



Rep. Robert "Bob" Rita

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LRB104 19989 RPS 34701 a

1 AMENDMENT TO HOUSE BILL 5110

2 AMENDMENT NO. _____. Amend House Bill 5110 on page 1,
3 line 5, by replacing "7-1 and 7-6" with "5-1, 5-3, 6-27.1, 7-1,
4 and 7-6 and by adding Sections 6-28.9 and 6-28.10"; and

5 on page 1, immediately below line 5, by inserting the
6 following:

7 "(235 ILCS 5/5-1)

8 (Text of Section before amendment by P.A. 104-451, Section
9 5)

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

- 12 (a) Manufacturer's license - Class 1. Distiller, Class 2.
- 13 Rectifier, Class 3. Brewer, Class 4. First Class Wine
- 14 Manufacturer, Class 5. Second Class Wine Manufacturer, Class
- 15 6. First Class Winemaker, Class 7. Second Class Winemaker,
- 16 Class 8. Limited Wine Manufacturer, Class 9. Craft Distiller,

1 Class 10. Class 1 Craft Distiller, Class 11. Class 2 Craft
2 Distiller, Class 12. Class 1 Brewer, Class 13. Class 2 Brewer,
3 Class 14. Class 3 Brewer,

4 (b) Distributor's license,

5 (c) Importing Distributor's license,

6 (d) Retailer's license,

7 (e) Special Event Retailer's license (not-for-profit),

8 (f) Railroad license,

9 (g) Boat license,

10 (h) Non-Beverage User's license,

11 (i) Wine-maker's premises license,

12 (j) Airplane license,

13 (k) Foreign importer's license,

14 (l) Broker's license,

15 (m) Non-resident dealer's license,

16 (n) Brew Pub license,

17 (o) Auction liquor license,

18 (p) Caterer retailer license,

19 (q) Special use permit license,

20 (r) Winery shipper's license,

21 (s) Craft distiller tasting permit,

22 (t) Brewer warehouse permit,

23 (u) Distilling pub license,

24 (v) Craft distiller warehouse permit,

25 (w) Beer showcase permit,

26 (y) Third-party retailer delivery license.

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

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

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

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

17 Class 3. A Brewer may make sales and deliveries of beer to
18 importing distributors and distributors and may make sales as
19 authorized under subsection (e) of Section 6-4 of this Act,
20 including any alcoholic liquor that subsection (e) of Section
21 6-4 authorizes a brewer to sell in its original package only to
22 a non-licensee for pick-up by a non-licensee either within the
23 interior of the brewery premises or outside of the brewery
24 premises at a curb-side or parking lot adjacent to the brewery
25 premises, subject to any local ordinance.

26 Class 4. A first class wine-manufacturer may make sales

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

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

23 Class 6. A first-class wine-maker's license shall allow
24 the manufacture of up to 50,000 gallons of wine per year and
25 the storage and sale of such wine to distributors in the State
26 and to persons without the State, as may be permitted by law. A

1 person who, prior to June 1, 2008 (the effective date of Public
2 Act 95-634), is a holder of a first-class wine-maker's license
3 and annually produces more than 25,000 gallons of its own wine
4 and who distributes its wine to licensed retailers shall cease
5 this practice on or before July 1, 2008 in compliance with
6 Public Act 95-634. If a first-class wine-maker manufactures
7 beer, it shall also obtain and shall only be eligible for, in
8 addition to any current license, a class 1 brewer license,
9 shall not manufacture more than 930,000 gallons of beer per
10 year, and shall not be a member of or affiliated with, directly
11 or indirectly, a manufacturer that produces more than 930,000
12 gallons of beer per year. If the first-class wine-maker
13 manufactures spirits, it shall also obtain and shall only be
14 eligible for, in addition to any current license, a class 1
15 craft distiller license, shall not manufacture more than
16 50,000 gallons of spirits per year, and shall not be a member
17 of or affiliated with, directly or indirectly, a manufacturer
18 that produces more than 50,000 gallons of spirits per year. A
19 first-class wine-maker holding a class 1 brewer license or a
20 class 1 craft distiller license shall not be eligible for a
21 wine-maker's premises license but shall be permitted to sell
22 wine manufactured at the first-class wine-maker premises to
23 non-licensees.

24 Class 7. A second-class wine-maker's license shall allow
25 the manufacture of up to 150,000 gallons of wine per year, and
26 the storage and sale of such wine to distributors in this State

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

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

25 Class 9. A craft distiller license, which may only be held
26 by a class 1 craft distiller licensee or class 2 craft

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

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

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

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

19 A class 1 craft distiller licensee may hold more than one
20 class 1 craft distiller's license. However, a class 1 craft
21 distiller that holds more than one class 1 craft distiller
22 license shall not manufacture, in the aggregate, more than
23 50,000 gallons of spirits by distillation per year and shall
24 not sell, in the aggregate, more than 5,000 gallons of such
25 spirits to non-licensees in accordance with an exemption
26 approved by the State Commission pursuant to Section 6-4 of

1 this Act.

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

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

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

25 A class 2 craft distiller license holder may store such
26 spirits at a non-contiguous licensed location, but at no time

1 shall a class 2 craft distiller license holder directly or
2 indirectly produce in the aggregate more than 100,000 gallons
3 of spirits per year.

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

1 accordance with the conditions set forth in paragraph (18) of
2 subsection (a) of Section 3-12 of this Act. If the State
3 Commission provides prior approval, a class 1 brewer may
4 annually transfer up to 930,000 gallons of beer manufactured
5 by that class 1 brewer to the premises of a licensed class 1
6 brewer wholly owned and operated by the same licensee.

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

1 gallons of wine a year. A class 2 brewer licensee may make
2 sales and deliveries to importing distributors and
3 distributors, but shall not make sales or deliveries to any
4 other licensee. If the State Commission provides prior
5 approval, a class 2 brewer licensee may annually transfer up
6 to 3,720,000 gallons of beer manufactured by that class 2
7 brewer licensee to the premises of a licensed class 2 brewer
8 wholly owned and operated by the same licensee.

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

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

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

24 (a-1) A manufacturer that is licensed in this State to
25 make sales or deliveries of alcoholic liquor to licensed
26 distributors or importing distributors and which enlists

1 agents, representatives, or individuals acting on its behalf
2 who contact licensed retailers on a regular and continual
3 basis in this State must register those agents,
4 representatives, or persons acting on its behalf with the
5 State Commission.

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

23 (b) A distributor's license shall allow (i) the wholesale
24 purchase and storage of alcoholic liquors and sale of
25 alcoholic liquors to licensees in this State and to persons
26 without the State, as may be permitted by law; (ii) the sale of

1 beer, cider, mead, or any combination thereof to brewers,
2 class 1 brewers, and class 2 brewers that, pursuant to
3 subsection (e) of Section 6-4 of this Act, sell beer, cider,
4 mead, or any combination thereof to non-licensees at their
5 breweries; (iii) the sale of vermouth to class 1 craft
6 distillers and class 2 craft distillers that, pursuant to
7 subsection (e) of Section 6-4 of this Act, sell spirits,
8 vermouth, or both spirits and vermouth to non-licensees at
9 their distilleries; or (iv) as otherwise provided in this Act.
10 No person licensed as a distributor shall be granted a
11 non-resident dealer's license.

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

1 license shall permit such licensee to purchase alcoholic
2 liquor from Illinois licensed non-resident dealers and foreign
3 importers only. No person licensed as an importing distributor
4 shall be granted a non-resident dealer's license.

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

26 (1) delivery within licensed retailer's parking lot,

1 including curbside, for pickup by the consumer;

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

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

7 Under paragraph (1), (2), or (3), delivery shall not
8 include the use of common carriers.

9 A retail licensee may use any website, mobile application,
10 or similar platform that facilitates the sale or delivery of
11 food, beverages, or goods and is owned or operated by the
12 retail licensee, third-party contractor, an independent
13 contractor, or an agent with whom the licensed retailer has
14 contracted to facilitate deliveries or sales of alcoholic
15 liquors under this Section. The use of any website, mobile
16 application, or similar platform to facilitate deliveries or
17 sales of alcoholic liquors shall not be considered an illegal
18 sale, resale, transfer, barter, or exchange of alcohol under
19 this Act.

20 Any retail license issued to a manufacturer shall only
21 permit the manufacturer to sell beer at retail on the premises
22 actually occupied by the manufacturer. For the purpose of
23 further describing the type of business conducted at a retail
24 licensed premises, a retailer's licensee may be designated by
25 the State Commission as (i) an on premise consumption
26 retailer, (ii) an off premise sale retailer, or (iii) a

1 combined on premise consumption and off premise sale retailer.

2 Except for a municipality with a population of more than
3 1,000,000 inhabitants, a home rule unit may not regulate the
4 delivery of alcoholic liquor or require a retail licensee to
5 obtain a separate or additional license for the delivery of
6 alcoholic liquor. This paragraph is a limitation under
7 subsection (i) of Section 6 of Article VII of the Illinois
8 Constitution on the concurrent exercise by home rule units of
9 powers and functions exercised by the State. A non-home rule
10 municipality may not regulate the delivery of alcoholic liquor
11 or require a retail licensee to obtain a separate or
12 additional license for the delivery of alcoholic liquor.

13 Notwithstanding any other provision of this subsection
14 (d), a retail licensee may sell alcoholic liquors to a special
15 event retailer licensee for resale to the extent permitted
16 under subsection (e).

17 The requirements in subsection (b-5) of Section 6-29 apply
18 only to a winery shipper licensee that ships wine via common
19 carrier and do not apply to a winery shipper licensee or a
20 retail licensee that delivers, or causes to be delivered,
21 alcohol pursuant to the methods outlined in item (1), (2), or
22 (3) of this subsection.

23 Except as provided in this Section, for a manufacturer
24 with a retail license, nothing in this Section shall be
25 construed to prohibit an on-premises consumption retailer,
26 off-premises sale retailer, or combined on-premises

1 consumption and off-premises sale retailer from delivering
2 alcohol pursuant to this Section.

3 A retail licensee shall contract only with a third-party
4 contractor, independent contractor, or agent to facilitate or
5 make deliveries of alcoholic liquors that has a policy to
6 verify the age of the person to whom the alcoholic liquor is
7 being delivered based on the person's valid proof of identity
8 indicating the person is age 21 or over. A retail licensee
9 shall not be civilly liable for sales or deliveries made to
10 intoxicated persons or persons under the age of 21 if the
11 delivery of alcoholic liquor was conducted by a third-party
12 contractor, independent contractor, or agent with whom the
13 licensed retailer has contracted to make deliveries of
14 alcoholic liquor.

