the consignor of alcoholic liquor into
11 or within this State.

12 (b-50) The State Commission may give notice to a carrier
13 of the administrative order under subsection (b-45). Except as
14 provided in subsection (b-60), beginning 10 days after the
15 date of the notice, and until the carrier receives notice that
16 the administrative order is rescinded, the carrier may not
17 accept from the consignor identified in the notice, for
18 shipment into or within this State, a package known by the
19 carrier to contain wine.

20 (b-55) For good cause, the State Commission may rescind an
21 administrative order issued under subsection (b-45). On
22 rescinding the order, the State Commission shall give notice
23 of the rescission to each carrier that received notice under
24 subsection (b-50) of the order.

25 (b-60) The State Commission may not hold a hearing under
26 subsection (a) less than 30 days after the date of the notice

1 requiring the consignor to show cause unless:

2 (1) the consignor agrees to an earlier hearing date;

3 or

4 (2) the notice describes with particularity how the
5 consignor's alleged unlawful shipment poses a serious risk
6 to public health or safety.

7 (b-65) If the notice includes a description under
8 paragraph (2) of subsection (b-60) and the State Commission
9 issues an administrative order under subsection (a):

10 (1) the order must identify the risk; and

11 (2) the State Commission's notice under subsection
12 (b-45) to a carrier must require the carrier to implement
13 the order as soon as possible.

14 (b-70) An administrative order issued under subsection (a)
15 is subject to judicial review under the Administrative Review
16 Law.

17 (b-75) This amendatory Act of the 104th General Assembly
18 modifies, limits, or supersedes the Electronic Signatures in
19 Global and National Commerce Act, 15 U.S.C. Section 7001 et
20 seq., as amended, but does not modify, limit, or supersede 15
21 U.S.C. Section 7001(c), or authorize electronic delivery of
22 any of the notices described in 15 U.S.C. Section 7003(b).

23 (c) No broker within this State shall solicit consumers to
24 engage in direct wine shipments under this Section.

25 (d) It is not the intent of this Section to impair the
26 distribution of wine through distributors or importing

1 distributors, but only to permit shipments of wine for
2 personal use.

3 (Source: P.A. 95-634, eff. 6-1-08.)

4 (235 ILCS 5/7-3.5 new)

5 Sec. 7-3.5. Suspension, revocation, or nonrenewal of
6 license for unlawful shipping into another state.

7 (a) Notwithstanding subsection (b) of Section 10-1, the
8 State Commission may suspend, revoke, or refuse to issue or
9 renew a license to manufacture, distribute, or sell alcoholic
10 liquor issued by the State Commission if the State Commission
11 finds, after notice and an opportunity for an evidentiary
12 hearing, that the person holding the license has shipped
13 alcoholic liquor into another state in violation of that
14 state's law.

15 (b) The State Commission may not suspend, revoke, or
16 refuse to issue or renew a license issued by the State
17 Commission under subsection (a) if the person holding the
18 license shows that:

19 (1) the violation of the other state's law is the
20 subject of an enforcement action in the other state that
21 is pending before an administrative body or trial or
22 appellate court in the other state;

23 (2) an enforcement action described in paragraph (1)
24 has concluded in the other state and resulted in a
25 determination that no violation of the other state's law

1 occurred; or
2 (3) the violation of the other state's law occurred
3 more than 2 years before the date of the notice under
4 subsection (a).

5 (235 ILCS 5/7-15 new)
6 Sec. 7-15. Third-party provider registrations.
7 Registrations as a third-party provider shall be governed
8 under this Article in the same manner as licenses.

9 Section 95. No acceleration or delay. Where this Act makes
10 changes in a statute that is represented in this Act by text
11 that is not yet or no longer in effect (for example, a Section
12 represented by multiple versions), the use of that text does
13 not accelerate or delay the taking effect of (i) the changes
14 made by this Act or (ii) provisions derived from any other
15 Public Act.

16 Section 99. Effective date. This Act takes effect January
17 1, 2027.