15 (e) A special event retailer's license (not-for-profit)
16 shall permit the licensee to purchase alcoholic liquors from
17 an Illinois licensed distributor (unless the licensee
18 purchases less than \$500 of alcoholic liquors for the special
19 event, in which case the licensee may purchase the alcoholic
20 liquors from a licensed retailer) and shall allow the licensee
21 to sell and offer for sale, at retail, alcoholic liquors for
22 use or consumption, but not for resale in any form and only at
23 the location and on the specific dates designated for the
24 special event in the license. An applicant for a special event
25 retailer license must (i) furnish with the application: (A) a
26 resale number issued under Section 2c of the Retailers'

1 Occupation Tax Act or evidence that the applicant is
2 registered under Section 2a of the Retailers' Occupation Tax
3 Act, (B) a current, valid exemption identification number
4 issued under Section 1g of the Retailers' Occupation Tax Act
5 and a certification to the State Commission that the purchase
6 of alcoholic liquors will be a tax-exempt purchase, or (C) a
7 statement that the applicant is not registered under Section
8 2a of the Retailers' Occupation Tax Act, does not hold a resale
9 number under Section 2c of the Retailers' Occupation Tax Act,
10 and does not hold an exemption number under Section 1g of the
11 Retailers' Occupation Tax Act, in which event the State
12 Commission shall set forth on the special event retailer's
13 license a statement to that effect; (ii) submit with the
14 application proof satisfactory to the State Commission that
15 the applicant will provide dram shop liability insurance in
16 the maximum limits; and (iii) show proof satisfactory to the
17 State Commission that the applicant has obtained local
18 authority approval.

19 Nothing in this Act prohibits an Illinois licensed
20 distributor from offering credit or a refund for unused,
21 salable alcoholic liquors to a holder of a special event
22 retailer's license or the special event retailer's licensee
23 from accepting the credit or refund of alcoholic liquors at
24 the conclusion of the event specified in the license.

25 (f) A railroad license shall permit the licensee to import
26 alcoholic liquors into this State from any point in the United

1 States outside this State and to store such alcoholic liquors
2 in this State; to make wholesale purchases of alcoholic
3 liquors directly from manufacturers, foreign importers,
4 distributors and importing distributors from within or outside
5 this State; and to store such alcoholic liquors in this State;
6 provided that the above powers may be exercised only in
7 connection with the importation, purchase or storage of
8 alcoholic liquors to be sold or dispensed on a club, buffet,
9 lounge, or dining car operated on an electric, gas, or steam
10 railway in this State; and provided further, that railroad
11 licensees exercising the above powers shall be subject to all
12 provisions of Article VIII of this Act as applied to importing
13 distributors. A railroad license shall also permit the
14 licensee to sell or dispense alcoholic liquors on any club,
15 buffet, lounge, or dining car operated on an electric, gas, or
16 steam railway regularly operated by a common carrier in this
17 State, but shall not permit the sale for resale of any
18 alcoholic liquors to any licensee within this State. A license
19 shall be obtained for each car in which such sales are made.

20 (g) A boat license shall allow the sale of alcoholic
21 liquor in individual drinks on any passenger boat regularly
22 operated as a common carrier on navigable waters in this State
23 or on any riverboat operated under the Illinois Gambling Act,
24 which boat or riverboat maintains a public dining room or
25 restaurant thereon.

26 (h) A non-beverage user's license shall allow the licensee

1 to purchase alcoholic liquor from a licensed manufacturer or
 2 importing distributor, without the imposition of any tax upon
 3 the business of such licensed manufacturer or importing
 4 distributor as to such alcoholic liquor to be used by such
 5 licensee solely for the non-beverage purposes set forth in
 6 subsection (a) of Section 8-1 of this Act, and such licenses
 7 shall be divided and classified and shall permit the purchase,
 8 possession, and use of limited and stated quantities of
 9 alcoholic liquor as follows:

- 10 Class 1, not to exceed 500 gallons
- 11 Class 2, not to exceed 1,000 gallons
- 12 Class 3, not to exceed 5,000 gallons
- 13 Class 4, not to exceed 10,000 gallons
- 14 Class 5, not to exceed 50,000 gallons

15 (i) A wine-maker's premises license shall allow a licensee
 16 that concurrently holds a first-class wine-maker's license to
 17 sell and offer for sale at retail in the premises specified in
 18 such license not more than 50,000 gallons of the first-class
 19 wine-maker's wine that is made at the first-class wine-maker's
 20 licensed premises per year for use or consumption, but not for
 21 resale in any form. A wine-maker's premises license shall
 22 allow a licensee who concurrently holds a second-class
 23 wine-maker's license to sell and offer for sale at retail in
 24 the premises specified in such license up to 100,000 gallons
 25 of the second-class wine-maker's wine that is made at the
 26 second-class wine-maker's licensed premises per year for use

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

21 (j) An airplane license shall permit the licensee to
22 import alcoholic liquors into this State from any point in the
23 United States outside this State and to store such alcoholic
24 liquors in this State; to make wholesale purchases of
25 alcoholic liquors directly from manufacturers, foreign
26 importers, distributors, and importing distributors from

1 within or outside this State; and to store such alcoholic
2 liquors in this State; provided that the above powers may be
3 exercised only in connection with the importation, purchase,
4 or storage of alcoholic liquors to be sold or dispensed on an
5 airplane; and provided further, that airplane licensees
6 exercising the above powers shall be subject to all provisions
7 of Article VIII of this Act as applied to importing
8 distributors. An airplane licensee shall also permit the sale
9 or dispensing of alcoholic liquors on any passenger airplane
10 regularly operated by a common carrier in this State, but
11 shall not permit the sale for resale of any alcoholic liquors
12 to any licensee within this State. A single airplane license
13 shall be required of an airline company if liquor service is
14 provided on board aircraft in this State. The annual fee for
15 such license shall be as determined in Section 5-3.

16 (k) A foreign importer's license shall permit such
17 licensee to purchase alcoholic liquor from Illinois licensed
18 non-resident dealers only, and to import alcoholic liquor
19 other than in bulk from any point outside the United States and
20 to sell such alcoholic liquor to Illinois licensed importing
21 distributors and to no one else in Illinois; provided that (i)
22 the foreign importer registers with the State Commission every
23 brand of alcoholic liquor that it proposes to sell to Illinois
24 licensees during the license period, (ii) the foreign importer
25 complies with all of the provisions of Section 6-9 of this Act
26 with respect to registration of such Illinois licensees as may

1 be granted the right to sell such brands at wholesale, and
2 (iii) the foreign importer complies with the provisions of
3 Sections 6-5 and 6-6 of this Act to the same extent that these
4 provisions apply to manufacturers.

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

15 No holder of a retailer's license issued by the Illinois
16 Liquor Control Commission shall purchase or receive any
17 alcoholic liquor, the order for which was solicited or offered
18 for sale to such retailer by a broker unless the broker is the
19 holder of a valid broker's license.

20 The broker shall, upon the acceptance by a retailer of the
21 broker's solicitation of an order or offer to sell or supply or
22 deliver or have delivered alcoholic liquors, promptly forward
23 to the Illinois Liquor Control Commission a notification of
24 said transaction in such form as the State Commission may by
25 regulations prescribe.

26 (ii) A broker's license shall be required of a person

1 within this State, other than a retail licensee, who, for a fee
2 or commission, promotes, solicits, or accepts orders for
3 alcoholic liquor, for use or consumption and not for resale,
4 to be shipped from this State and delivered to residents
5 outside of this State by an express company, common carrier,
6 or contract carrier. This Section does not apply to any person
7 who promotes, solicits, or accepts orders for wine as
8 specifically authorized in Section 6-29 of this Act.

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

13 This subsection (1) shall not apply to distributors,
14 employees of distributors, or employees of a manufacturer who
15 has registered the trademark, brand, or name of the alcoholic
16 liquor pursuant to Section 6-9 of this Act, and who regularly
17 sells such alcoholic liquor in the State of Illinois only to
18 its registrants thereunder.

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

22 (m) A non-resident dealer's license shall permit such
23 licensee to ship into and warehouse alcoholic liquor into this
24 State from any point outside of this State, and to sell such
25 alcoholic liquor to Illinois licensed foreign importers and
26 importing distributors and to no one else in this State;

1 provided that (i) said non-resident dealer shall register with
2 the Illinois Liquor Control Commission each and every brand of
3 alcoholic liquor which it proposes to sell to Illinois
4 licensees during the license period, (ii) it shall comply with
5 all of the provisions of Section 6-9 hereof with respect to
6 registration of such Illinois licensees as may be granted the
7 right to sell such brands at wholesale by duly filing such
8 registration statement, thereby authorizing the non-resident
9 dealer to proceed to sell such brands at wholesale, and (iii)
10 the non-resident dealer shall comply 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. No person licensed as a
13 non-resident dealer shall be granted a distributor's or
14 importing distributor's license.

15 (n) A brew pub license shall allow the licensee to only (i)
16 manufacture up to 155,000 gallons of beer per year only on the
17 premises specified in the license, (ii) make sales of the beer
18 manufactured on the premises or, with the approval of the
19 State Commission, beer manufactured on another brew pub
20 licensed premises that is wholly owned and operated by the
21 same licensee to importing distributors, distributors, and
22 non-licensees for use and consumption, (iii) store the beer
23 upon the premises, (iv) sell and offer for sale at retail from
24 the licensed premises for off-premises consumption no more
25 than 155,000 gallons per year so long as such sales are only
26 made in-person, (v) sell and offer for sale at retail for use

1 and consumption on the premises specified in the license any
2 form of alcoholic liquor purchased from a licensed distributor
3 or importing distributor, (vi) with the prior approval of the
4 State Commission, annually transfer no more than 155,000
5 gallons of beer manufactured on the premises to a licensed
6 brew pub wholly owned and operated by the same licensee, and
7 (vii) notwithstanding item (i) of this subsection, brew pubs
8 wholly owned and operated by the same licensee may combine
9 each location's production limit of 155,000 gallons of beer
10 per year and allocate the aggregate total between the wholly
11 owned, operated, and licensed locations.

12 A brew pub licensee shall not under any circumstance sell
13 or offer for sale beer manufactured by the brew pub licensee to
14 retail licensees.

15 A person who holds a class 2 brewer license may
16 simultaneously hold a brew pub license if the class 2 brewer
17 (i) does not, under any circumstance, sell or offer for sale
18 beer manufactured by the class 2 brewer to retail licensees;
19 (ii) does not hold more than 3 brew pub licenses in this State;
20 (iii) does not manufacture more than a combined 3,720,000
21 gallons of beer per year, including the beer manufactured at
22 the brew pub; and (iv) is not a member of or affiliated with,
23 directly or indirectly, a manufacturer that produces more than
24 3,720,000 gallons of beer per year or any other alcoholic
25 liquor.

26 Notwithstanding any other provision of this Act, a

1 licensed brewer, class 2 brewer, or non-resident dealer who
2 before July 1, 2015 manufactured less than 3,720,000 gallons
3 of beer per year and held a brew pub license on or before July
4 1, 2015 may (i) continue to qualify for and hold that brew pub
5 license for the licensed premises and (ii) manufacture more
6 than 3,720,000 gallons of beer per year and continue to
7 qualify for and hold that brew pub license if that brewer,
8 class 2 brewer, or non-resident dealer does not simultaneously
9 hold a class 1 brewer license and is not a member of or
10 affiliated with, directly or indirectly, a manufacturer that
11 produces more than 3,720,000 gallons of beer per year or that
12 produces any other alcoholic liquor.

13 A brew pub licensee may apply for a class 3 brewer license
14 and, upon meeting all applicable qualifications of this Act
15 and relinquishing all commonly owned brew pub or retail
16 licenses, shall be issued a class 3 brewer license. Nothing in
17 this Act shall prohibit the issuance of a class 3 brewer
18 license if the applicant:

19 (1) has a valid retail license on or before May 1,
20 2021;

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

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

26 (4) relinquishes all commonly owned retail licenses on

1 or before December 31, 2022.

2 If a brew pub licensee is issued a class 3 brewer license,
3 the class 3 brewer license shall expire on the same date as the
4 existing brew pub license and the State Commission shall not
5 require a class 3 brewer licensee to obtain a brewer license
6 or, in the alternative, to pay a fee for a brewer license,
7 until the date the brew pub license of the applicant would have
8 expired.

9 (o) A caterer retailer license shall allow the holder to
10 serve alcoholic liquors as an incidental part of a food
11 service that serves prepared meals which excludes the serving
12 of snacks as the primary meal, either on or off-site whether
13 licensed or unlicensed. A caterer retailer license shall allow
14 the holder, a distributor, or an importing distributor to
15 transfer any inventory to and from the holder's retail
16 premises and shall allow the holder to purchase alcoholic
17 liquor from a distributor or importing distributor to be
18 delivered directly to an off-site event.

19 Nothing in this Act prohibits a distributor or importing
20 distributor from offering credit or a refund for unused,
21 salable beer to a holder of a caterer retailer license or a
22 caterer retailer licensee from accepting a credit or refund
23 for unused, salable beer, in the event an act of God is the
24 sole reason an off-site event is canceled and if: (i) the
25 holder of a caterer retailer license has not transferred
26 alcoholic liquor from its caterer retailer premises to an

1 off-site location; (ii) the distributor or importing
2 distributor offers the credit or refund for the unused,
3 salable beer that it delivered to the off-site premises and
4 not for any unused, salable beer that the distributor or
5 importing distributor delivered to the caterer retailer's
6 premises; and (iii) the unused, salable beer would likely
7 spoil if transferred to the caterer retailer's premises. A
8 caterer retailer license shall allow the holder to transfer
9 any inventory from any off-site location to its caterer
10 retailer premises at the conclusion of an off-site event or
11 engage a distributor or importing distributor to transfer any
12 inventory from any off-site location to its caterer retailer
13 premises at the conclusion of an off-site event, provided that
14 the distributor or importing distributor issues bona fide
15 charges to the caterer retailer licensee for fuel, labor, and
16 delivery and the distributor or importing distributor collects
17 payment from the caterer retailer licensee prior to the
18 distributor or importing distributor transferring inventory to
19 the caterer retailer premises.

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

24 (p) An auction liquor license shall allow the licensee to
25 sell and offer for sale at auction wine and spirits for use or
26 consumption, or for resale by an Illinois liquor licensee in

1 accordance with provisions of this Act. An auction liquor
2 license will be issued to a person and it will permit the
3 auction liquor licensee to hold the auction anywhere in the
4 State. An auction liquor license must be obtained for each
5 auction at least 14 days in advance of the auction date.

6 (q) A special use permit license shall allow an Illinois
7 licensed retailer to transfer a portion of its alcoholic
8 liquor inventory from its retail licensed premises to the
9 premises specified in the license hereby created; to purchase
10 alcoholic liquor from a distributor or importing distributor
11 to be delivered directly to the location specified in the
12 license hereby created; and to sell or offer for sale at
13 retail, only in the premises specified in the license hereby
14 created, the transferred or delivered alcoholic liquor for use
15 or consumption, but not for resale in any form. A special use
16 permit license may be granted for the following time periods:
17 one day or less; 2 or more days to a maximum of 15 days per
18 location in any 12-month period. An applicant for the special
19 use permit license must also submit with the application proof
20 satisfactory to the State Commission that the applicant will
21 provide dram shop liability insurance to the maximum limits
22 and have local authority approval.

23 A special use permit license shall allow the holder to
24 transfer any inventory from the holder's special use premises
25 to its retail premises at the conclusion of the special use
26 event or engage a distributor or importing distributor to

1 transfer any inventory from the holder's special use premises
2 to its retail premises at the conclusion of an off-site event,
3 provided that the distributor or importing distributor issues
4 bona fide charges to the special use permit licensee for fuel,
5 labor, and delivery and the distributor or importing
6 distributor collects payment from the retail licensee prior to
7 the distributor or importing distributor transferring
8 inventory to the retail premises.

9 Nothing in this Act prohibits a distributor or importing
10 distributor from offering credit or a refund for unused,
11 salable beer to a special use permit licensee or a special use
12 permit licensee from accepting a credit or refund for unused,
13 salable beer at the conclusion of the event specified in the
14 license if: (i) the holder of the special use permit license
15 has not transferred alcoholic liquor from its retail licensed
16 premises to the premises specified in the special use permit
17 license; (ii) the distributor or importing distributor offers
18 the credit or refund for the unused, salable beer that it
19 delivered to the premises specified in the special use permit
20 license and not for any unused, salable beer that the
21 distributor or importing distributor delivered to the
22 retailer's premises; and (iii) the unused, salable beer would
23 likely spoil if transferred to the retailer premises.

24 (r) A winery shipper's license shall allow a person with a
25 first-class or second-class wine manufacturer's license, a
26 first-class or second-class wine-maker's license, or a limited

1 wine manufacturer's license or who is licensed to make wine
2 under the laws of another state to ship wine made by that
3 licensee directly to a resident of this State who is 21 years
4 of age or older for that resident's personal use and not for
5 resale. Prior to receiving a winery shipper's license, an
6 applicant for the license must provide the State Commission
7 with a true copy of its current license in any state in which
8 it is licensed as a manufacturer of wine. An applicant for a
9 winery shipper's license must also complete an application
10 form that provides any other information the State Commission
11 deems necessary. The application form shall include all
12 addresses from which the applicant for a winery shipper's
13 license intends to ship wine, including the name and address
14 of any third party, except for a common carrier, authorized to
15 ship wine on behalf of the manufacturer. The application form
16 shall include an acknowledgment consenting to the jurisdiction
17 of the State Commission, the Illinois Department of Revenue,
18 and the courts of this State concerning the enforcement of
19 this Act and any related laws, rules, and regulations,
20 including authorizing the Department of Revenue and the State
21 Commission to conduct audits for the purpose of ensuring
22 compliance with Public Act 95-634, and an acknowledgment that
23 the wine manufacturer is in compliance with Section 6-2 of
24 this Act. Any third party, except for a common carrier,
25 authorized to ship wine on behalf of a first-class or
26 second-class wine manufacturer's licensee, a first-class or

1 second-class wine-maker's licensee, a limited wine
2 manufacturer's licensee, or a person who is licensed to make
3 wine under the laws of another state shall also be disclosed by
4 the winery shipper's licensee, and a copy of the written
5 appointment of the third-party wine provider, except for a
6 common carrier, to the wine manufacturer shall be filed with
7 the State Commission as a supplement to the winery shipper's
8 license application or any renewal thereof. The winery
9 shipper's license holder shall affirm under penalty of
10 perjury, as part of the winery shipper's license application
11 or renewal, that he or she only ships wine, either directly or
12 indirectly through a third-party provider, from the licensee's
13 own production.

14 Except for a common carrier, a third-party provider
15 shipping wine on behalf of a winery shipper's license holder
16 is the agent of the winery shipper's license holder and, as
17 such, a winery shipper's license holder is responsible for the
18 acts and omissions of the third-party provider acting on
19 behalf of the license holder. A third-party provider, except
20 for a common carrier, that engages in shipping wine into
21 Illinois on behalf of a winery shipper's license holder shall
22 consent to the jurisdiction of the State Commission and the
23 State. Any third-party, except for a common carrier, holding
24 such an appointment shall, by February 1 of each calendar year
25 and upon request by the State Commission or the Department of
26 Revenue, file with the State Commission a statement detailing

1 each shipment made to an Illinois resident. The statement
2 shall include the name and address of the third-party provider
3 filing the statement, the time period covered by the
4 statement, and the following information:

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

7 (2) the quantity of the products delivered; and

8 (3) the date and address of the shipment.

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

1 The State Commission shall adopt rules as soon as
2 practicable to implement the requirements of Public Act 99-904
3 and shall adopt rules prohibiting any such third-party
4 appointment of a third-party provider, except for a common
5 carrier, that has been deemed by the State Commission to have
6 violated the provisions of this Act with regard to any winery
7 shipper licensee.

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

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

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

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

16 (s) A craft distiller tasting permit license shall allow
17 an Illinois licensed class 1 craft distiller or class 2 craft
18 distiller to transfer a portion of its alcoholic liquor
19 inventory from its class 1 craft distiller or class 2 craft
20 distiller licensed premises to the premises specified in the
21 license hereby created and to conduct a sampling, only in the
22 premises specified in the license hereby created, of the
23 transferred alcoholic liquor in accordance with subsection (c)
24 of Section 6-31 of this Act. The transferred alcoholic liquor
25 may not be sold or resold in any form. An applicant for the
26 craft distiller tasting permit license must also submit with

1 the application proof satisfactory to the State Commission
2 that the applicant will provide dram shop liability insurance
3 to the maximum limits and have local authority approval.

4 (t) A brewer warehouse permit may be issued to the holder
5 of a class 1 brewer license or a class 2 brewer license. If the
6 holder of the permit is a class 1 brewer licensee, the brewer
7 warehouse permit shall allow the holder to store or warehouse
8 up to 930,000 gallons of tax-determined beer manufactured by
9 the holder of the permit at the premises specified on the
10 permit. If the holder of the permit is a class 2 brewer
11 licensee, the brewer warehouse permit shall allow the holder
12 to store or warehouse up to 3,720,000 gallons of
13 tax-determined beer manufactured by the holder of the permit
14 at the premises specified on the permit. Sales to
15 non-licensees are prohibited at the premises specified in the
16 brewer warehouse permit.

17 (u) A distilling pub license shall allow the licensee to
18 only (i) manufacture up to 5,000 gallons of spirits per year
19 only on the premises specified in the license, (ii) make sales
20 of the spirits manufactured on the premises or, with the
21 approval of the State Commission, spirits manufactured on
22 another distilling pub licensed premises that is wholly owned
23 and operated by the same licensee to importing distributors
24 and distributors and to non-licensees for use and consumption,
25 (iii) store the spirits upon the premises, (iv) sell and offer
26 for sale at retail from the licensed premises for off-premises

1 consumption no more than 5,000 gallons per year so long as such
2 sales are only made in-person, (v) sell and offer for sale at
3 retail for use and consumption on the premises specified in
4 the license any form of alcoholic liquor purchased from a
5 licensed distributor or importing distributor, and (vi) with
6 the prior approval of the State Commission, annually transfer
7 no more than 5,000 gallons of spirits manufactured on the
8 premises to a licensed distilling pub wholly owned and
9 operated by the same licensee.

10 A distilling pub licensee shall not under any circumstance
11 sell or offer for sale spirits manufactured by the distilling
12 pub licensee to retail licensees.

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

24 (v) A craft distiller warehouse permit may be issued to
25 the holder of a class 1 craft distiller or class 2 craft
26 distiller license. The craft distiller warehouse permit shall

1 allow the holder to store or warehouse up to 500,000 gallons of
2 spirits manufactured by the holder of the permit at the
3 premises specified on the permit. Sales to non-licensees are
4 prohibited at the premises specified in the craft distiller
5 warehouse permit.

6 (w) A beer showcase permit license shall allow an
7 Illinois-licensed distributor to transfer a portion of its
8 beer inventory from its licensed premises to the premises
9 specified in the beer showcase permit license, and, in the
10 case of a class 3 brewer, transfer only beer the class 3 brewer
11 manufactures from its licensed premises to the premises
12 specified in the beer showcase permit license; and to sell or
13 offer for sale at retail, only in the premises specified in the
14 beer showcase permit license, the transferred or delivered
15 beer for on or off premise consumption, but not for resale in
16 any form and to sell to non-licensees not more than 96 fluid
17 ounces of beer per person. A beer showcase permit license may
18 be granted for the following time periods: one day or less; or
19 2 or more days to a maximum of 15 days per location in any
20 12-month period. An applicant for a beer showcase permit
21 license must also submit with the application proof
22 satisfactory to the State Commission that the applicant will
23 provide dram shop liability insurance to the maximum limits
24 and have local authority approval. The State Commission shall
25 require the beer showcase applicant to comply with Section
26 6-27.1.

1 (y) A third-party retailer delivery license shall
2 authorize a person who is not licensed to sell alcoholic
3 liquor to deliver alcoholic liquor on behalf of a retailer
4 licensee and to deliver alcoholic liquor at the request of an
5 unlicensed purchaser of alcoholic liquor from a retailer
6 licensee, subject to the provisions of Sections 6-28.9 and
7 6-29.10. A third-party retailer delivery license is not
8 required for an employee or independent contractor of a person
9 holding a third-party retailer delivery license or for an
10 employee of a retailer licensee who is not an independent
11 contractor of a retailer licensee. A third-party retailer
12 delivery licensee; a third-party retailer delivery licensee's
13 officers, owners, and directors; and any person affiliated
14 with the third-party retailer delivery licensee's ownership
15 may not hold a direct or indirect financial or beneficial
16 interest in any other business licensed under this Act, except
17 a State-licensed retailer.

18 The issuance and regulation of a third-party retailer
19 delivery license is an exclusive power and function of the
20 State. A home rule or non-home rule unit may not issue or
21 regulate a third-party retailer delivery license. This
22 subsection is a denial and limitation of home rule powers and
23 functions under subsection (h) of Section 6 of Article VII of
24 the Illinois Constitution.

25 (Source: P.A. 104-451, Section 10, eff. 12-12-25.)

1 (Text of Section after amendment by P.A. 104-451, Section
2 5)

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

5 (a) Manufacturer's license - Class 1. Distiller, Class 2.
6 Rectifier, Class 3. Brewer, Class 4. First Class Wine
7 Manufacturer, Class 5. Second Class Wine Manufacturer, Class
8 6. First Class Winemaker, Class 7. Second Class Winemaker,
9 Class 8. Limited Wine Manufacturer, Class 9. Craft Distiller,
10 Class 10. Class 1 Craft Distiller, Class 11. Class 2 Craft
11 Distiller, Class 12. Class 1 Brewer, Class 13. Class 2 Brewer,
12 Class 14. Class 3 Brewer, Class 15. Class 3 Craft Distiller,

13 (b) Distributor's license,

14 (c) Importing Distributor's license,

15 (d) Retailer's license,

16 (e) Special Event Retailer's license (not-for-profit),

17 (f) Railroad license,

18 (g) Boat license,

19 (h) Non-Beverage User's license,

20 (i) Wine-maker's premises license,

21 (j) Airplane license,

22 (k) Foreign importer's license,

23 (l) Broker's license,

24 (m) Non-resident dealer's license,

25 (n) Brew Pub license,

26 (o) Auction liquor license,

- 1 (p) Caterer retailer license,
2 (q) Special use permit license,
3 (r) Winery shipper's license,
4 (s) Craft distiller tasting permit,
5 (t) Brewer warehouse permit,
6 (u) Distilling pub license,
7 (v) Craft distiller warehouse permit,
8 (w) Beer showcase permit,
9 (x) Spirits showcase permit, ~~z~~
10 (y) Third-party retailer delivery license.

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

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

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

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

1 Class 3. A Brewer may make sales and deliveries of beer to
2 importing distributors and distributors and may make sales as
3 authorized under subsection (e) of Section 6-4 of this Act,
4 including any alcoholic liquor that subsection (e) of Section
5 6-4 authorizes a brewer to sell in its original package only to
6 a non-licensee for pick-up by a non-licensee either within the
7 interior of the brewery premises or outside of the brewery
8 premises at a curb-side or parking lot adjacent to the brewery
9 premises, subject to any local ordinance.

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

1 shall be permitted to sell wine manufactured at the
2 first-class wine-manufacturer premises to non-licensees.

3 Class 5. A second class wine manufacturer may make sales
4 and deliveries of more than 50,000 gallons of wine to
5 manufacturers, importing distributors and distributors and to
6 no other licensees.

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

1 of or affiliated with, directly or indirectly, a manufacturer
2 that produces more than 50,000 gallons of spirits per year. A
3 first-class wine-maker holding a class 1 brewer license or a
4 class 1 craft distiller license shall not be eligible for a
5 wine-maker's premises license but shall be permitted to sell
6 wine manufactured at the first-class wine-maker premises to
7 non-licensees.

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

1 manufacture more than 100,000 gallons of spirits per year, and
2 shall not be a member of or affiliated with, directly or
3 indirectly, a manufacturer that produces more than 100,000
4 gallons of spirits per year.

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

9 Class 9. A craft distiller license, which may only be held
10 by a class 1 craft distiller licensee or class 2 craft
11 distiller licensee but not held by both a class 1 craft
12 distiller licensee and a class 2 craft distiller licensee,
13 shall grant all rights conveyed by either: (i) a class 1 craft
14 distiller license if the craft distiller holds a class 1 craft
15 distiller license; or (ii) a class 2 craft distiller licensee
16 if the craft distiller holds a class 2 craft distiller
17 license.

18 Class 10. A class 1 craft distiller license, which may
19 only be issued to a licensed craft distiller or licensed
20 non-resident dealer, shall allow the manufacture of up to
21 50,000 gallons of spirits per year provided that the class 1
22 craft distiller licensee does not manufacture more than a
23 combined 50,000 gallons of spirits per year and is not a member
24 of or affiliated with, directly or indirectly, a manufacturer
25 that produces more than 50,000 gallons of spirits per year. If
26 a class 1 craft distiller manufactures beer, it shall also

1 obtain and shall only be eligible for, in addition to any
2 current license, a class 1 brewer license, shall not
3 manufacture more than 930,000 gallons of beer per year, and
4 shall not be a member of or affiliated with, directly or
5 indirectly, a manufacturer that produces more than 930,000
6 gallons of beer per year. If a class 1 craft distiller
7 manufactures wine, it shall also obtain and shall only be
8 eligible for, in addition to any current license, a
9 first-class wine-manufacturer license or a first-class
10 wine-maker's license, shall not manufacture more than 50,000
11 gallons of wine per year, and shall not be a member of or
12 affiliated with, directly or indirectly, a manufacturer that
13 produces more than 50,000 gallons of wine per year. A class 1
14 craft distiller licensee may make sales and deliveries to
15 importing distributors and distributors and to retail
16 licensees in accordance with the conditions set forth in
17 paragraph (19) of subsection (a) of Section 3-12 of this Act.
18 However, the aggregate amount of spirits sold to non-licensees
19 and sold or delivered to retail licensees may not exceed 5,000
20 gallons per year.

21 A class 1 craft distiller licensee may sell up to 5,000
22 gallons of such spirits to non-licensees to the extent
23 permitted by any exemption approved by the State Commission
24 pursuant to Section 6-4 of this Act. A class 1 craft distiller
25 license holder may store such spirits at a non-contiguous
26 licensed location, but at no time shall a class 1 craft

1 distiller license holder directly or indirectly produce in the
2 aggregate more than 50,000 gallons of spirits per year.

3 A class 1 craft distiller licensee may hold more than one
4 class 1 craft distiller's license. However, a class 1 craft
5 distiller that holds more than one class 1 craft distiller
6 license shall not manufacture, in the aggregate, more than
7 50,000 gallons of spirits by distillation per year and shall
8 not sell, in the aggregate, more than 5,000 gallons of such
9 spirits to non-licensees in accordance with an exemption
10 approved by the State Commission pursuant to Section 6-4 of
11 this Act.

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

1 distiller manufactures wine, it shall also obtain and shall
2 only be eligible for, in addition to any current license, a
3 second-class wine-maker's license, shall not manufacture more
4 than 150,000 gallons of wine per year, and shall not be a
5 member of or affiliated with, directly or indirectly, a
6 manufacturer that produces more than 150,000 gallons of wine
7 per year. A class 2 craft distiller licensee may make sales and
8 deliveries to importing distributors and distributors, but
9 shall not make sales or deliveries to any other licensee. If
10 the State Commission provides prior approval, a class 2 craft
11 distiller licensee may annually transfer up to 100,000 gallons
12 of spirits manufactured by that class 2 craft distiller
13 licensee to the premises of a licensed class 2 craft distiller
14 wholly owned and operated by the same licensee. A class 2 craft
15 distiller may transfer spirits to a distilling pub wholly
16 owned and operated by the class 2 craft distiller subject to
17 the following limitations and restrictions: (i) the transfer
18 shall not annually exceed more than 5,000 gallons; (ii) the
19 annual amount transferred shall reduce the distilling pub's
20 annual permitted production limit; (iii) all spirits
21 transferred shall be subject to Article VIII of this Act; (iv)
22 a written record shall be maintained by the distiller and
23 distilling pub specifying the amount, date of delivery, and
24 receipt of the product by the distilling pub; and (v) the
25 distilling pub shall be located no farther than 80 miles from
26 the class 2 craft distiller's licensed location.

1 A class 2 craft distiller shall, prior to transferring
2 spirits to a distilling pub wholly owned by the class 2 craft
3 distiller, furnish a written notice to the State Commission of
4 intent to transfer spirits setting forth the name and address
5 of the distilling pub and shall annually submit to the State
6 Commission a verified report identifying the total gallons of
7 spirits transferred to the distilling pub wholly owned by the
8 class 2 craft distiller.

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

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

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

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

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

19 A class 2 brewer may transfer beer to a brew pub wholly
20 owned and operated by the class 2 brewer subject to the
21 following limitations and restrictions: (i) the transfer shall
22 not annually exceed more than 31,000 gallons; (ii) the annual
23 amount transferred shall reduce the brew pub's annual
24 permitted production limit; (iii) all beer transferred shall
25 be subject to Article VIII of this Act; (iv) a written record
26 shall be maintained by the brewer and brew pub specifying the

1 amount, date of delivery, and receipt of the product by the
2 brew pub; and (v) the brew pub shall be located no farther than
3 80 miles from the class 2 brewer's licensed location.

4 A class 2 brewer shall, prior to transferring beer to a
5 brew pub wholly owned by the class 2 brewer, furnish a written
6 notice to the State Commission of intent to transfer beer
7 setting forth the name and address of the brew pub and shall
8 annually submit to the State Commission a verified report
9 identifying the total gallons of beer transferred to the brew
10 pub wholly owned by the class 2 brewer.

11 Class 14. A class 3 brewer license, which may be issued to
12 a brewer or a non-resident dealer, shall allow the manufacture
13 of no more than 465,000 gallons of beer per year and no more
14 than 155,000 gallons at a single brewery premises, and shall
15 allow the sale of no more than 6,200 gallons of beer from each
16 in-state or out-of-state class 3 brewery premises, or 18,600
17 gallons in the aggregate, to retail licensees, class 1
18 brewers, class 2 brewers, and class 3 brewers as long as the
19 class 3 brewer licensee does not manufacture more than a
20 combined 465,000 gallons of beer per year and is not a member
21 of or affiliated with, directly or indirectly, a manufacturer
22 that produces more than 465,000 gallons of beer per year to
23 make sales to importing distributors, distributors, retail
24 licensees, brewers, class 1 brewers, class 2 brewers, and
25 class 3 brewers in accordance with the conditions set forth in
26 paragraph (20) of subsection (a) of Section 3-12. If the State

1 Commission provides prior approval, a class 3 brewer may
2 annually transfer up to 155,000 gallons of beer manufactured
3 by that class 3 brewer to the premises of a licensed class 3
4 brewer wholly owned and operated by the same licensee. A class
5 3 brewer shall manufacture beer at the brewer's class 3
6 designated licensed premises, and may sell beer as otherwise
7 provided in this Act.

8 Class 15. A class 3 craft distiller license, which may be
9 issued to a distiller or a non-resident dealer, shall allow
10 the manufacture of no more than 100,000 gallons of spirits per
11 year and shall allow the sale of spirits from the class 3 craft
12 distiller's in-state or out-of-state class 3 craft distillery
13 premises to retail licensees, class 3 brewers, and class 3
14 craft distillers as long as the class 3 craft distiller
15 licensee does not manufacture more than a combined 100,000
16 gallons of spirits per year and is not a member of or
17 affiliated with, directly or indirectly, a manufacturer that
18 produces more than 100,000 gallons of spirits per year and to
19 make sales to importing distributors, distributors, retail
20 licensees, class 3 brewers, and class 3 craft distillers in
21 accordance with the conditions set forth in paragraph (21) of
22 subsection (a) of Section 3-12. If the State Commission
23 provides prior approval, a class 3 craft distiller may
24 annually transfer up to 2,500 gallons of spirits manufactured
25 by that class 3 craft distiller to the premises of a licensed
26 class 3 craft distiller wholly owned and operated by the same

1 licensee. A class 3 craft distiller shall manufacture spirits
2 at the distiller's class 3 designated licensed premises and
3 may sell spirits as otherwise provided in this Act.

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

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

1 Commission shall post a list of registered agents on the State
2 Commission's website.

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

18 (c) An importing distributor's license may be issued to
19 and held by those only who are duly licensed distributors,
20 upon the filing of an application by a duly licensed
21 distributor, with the State Commission and the State
22 Commission shall, without the payment of any fee, immediately
23 issue such importing distributor's license to the applicant,
24 which shall allow the importation of alcoholic liquor by the
25 licensee into this State from any point in the United States
26 outside this State, and the purchase of alcoholic liquor in

1 barrels, casks, or other bulk containers and the bottling of
2 such alcoholic liquors before resale thereof, but all bottles
3 or containers so filled shall be sealed, labeled, stamped, and
4 otherwise made to comply with all provisions, rules, and
5 regulations governing manufacturers in the preparation and
6 bottling of alcoholic liquors. The importing distributor's
7 license shall permit such licensee to purchase alcoholic
8 liquor from Illinois licensed non-resident dealers and foreign
9 importers only. No person licensed as an importing distributor
10 shall be granted a non-resident dealer's license.

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

1 from the time the alcoholic liquor leaves the licensed
2 premises of the retailer for delivery. For the purposes of
3 this Section, "delivery" means the movement of alcoholic
4 liquor purchased from a licensed retailer to a consumer
5 through the following methods:

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

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

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

13 Under paragraph (1), (2), or (3), delivery shall not
14 include the use of common carriers.

15 A retail licensee may use any website, mobile application,
16 or similar platform that facilitates the sale or delivery of
17 food, beverages, or goods and is owned or operated by the
18 retail licensee, third-party contractor, an independent
19 contractor, or an agent with whom the licensed retailer has
20 contracted to facilitate deliveries or sales of alcoholic
21 liquors under this Section. The use of any website, mobile
22 application, or similar platform to facilitate deliveries or
23 sales of alcoholic liquors shall not be considered an illegal
24 sale, resale, transfer, barter, or exchange of alcohol under
25 this Act.

26 Any retail license issued to a manufacturer shall only

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

8 Except for a municipality with a population of more than
9 1,000,000 inhabitants, a home rule unit may not regulate the
10 delivery of alcoholic liquor or require a retail licensee to
11 obtain a separate or additional license for the delivery of
12 alcoholic liquor. This paragraph is a limitation under
13 subsection (i) of Section 6 of Article VII of the Illinois
14 Constitution on the concurrent exercise by home rule units of
15 powers and functions exercised by the State. A non-home rule
16 municipality may not regulate the delivery of alcoholic liquor
17 or require a retail licensee to obtain a separate or
18 additional license for the delivery of alcoholic liquor.

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 The requirements in subsection (b-5) of Section 6-29 apply
24 only to a winery shipper licensee that ships wine via common
25 carrier and do not apply to a winery shipper licensee or a
26 retail licensee that delivers, or causes to be delivered,

1 alcohol pursuant to the methods outlined in item (1), (2), or
2 (3) of this subsection.

3 Except as provided in this Section, for a manufacturer
4 with a retail license, nothing in this Section shall be
5 construed to prohibit an on-premises consumption retailer,
6 off-premises sale retailer, or combined on-premises
7 consumption and off-premises sale retailer from delivering
8 alcohol pursuant to this Section.

9 A retail licensee shall contract only with a third-party
10 contractor, independent contractor, or agent to facilitate or
11 make deliveries of alcoholic liquors that has a policy to
12 verify the age of the person to whom the alcoholic liquor is
13 being delivered based on the person's valid proof of identity
14 indicating the person is age 21 or over. A retail licensee
15 shall not be civilly liable for sales or deliveries made to
16 intoxicated persons or persons under the age of 21 if the
17 delivery of alcoholic liquor was conducted by a third-party
18 contractor, independent contractor, or agent with whom the
19 licensed retailer has contracted to make deliveries of
20 alcoholic liquor.

21 (e) A special event retailer's license (not-for-profit)
22 shall permit the licensee to purchase alcoholic liquors from
23 an Illinois licensed distributor (unless the licensee
24 purchases less than \$500 of alcoholic liquors for the special
25 event, in which case the licensee may purchase the alcoholic
26 liquors from a licensed retailer) and shall allow the licensee

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

25 Nothing in this Act prohibits an Illinois licensed
26 distributor from offering credit or a refund for unused,

1 salable alcoholic liquors to a holder of a special event
2 retailer's license or the special event retailer's licensee
3 from accepting the credit or refund of alcoholic liquors at
4 the conclusion of the event specified in the license.

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

26 (g) A boat license shall allow the sale of alcoholic

1 liquor in individual drinks on any passenger boat regularly
 2 operated as a common carrier on navigable waters in this State
 3 or on any riverboat operated under the Illinois Gambling Act,
 4 which boat or riverboat maintains a public dining room or
 5 restaurant thereon.

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

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

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

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

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

22 (k) A foreign importer's license shall permit such
23 licensee to purchase alcoholic liquor from Illinois licensed
24 non-resident dealers only, and to import alcoholic liquor
25 other than in bulk from any point outside the United States and
26 to sell such alcoholic liquor to Illinois licensed importing

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

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

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

26 The broker shall, upon the acceptance by a retailer of the

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

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

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

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

25 Any agent, representative, or person subject to
26 registration pursuant to subsection (a-1) of this Section

1 shall not be eligible to receive a broker's license.

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

21 (n) A brew pub license shall allow the licensee to only (i)
22 manufacture up to 155,000 gallons of beer per year only on the
23 premises specified in the license, (ii) make sales of the beer
24 manufactured on the premises or, with the approval of the
25 State Commission, beer manufactured on another brew pub
26 licensed premises that is wholly owned and operated by the

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

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

21 A person who holds a class 2 brewer license may
22 simultaneously hold a brew pub license if the class 2 brewer
23 (i) does not, under any circumstance, sell or offer for sale
24 beer manufactured by the class 2 brewer to retail licensees;
25 (ii) does not hold more than 3 brew pub licenses in this State;
26 (iii) does not manufacture more than a combined 3,720,000

1 gallons of beer per year, including the beer manufactured at
2 the brew pub; and (iv) is not a member of or affiliated with,
3 directly or indirectly, a manufacturer that produces more than
4 3,720,000 gallons of beer per year or any other alcoholic
5 liquor.

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

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

- 25 (1) has a valid retail license on or before May 1,
26 2021;

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

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

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

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

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

25 Nothing in this Act prohibits a distributor or importing
26 distributor from offering credit or a refund for unused,

1 salable beer to a holder of a caterer retailer license or a
2 caterer retailer licensee from accepting a credit or refund
3 for unused, salable beer, in the event an act of God is the
4 sole reason an off-site event is canceled and if: (i) the
5 holder of a caterer retailer license has not transferred
6 alcoholic liquor from its caterer retailer premises to an
7 off-site location; (ii) the distributor or importing
8 distributor offers the credit or refund for the unused,
9 salable beer that it delivered to the off-site premises and
10 not for any unused, salable beer that the distributor or
11 importing distributor delivered to the caterer retailer's
12 premises; and (iii) the unused, salable beer would likely
13 spoil if transferred to the caterer retailer's premises. A
14 caterer retailer license shall allow the holder to transfer
15 any inventory from any off-site location to its caterer
16 retailer premises at the conclusion of an off-site event or
17 engage a distributor or importing distributor to transfer any
18 inventory from any off-site location to its caterer retailer
19 premises at the conclusion of an off-site event, provided that
20 the distributor or importing distributor issues bona fide
21 charges to the caterer retailer licensee for fuel, labor, and
22 delivery and the distributor or importing distributor collects
23 payment from the caterer retailer licensee prior to the
24 distributor or importing distributor transferring inventory to
25 the caterer retailer premises.

26 For purposes of this subsection (o), an "act of God" means

1 an unforeseeable event, such as a rain or snow storm, hail, a
2 flood, or a similar event, that is the sole cause of the
3 cancellation of an off-site, outdoor event.

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

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

1 satisfactory to the State Commission that the applicant will
2 provide dram shop liability insurance to the maximum limits
3 and have local authority approval.

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

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

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

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

1 including authorizing the Department of Revenue and the State
2 Commission to conduct audits for the purpose of ensuring
3 compliance with Public Act 95-634, and an acknowledgment that
4 the wine manufacturer is in compliance with Section 6-2 of
5 this Act. Any third party, except for a common carrier,
6 authorized to ship wine on behalf of a first-class or
7 second-class wine manufacturer's licensee, a first-class or
8 second-class wine-maker's licensee, a limited wine
9 manufacturer's licensee, or a person who is licensed to make
10 wine under the laws of another state shall also be disclosed by
11 the winery shipper's licensee, and a copy of the written
12 appointment of the third-party wine provider, except for a
13 common carrier, to the wine manufacturer shall be filed with
14 the State Commission as a supplement to the winery shipper's
15 license application or any renewal thereof. The winery
16 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, from the licensee's
20 own production.

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

1 for a common carrier, that engages in shipping wine into
2 Illinois on behalf of a winery shipper's license holder shall
3 consent to the jurisdiction of the State Commission and the
4 State. Any third-party, except for a common carrier, holding
5 such an appointment shall, by February 1 of each calendar year
6 and upon request by the State Commission or the Department of
7 Revenue, file with the State Commission a statement detailing
8 each shipment made to an Illinois resident. The statement
9 shall include the name and address of the third-party provider
10 filing the statement, the time period covered by the
11 statement, and the following information:

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

14 (2) the quantity of the products delivered; and

15 (3) the date and address of the shipment.

16 If the Department of Revenue or the State Commission requests
17 a statement under this paragraph, the third-party provider
18 must provide that statement no later than 30 days after the
19 request is made. Any books, records, supporting papers, and
20 documents containing information and data relating to a
21 statement under this paragraph shall be kept and preserved for
22 a period of 3 years, unless their destruction sooner is
23 authorized, in writing, by the Director of Revenue, and shall
24 be open and available to inspection by the Director of Revenue
25 or the State Commission or any duly authorized officer, agent,
26 or employee of the State Commission or the Department of

1 Revenue, at all times during business hours of the day. Any
2 person who violates any provision of this paragraph or any
3 rule of the State Commission for the administration and
4 enforcement of the provisions of this paragraph is guilty of a
5 Class C misdemeanor. In case of a continuing violation, each
6 day's continuance thereof shall be a separate and distinct
7 offense.

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

15 A winery shipper licensee must pay to the Department of
16 Revenue the State liquor gallonage tax under Section 8-1 for
17 all wine that is sold by the licensee and shipped to a person
18 in this State. For the purposes of Section 8-1, a winery
19 shipper licensee shall be taxed in the same manner as a
20 manufacturer of wine. A licensee who is not otherwise required
21 to register under the Retailers' Occupation Tax Act must
22 register under the Use Tax Act to collect and remit use tax to
23 the Department of Revenue for all gallons of wine that are sold
24 by the licensee and shipped to persons in this State. If a
25 licensee fails to remit the tax imposed under this Act in
26 accordance with the provisions of Article VIII of this Act,

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

8 A winery shipper licensee must collect, maintain, and
9 submit to the State Commission on a semi-annual basis the
10 total number of cases per resident of wine shipped to
11 residents of this State. A winery shipper licensed under this
12 subsection (r) must comply with the requirements of Section
13 6-29 of this Act.

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

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

23 (s) A craft distiller tasting permit license shall allow
24 an Illinois licensed class 1 craft distiller or class 2 craft
25 distiller to transfer a portion of its alcoholic liquor
26 inventory from its class 1 craft distiller or class 2 craft

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

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

24 (u) A distilling pub license shall allow the licensee to
25 only (i) manufacture up to 5,000 gallons of spirits per year
26 only on the premises specified in the license, (ii) make sales

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

17 A distilling pub licensee shall not under any circumstance
18 sell or offer for sale spirits manufactured by the distilling
19 pub licensee to retail licensees.

20 A person who holds a class 2 craft distiller license may
21 simultaneously hold a distilling pub license if the class 2
22 craft distiller (i) does not, under any circumstance, sell or
23 offer for sale spirits manufactured by the class 2 craft
24 distiller to retail licensees; (ii) does not hold more than 3
25 distilling pub licenses in this State; (iii) does not
26 manufacture more than a combined 100,000 gallons of spirits

1 per year, including the spirits manufactured at the distilling
2 pub; and (iv) is not a member of or affiliated with, directly
3 or indirectly, a manufacturer that produces more than 100,000
4 gallons of spirits per year or any other alcoholic liquor.

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

13 (w) A beer showcase permit license shall allow a class 3
14 brewer to transfer only beer the class 3 brewer manufactures
15 from its licensed premises to the premises specified in the
16 beer showcase permit license and to sell or offer for sale at
17 retail, only in the premises specified in the beer showcase
18 permit license, the transferred or delivered beer for on or
19 off premise consumption, but not for resale in any form and to
20 sell to non-licensees not more than 96 fluid ounces of beer per
21 person. A beer showcase permit license may be granted for the
22 following time periods: one day or less; or 2 or more days to a
23 maximum of 15 days per location in any 12-month period. An
24 applicant for a beer showcase permit license must also submit
25 with the application proof satisfactory to the State
26 Commission that the applicant will provide dram shop liability

1 insurance to the maximum limits and have local authority
2 approval. The State Commission shall require the beer showcase
3 applicant to comply with Section 6-27.1.

4 (x) A spirits showcase permit shall allow a class 3 craft
5 distiller to transfer only spirits the class 3 craft distiller
6 manufactures from its licensed premises to the premises
7 specified in the spirits showcase permit and to sell or offer
8 for sale at retail, only in the premises specified in the
9 spirits showcase permit, the transferred or delivered spirits
10 for on-premises or off-premises consumption, but not for
11 resale in any form, and to sell to non-licensees not more than
12 156 fluid ounces of spirits per person. A spirits showcase
13 permit may be granted for the following time periods: one day
14 or less; or 2 or more days up to a maximum of 15 days per
15 location in any 12-month period. An applicant for a spirits
16 showcase permit must also submit with the application proof
17 satisfactory to the State Commission that the applicant will
18 provide dram shop liability insurance to the maximum limits
19 and have local authority approval. The State Commission shall
20 require the spirits showcase applicant to comply with Section
21 6-27.1.

22 (y) A third-party retailer delivery license shall
23 authorize a person who is not licensed to sell alcoholic
24 liquor to deliver alcoholic liquor on behalf of a retailer
25 licensee and to deliver alcoholic liquor at the request of an
26 unlicensed purchaser of alcoholic liquor from a retailer

1 licensee, subject to the provisions of Sections 6-28.9 and
2 6-29.10. A third-party retailer delivery license is not
3 required for an employee or independent contractor of a person
4 holding a third-party retailer delivery license or for an
5 employee of a retailer licensee who is not an independent
6 contractor of a retailer licensee. A third-party retailer
7 delivery licensee; a third-party retailer delivery licensee's
8 officers, owners, and directors; and any person affiliated
9 with the third-party retailer delivery licensee's ownership
10 may not hold a direct or indirect financial or beneficial
11 interest in any other business licensed under this Act, except
12 a State-licensed retailer.

13 The issuance and regulation of a third-party retailer
14 delivery license is an exclusive power and function of the
15 State. A home rule or non-home rule unit may not issue or
16 regulate a third-party retailer delivery license. This
17 subsection is a denial and limitation of home rule powers and
18 functions under subsection (h) of Section 6 of Article VII of
19 the Illinois Constitution.

20 (Source: P.A. 104-451, Section 5, eff. 7-1-26; 104-451,
21 Section 10, eff. 12-12-25; revised 1-7-26.)

22 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

23 (Text of Section before amendment by P.A. 104-451)

24 Sec. 5-3. License fees. Except as otherwise provided
25 herein, at the time application is made to the State

1 Commission for a license of any class, the applicant shall pay
 2 to the State Commission the fee hereinafter provided for the
 3 kind of license applied for.

4 The fee for licenses issued by the State Commission shall
 5 be as follows:

Online	Initial
renewal	license
	or
	non-online
	renewal

11 For a manufacturer's license:

12	Class 1. Distiller	\$4,000	\$5,000
13	Class 2. Rectifier	4,000	5,000
14	Class 3. Brewer	1,200	1,500
15	Class 4. First-class Wine		
16	Manufacturer	750	900
17	Class 5. Second-class		
18	Wine Manufacturer.....	1,500	1,750
19	Class 6. First-class wine-maker....	750	900
20	Class 7. Second-class wine-maker ..	1,500	1,750
21	Class 8. Limited Wine		
22	Manufacturer	250	350
23	Class 9. Craft Distiller	2,000	2,500
24	Class 10. Class 1 Craft Distiller ..	50	75
25	Class 11. Class 2 Craft Distiller ..	75	100
26	Class 12. Class 1 Brewer	50	75

1	Class 13. Class 2 Brewer	75	100
2	Class 14. Class 3 Brewer	25	50
3	For a Brew Pub License	1,200	1,500
4	For a Distilling Pub License	1,200	1,500
5	For a caterer retailer's license ..	350	500
6	For a foreign importer's license ..	25	25
7	For an importing distributor's		
8	license.....	25	25
9	For a distributor's license		
10	(11,250,000 gallons		
11	or over)	1,450	2,200
12	For a distributor's license		
13	(over 4,500,000 gallons, but		
14	under 11,250,000 gallons)	950	1,450
15	For a distributor's license		
16	(4,500,000 gallons or under) ..	300	450
17	For a non-resident dealer's license		
18	(500,000 gallons or over)		
19	or with self-distribution		
20	privileges	1,200	1,500
21	For a non-resident dealer's license		
22	(under 500,000 gallons)	250	350
23	For a wine-maker's premises		
24	license.....	250	500
25	For a winery shipper's license		
26	(under 250,000 gallons)	200	350

1	For a winery shipper's license		
2	(250,000 or over, but		
3	under 500,000 gallons)	750	1,000
4	For a winery shipper's license		
5	(500,000 gallons or over)	1,200	1,500
6	For a wine-maker's premises		
7	license, second location	500	1,000
8	For a wine-maker's premises		
9	license, third location.....	500	1,000
10	For a retailer's license	600	750
11	For a special event retailer's		
12	license, (not-for-profit).....	25	25
13	For a beer showcase permit,		
14	one day only	100	150
15	2 days or more	150	250
16	For a special use permit license,		
17	one day only	100	150
18	2 days or more	150	250
19	For a railroad license	100	150
20	For a boat license	500	1,000
21	For an airplane license, times the		
22	licensee's maximum number of		
23	aircraft in flight, serving		
24	liquor over the State at any		
25	given time, which either		
26	originate, terminate, or make		

1	an intermediate stop in		
2	the State.....	100	150
3	For a non-beverage user's license:		
4	Class 1.....	24	24
5	Class 2.....	60	60
6	Class 3.....	120	120
7	Class 4.....	240	240
8	Class 5.....	600	600
9	For a broker's license	750	1,000
10	For an auction liquor license	100	150
11	For a homebrewer special		
12	event permit	25	25
13	For a craft distiller		
14	tasting permit	25	25
15	For a BASSET trainer license	300	350
16	For a tasting representative		
17	license.....	200	300
18	For a brewer warehouse permit	25	25
19	For a craft distiller		
20	warehouse permit	25	25
21	<u>For a third-party retailer</u>		
22	<u>delivery license:</u>		
23	<u>One to 100 delivery drivers in</u>		
24	<u>the State (at any point</u>		
25	<u>during the license year) ..</u>		<u>1,750</u>
26	<u>100 to 500 delivery drivers in</u>		

1 the State (at any point
2 during the license year) .. 5,000
3 More than 500 delivery drivers
4 in the State (at any point
5 during the license year) .. 10,000

6 Fees collected under this Section shall be paid into the
7 Dram Shop Fund. The State Commission shall waive license
8 renewal fees for those retailers' licenses that are designated
9 as "1A" by the State Commission and expire on or after July 1,
10 2022, and on or before June 30, 2023. One-half of the funds
11 received for a retailer's license shall be paid into the Dram
12 Shop Fund and one-half of the funds received for a retailer's
13 license shall be paid into the General Revenue Fund.

14 No fee shall be paid for licenses issued by the State
15 Commission to the following non-beverage users:

16 (a) Hospitals, sanitariums, or clinics when their use
17 of alcoholic liquor is exclusively medicinal, mechanical,
18 or scientific.

19 (b) Universities, colleges of learning, or schools
20 when their use of alcoholic liquor is exclusively
21 medicinal, mechanical, or scientific.

22 (c) Laboratories when their use is exclusively for the
23 purpose of scientific research.

24 (Source: P.A. 102-442, eff. 8-20-21; 102-558, eff. 8-20-21;
25 102-699, eff. 4-19-22; 102-1142, eff. 2-17-23; 103-154, eff.
26 6-30-23; 103-605, eff. 7-1-24.)

1 (Text of Section after amendment by P.A. 104-451)

2 Sec. 5-3. License fees. Except as otherwise provided
3 herein, at the time application is made to the State
4 Commission for a license of any class, the applicant shall pay
5 to the State Commission the fee hereinafter provided for the
6 kind of license applied for.

7 The fee for licenses issued by the State Commission shall
8 be as follows:

9		Online	Initial
10		renewal	license
11			or
12			non-online
13			renewal

14 For a manufacturer's license:

15	Class 1. Distiller	\$4,000	\$5,000
16	Class 2. Rectifier	4,000	5,000
17	Class 3. Brewer	1,200	1,500
18	Class 4. First-class Wine		
19	Manufacturer	750	900
20	Class 5. Second-class		
21	Wine Manufacturer.....	1,500	1,750
22	Class 6. First-class wine-maker	750	900
23	Class 7. Second-class wine-maker ..	1,500	1,750
24	Class 8. Limited Wine		
25	Manufacturer	250	350

1	Class 9. Craft Distiller	2,000	2,500
2	Class 10. Class 1 Craft Distiller ..	50	75
3	Class 11. Class 2 Craft Distiller ..	75	100
4	Class 12. Class 1 Brewer	50	75
5	Class 13. Class 2 Brewer	75	100
6	Class 14. Class 3 Brewer	25	50
7	Class 15. Class 3 Craft Distiller ..	175	200
8	For a Brew Pub License	1,200	1,500
9	For a Distilling Pub License	1,200	1,500
10	For a caterer retailer's license ..	350	500
11	For a foreign importer's license ..	25	25
12	For an importing distributor's		
13	license.....	25	25
14	For a distributor's license		
15	(11,250,000 gallons		
16	or over)	1,450	2,200
17	For a distributor's license		
18	(over 4,500,000 gallons, but		
19	under 11,250,000 gallons)	950	1,450
20	For a distributor's license		
21	(4,500,000 gallons or under) ..	300	450
22	For a non-resident dealer's license		
23	(500,000 gallons or over)		
24	or with self-distribution		
25	privileges	1,200	1,500
26	For a non-resident dealer's license		

1	(under 500,000 gallons)	250	350
2	For a wine-maker's premises		
3	license.....	250	500
4	For a winery shipper's license		
5	(under 250,000 gallons)	200	350
6	For a winery shipper's license		
7	(250,000 or over, but		
8	under 500,000 gallons)	750	1,000
9	For a winery shipper's license		
10	(500,000 gallons or over)	1,200	1,500
11	For a wine-maker's premises		
12	license, second location	500	1,000
13	For a wine-maker's premises		
14	license, third location.....	500	1,000
15	For a retailer's license	600	750
16	For a special event retailer's		
17	license, (not-for-profit).....	25	25
18	For a beer showcase permit,		
19	one day only	100	150
20	2 days or more	150	250
21	For a spirits showcase permit,		
22	one day only	100	150
23	2 days or more	150	250
24	For a special use permit license,		
25	one day only	100	150
26	2 days or more	150	250

1	For a railroad license	100	150
2	For a boat license	500	1,000
3	For an airplane license, times the		
4	licensee's maximum number of		
5	aircraft in flight, serving		
6	liquor over the State at any		
7	given time, which either		
8	originate, terminate, or make		
9	an intermediate stop in		
10	the State.....	100	150
11	For a non-beverage user's license:		
12	Class 1.....	24	24
13	Class 2.....	60	60
14	Class 3.....	120	120
15	Class 4.....	240	240
16	Class 5.....	600	600
17	For a broker's license	750	1,000
18	For an auction liquor license	100	150
19	For a homebrewer special		
20	event permit	25	25
21	For a craft distiller		
22	tasting permit	25	25
23	For a BASSET trainer license	300	350
24	For a tasting representative		
25	license.....	200	300
26	For a brewer warehouse permit	25	25

1	For a craft distiller		
2	warehouse permit	25	25
3	<u>For a third-party retailer</u>		
4	<u>delivery license:</u>		
5	<u>One to 100 delivery drivers in</u>		
6	<u>the State (at any point</u>		
7	<u>during the license year) ..</u>		<u>1,750</u>
8	<u>100 to 500 delivery drivers in</u>		
9	<u>the State (at any point</u>		
10	<u>during the license year) ..</u>		<u>5,000</u>
11	<u>More than 500 delivery drivers</u>		
12	<u>in the State (at any point</u>		
13	<u>during the license year) ..</u>		<u>10,000</u>

14 Fees collected under this Section shall be paid into the
 15 Dram Shop Fund. The State Commission shall waive license
 16 renewal fees for those retailers' licenses that are designated
 17 as "1A" by the State Commission and expire on or after July 1,
 18 2022, and on or before June 30, 2023. One-half of the funds
 19 received for a retailer's license shall be paid into the Dram
 20 Shop Fund and one-half of the funds received for a retailer's
 21 license shall be paid into the General Revenue Fund.

22 No fee shall be paid for licenses issued by the State
 23 Commission to the following non-beverage users:

- 24 (a) Hospitals, sanitariums, or clinics when their use
- 25 of alcoholic liquor is exclusively medicinal, mechanical,
- 26 or scientific.

1 (b) Universities, colleges of learning, or schools
2 when their use of alcoholic liquor is exclusively
3 medicinal, mechanical, or scientific.

4 (c) Laboratories when their use is exclusively for the
5 purpose of scientific research.

6 (Source: P.A. 103-154, eff. 6-30-23; 103-605, eff. 7-1-24;
7 104-451, eff. 7-1-26.)

8 (235 ILCS 5/6-27.1)

9 Sec. 6-27.1. Responsible alcohol service server training.

10 (a) Unless issued a valid server training certificate
11 between July 1, 2012 and July 1, 2015 by a certified Beverage
12 Alcohol Sellers and Servers Education and Training (BASSET)
13 trainer, all alcohol servers in Cook County are required to
14 obtain and complete training in basic responsible alcohol
15 service as outlined in 77 Ill. Adm. Code 3500, as those
16 provisions exist on July 1, 2015 (the effective date of Public
17 Act 98-939), by July 1, 2015 or within 120 days after the
18 alcohol server begins his or her employment, whichever is
19 later. All alcohol servers in a county, other than Cook
20 County, with a population of 200,000 inhabitants or more are
21 required to obtain and complete training in basic responsible
22 alcohol service as outlined in 77 Ill. Adm. Code 3500, as those
23 provisions exist on July 1, 2015 (the effective date of Public
24 Act 98-939), by July 1, 2016 or within 120 days after the
25 alcohol server begins his or her employment, whichever is

1 later. All alcohol servers in a county with a population of
2 more than 30,000 inhabitants and less than 200,000 inhabitants
3 are required to obtain and complete training in basic
4 responsible alcohol service as outlined in 77 Ill. Adm. Code
5 3500, as those provisions exist on July 1, 2015 (the effective
6 date of Public Act 98-939), by July 1, 2017 or within 120 days
7 after the alcohol server begins his or her employment,
8 whichever is later. All alcohol servers in counties with a
9 population of 30,000 inhabitants or less are required to
10 obtain and complete training in basic responsible alcohol
11 service as outlined in 77 Ill. Adm. Code 3500, as those
12 provisions exist on July 1, 2015 (the effective date of Public
13 Act 98-939), by July 1, 2018 or within 120 days after the
14 alcohol server begins his or her employment, whichever is
15 later.

16 There is no limit to the amount of times a server may take
17 the training. A certificate of training belongs to the server,
18 and a server may transfer a certificate of training to a
19 different employer, but shall not transfer a certificate of
20 training to another server. Proof that an alcohol server has
21 been trained must be available upon reasonable request by
22 State law enforcement officials. For the purpose of this
23 Section, "alcohol servers" means persons who sell or serve
24 open containers of alcoholic beverages at retail, anyone who
25 delivers alcoholic liquor on behalf of a third-party retailer
26 delivery licensee except if waived by the State Commission,

1 anyone who delivers mixed drinks under Section 6-28.8, and
2 anyone whose job description entails the checking of
3 identification for the purchase of open containers of
4 alcoholic beverages at retail or for entry into the licensed
5 premises. The definition does not include (i) a distributor or
6 importing distributor conducting product sampling as
7 authorized in Section 6-31 of this Act or a registered tasting
8 representative, as provided in 11 Ill. Adm. Code 100.40,
9 conducting a tasting, as defined in 11 Ill. Adm. Code 100.10;
10 (ii) a volunteer serving alcoholic beverages at a charitable
11 function; or (iii) an instructor engaged in training or
12 educating on the proper technique for using a system that
13 dispenses alcoholic beverages.

14 (b) Responsible alcohol service training must cover and
15 assess knowledge of the topics noted in 77 Ill. Adm. Code
16 3500.155.

17 (c) Beginning on the effective date of this amendatory Act
18 of the 98th General Assembly, but no later than October 1,
19 2015, all existing BASSET trainers who are already BASSET
20 certified as of the effective date of this amendatory Act of
21 the 98th General Assembly shall be recertified by the State
22 Commission and be required to comply with the conditions for
23 server training set forth in this amendatory Act of the 98th
24 General Assembly.

25 (d) Training modules and certificate program plans must be
26 approved by the State Commission. All documents, materials, or

1 information related to responsible alcohol service training
2 program approval that are submitted to the State Commission
3 are confidential and shall not be open to public inspection or
4 dissemination and are exempt from disclosure.

5 The State Commission shall only approve programs that meet
6 the following criteria:

7 (1) the training course covers the content specified
8 in 77 Ill. Adm. Code 3500.155;

9 (2) if the training course is classroom-based, the
10 classroom training is at least 4 hours, is available in
11 English and Spanish, and includes a test;

12 (3) if the training course is online or
13 computer-based, the course is designed in a way that
14 ensures that no content can be skipped, is interactive,
15 has audio for content for servers that have a disability,
16 and includes a test;

17 (4) training and testing is based on a job task
18 analysis that clearly identifies and focuses on the
19 knowledge, skills, and abilities needed to responsibly
20 serve alcoholic beverages and is developed using best
21 practices in instructional design and exam development to
22 ensure that the program is fair and legally defensible;

23 (5) training and testing is conducted by any means
24 available, including, but not limited to, online,
25 computer, classroom, or live trainers; and

26 (6) the program must provide access on a

1 24-hour-per-day, 7-days-per-week basis for certificate
2 verification for State Commission, State law enforcement
3 officials, and employers to be able to verify certificate
4 authenticity.

5 (e) Nothing in subsection (d) of this Section shall be
6 construed to require a program to use a test administrator or
7 proctor.

8 (f) A certificate issued from a BASSET-licensed training
9 program shall be accepted as meeting the training requirements
10 for all server license and permit laws and ordinances in the
11 State.

12 (g) A responsible alcohol service training certificate
13 from a BASSET-licensed program shall be valid for 3 years.

14 (h) The provisions of this Section shall apply beginning
15 July 1, 2015. From July 1, 2015 through December 31, 2015,
16 enforcement of the provisions of this Section shall be limited
17 to education and notification of the requirements to encourage
18 compliance.

19 (i) The provisions of this Section do not apply to a
20 special event retailer.

21 (Source: P.A. 101-631, eff. 6-2-20.)

22 (235 ILCS 5/6-28.9 new)

23 Sec. 6-28.9. Third-party retailer delivery licensee
24 requirements.

25 (a) A person who is not licensed as a retailer under this

1 Act shall not own or operate a website or any other application
2 exposing alcoholic liquor for sale and shall not deliver or
3 ship, or prepare to deliver or ship, alcoholic liquor, unless
4 that person holds a third-party retailer delivery license or
5 other license expressly authorizing the delivery or shipment
6 of alcoholic liquor. A third-party retailer delivery license
7 is not required for deliveries made directly by a retailer
8 licensee, including by an employee of a retailer licensee.
9 This Section does not authorize a third-party retailer
10 delivery licensee or any other person to deliver alcoholic
11 liquor on behalf of or from any non-retailer liquor license
12 holder, including, but not limited to, license holders with
13 the privilege to manufacture alcoholic liquors within or
14 outside of the State, or from any other person outside the
15 State of Illinois. A person qualifies for a third-party
16 retailer delivery license if the person is not prohibited from
17 licensure under Section 6-2.

18 (b) A third-party retailer delivery licensee shall make
19 deliveries of alcoholic liquor in accordance with the
20 following conditions:

21 (1) All alcoholic liquor deliveries under this Section
22 shall be for alcoholic liquor in the original package.
23 Alcoholic liquor sold pursuant to Section 6-28.8 shall not
24 be delivered by a third-party retailer delivery licensee.

25 (2) A third-party retailer delivery licensee may
26 charge a consumer a reasonable delivery fee similar to

1 delivery fees for non-alcoholic liquor products.

2 (3) A third-party retailer delivery licensee shall
3 conduct a background check of all employees and
4 contractors that deliver alcoholic liquor on its behalf. A
5 third-party retailer delivery licensee may not employ or
6 contract with a person if that person would be prohibited
7 from licensure under Section 6-2.

8 (4) A third-party retailer delivery licensee shall
9 maintain a general liability insurance policy with a
10 liquor liability addendum for the minimum coverage
11 required by this Act. A third-party retailer delivery
12 licensee is liable for any sales and deliveries of
13 alcoholic liquor by its delivery agents to intoxicated
14 persons or persons under the age of 21.

15 (5) A third-party retailer delivery licensee is
16 subject to the provisions of Section 6-5 of this Act and
17 shall not receive anything of value from a licensed
18 manufacturer, non-resident dealer, distributor, importing
19 distributor, or foreign importer, including, but not
20 limited to, revenue for any advertisement or website
21 placement of alcoholic liquor products on a third-party
22 retailer delivery licensee website or online application.

23 (6) A third-party retailer delivery licensee shall not
24 resell alcoholic liquor nor shall a third-party retailer
25 delivery licensee deliver alcoholic liquor to a location
26 licensed to sell alcoholic liquor, except for private use

1 at locations licensed as a hotel, as defined in Section
2 1-3.25, or other similar accommodations.

3 (7) If the third-party retailer delivery licensee
4 advertises the price of alcoholic liquor, then the price
5 advertised shall be identical to the price charged by the
6 retailer licensee. All alcoholic liquor products offered
7 by a retailer licensee shall be offered by the third-party
8 retailer delivery licensee.

9 (8) The third-party retailer delivery licensee may
10 receive orders and accept payments through a website or
11 through a mobile application or similar technology if the
12 payments for alcoholic liquor are immediately directed to
13 an account owned and controlled by the retailer licensee
14 and the website or similar application identifies the name
15 and address of the retailer licensee prior to completion
16 of the sale.

17 (9) The third-party retailer delivery licensee shall
18 maintain a record of all deliveries of alcoholic liquor
19 for a period of 3 years from the date of delivery and shall
20 make such records available to the State Commission within
21 a reasonable time upon request. The record of each
22 delivery shall include the following:

23 (A) The name and address of the retailer licensee
24 from which the alcoholic liquor was purchased.

25 (B) The name, date of birth, address, and
26 signature of the recipient of the alcoholic liquor.

1 (C) The name of the delivery agent making the
2 delivery and the date, time, and address of the
3 delivery.

4 (D) The type, brand, and quantity of each
5 alcoholic liquor delivered.

6 (E) An itemization of the alcoholic liquor
7 products sold and the price of each alcoholic liquor
8 item.

9 (10) A retailer licensee shall accept or reject all
10 orders placed for alcoholic liquor through the third-party
11 retailer delivery licensee and determine the price at
12 which alcoholic liquor products are offered for sale by
13 the retailer licensee and delivered by the third-party
14 retailer delivery licensee. All payments for alcoholic
15 liquor shall be paid directly to the retailer without any
16 reconciliation period and shall be recorded as a charge by
17 the retailer licensee on the consumer receipt or record of
18 the charge.

19 (11) A retailer licensee may enter into a contract
20 with a third-party retailer delivery licensee for a fixed
21 fee for services. All contracts between the retailer
22 licensee and the third-party retailer delivery licensee
23 shall be provided by the retailer licensee or third-party
24 retailer delivery licensee upon the request of the State
25 Commission.

26 (12) Subject to the review of the State Commission, a

1 third-party retailer delivery licensee shall use updated
2 identification scanning or similar technology for the
3 purpose of verifying the age and likeness of the
4 presenter. Prior to the completion of the delivery, the
5 third-party retailer delivery licensee shall require the
6 delivery recipient to present identification with the
7 recipient's age and likeness, and the third-party delivery
8 licensee shall positively compare the likeness of the
9 recipient to the likeness on the presented identification.

10 (235 ILCS 5/6-28.10 new)

11 Sec. 6-28.10. Alcoholic liquor delivery requirements.

12 (a) For deliveries pursuant to subsection (d) of Section
13 5-1 and Section 6-28.9, a retailer licensee and third-party
14 retailer delivery licensee shall:

15 (1) conduct deliveries by a person 21 years of age or
16 over holding a valid Beverage Alcohol Sellers and Servers
17 Education Training (BASSET) certificate issued pursuant to
18 Section 6-27.1 of this Act. A third-party retailer
19 delivery licensee or a retailer engaged in the delivery of
20 alcoholic liquor may request a waiver of the BASSET
21 requirement for third-party retailer delivery licensee
22 contract deliverers or retailer employee deliverers if the
23 third-party retailer delivery licensee or retailer
24 provides proof of its training module or program
25 demonstrating to the satisfaction of the State Commission

1 that such training module or program satisfies BASSET
2 principles, such as underage or intoxicated person access
3 prevention. The State Commission may rescind a waiver of
4 the BASSET requirement without a hearing upon a showing
5 that the retailer or third-party retailer delivery
6 licensee has completed a delivery of alcoholic liquor to a
7 person under 21 years of age;

8 (2) examine the data and the photograph on the
9 identification of the recipient and obtain the signature
10 from the recipient to verify the recipient is 21 years of
11 age or older. The data and the photograph of the recipient
12 shall demonstrate a reasonable likeness of the recipient;

13 (3) unless the contents of the delivery are prepared
14 and packaged by an agent of the third-party delivery
15 licensee, include a statement clearly visible on the
16 outside of the packaging that the delivery contains
17 alcoholic liquor not to be provided to any person under
18 the age of 21;

19 (4) fulfill the delivery order from the retailer
20 licensee's location nearest to the address of the
21 recipient;

22 (5) require the return of deliveries to the retailer
23 licensee's location from which the alcoholic liquor is
24 purchased if a delivery was attempted to an unqualified
25 recipient, delivery was attempted to a recipient who
26 refused delivery, or a delivery was unable to be completed

1 for any other reason. An unqualified recipient of an
2 alcoholic liquor delivery includes circumstances in which:

3 (A) there is reason to doubt the authenticity or
4 correctness of the recipient's identification;

5 (B) the recipient refuses to sign for the receipt
6 of the delivery;

7 (C) the recipient is unable to produce valid
8 identification; or

9 (D) the recipient exhibits signs of intoxication;
10 and

11 (6) refuse to deliver alcoholic liquor to any
12 elementary school, secondary school, public playground, or
13 public park.

14 (b) Except for reasonable compensation provided to a
15 delivery person pursuant to customary delivery practices, a
16 retailer licensee or third-party retailer delivery licensee
17 shall not compensate delivery personnel on the basis of a
18 completed delivery but may compensate a delivery driver for a
19 return of undeliverable alcoholic liquor."; and

20 on page 7, immediately below line 10, by inserting the
21 following:

22 "Section 95. No acceleration or delay. Where this Act
23 makes changes in a statute that is represented in this Act by
24 text that is not yet or no longer in effect (for example, a

1 Section represented by multiple versions), the use of that
2 text does not accelerate or delay the taking effect of (i) the
3 changes made by this Act or (ii) provisions derived from any
4 other Public Act.

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