

1 AN ACT concerning liquor.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Liquor Control Act of 1934 is amended by
5 changing Sections 1-3.40, 3-12, 5-1, 5-3, and 6-4 as follows:

6 (235 ILCS 5/1-3.40)

7 Sec. 1-3.40. Manufacturer class license holder.

8 "Manufacturer class license holder" means any holder of a
9 Manufacturer's license as provided in Section 5-1 of this Act.

10 The Manufacturer's licenses are: a Class 1. Distiller, a Class
11 2. Rectifier, a Class 3. Brewer, a Class 4. First Class Wine
12 Manufacturer, a Class 5. Second Class Wine Manufacturer, a
13 Class 6. First Class Winemaker, a Class 7. Second Class
14 Winemaker, a Class 8. Limited Wine Manufacturer, a Class 9.
15 Class 1 Craft Distiller, a Class 10. Class 2 Craft Distiller,
16 and a Class 11. Class 1 Brewer, and a Class 12. Class 2 Brewer,
17 ~~10. Craft Brewer~~ and any future Manufacturer's licenses
18 established by law.

19 (Source: P.A. 99-282, eff. 8-5-15; 99-642, eff. 7-28-16.)

20 (235 ILCS 5/3-12)

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

22 (a) The State Commission shall have the following powers,

1 functions, and duties:

2 (1) To receive applications and to issue licenses to
3 manufacturers, foreign importers, importing distributors,
4 distributors, non-resident dealers, on premise consumption
5 retailers, off premise sale retailers, special event
6 retailer licensees, special use permit licenses, auction
7 liquor licenses, brew pubs, caterer retailers,
8 non-beverage users, railroads, including owners and
9 lessees of sleeping, dining and cafe cars, airplanes,
10 boats, brokers, and wine maker's premises licensees in
11 accordance with the provisions of this Act, and to suspend
12 or revoke such licenses upon the State Commission's
13 determination, upon notice after hearing, that a licensee
14 has violated any provision of this Act or any rule or
15 regulation issued pursuant thereto and in effect for 30
16 days prior to such violation. Except in the case of an
17 action taken pursuant to a violation of Section 6-3, 6-5,
18 or 6-9, any action by the State Commission to suspend or
19 revoke a licensee's license may be limited to the license
20 for the specific premises where the violation occurred. An
21 action for a violation of this Act shall be commenced by
22 the State Commission within 2 years after the date the
23 State Commission becomes aware of the violation.

24 In lieu of suspending or revoking a license, the
25 commission may impose a fine, upon the State Commission's
26 determination and notice after hearing, that a licensee has

1 violated any provision of this Act or any rule or
2 regulation issued pursuant thereto and in effect for 30
3 days prior to such violation.

4 For the purpose of this paragraph (1), when determining
5 multiple violations for the sale of alcohol to a person
6 under the age of 21, a second or subsequent violation for
7 the sale of alcohol to a person under the age of 21 shall
8 only be considered if it was committed within 5 years after
9 the date when a prior violation for the sale of alcohol to
10 a person under the age of 21 was committed.

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

1 Any notice issued by the State Commission to a licensee
2 for a violation of this Act or any notice with respect to
3 settlement or offer in compromise shall include the field
4 report, photographs, and any other supporting
5 documentation necessary to reasonably inform the licensee
6 of the nature and extent of the violation or the conduct
7 alleged to have occurred. The failure to include such
8 required documentation shall result in the dismissal of the
9 action.

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

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

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

1 (5) To inspect, or cause to be inspected, any premises
2 in this State where alcoholic liquors are manufactured,
3 distributed, warehoused, or sold. Nothing in this Act
4 authorizes an agent of the Commission to inspect private
5 areas within the premises without reasonable suspicion or a
6 warrant during an inspection. "Private areas" include, but
7 are not limited to, safes, personal property, and closed
8 desks.

9 (5.1) Upon receipt of a complaint or upon having
10 knowledge that any person is engaged in business as a
11 manufacturer, importing distributor, distributor, or
12 retailer without a license or valid license, to notify the
13 local liquor authority, file a complaint with the State's
14 Attorney's Office of the county where the incident
15 occurred, or initiate an investigation with the
16 appropriate law enforcement officials.

17 (5.2) To issue a cease and desist notice to persons
18 shipping alcoholic liquor into this State from a point
19 outside of this State if the shipment is in violation of
20 this Act.

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

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

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

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

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

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

1 implement its powers under this paragraph (8).

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

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

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

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

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

1 awareness program in Illinois to reduce or eliminate the
2 illegal purchase and consumption of alcoholic beverage
3 products by persons under the age of 21. Application for a
4 license shall be made on forms provided by the State
5 Commission.

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

8 (13) (Blank).

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

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

19 (B) The amount of licensing fees received.

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

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

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

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

9 (15) As a means to reduce the underage consumption of
10 alcoholic liquors, the Commission shall conduct alcohol
11 compliance operations to investigate whether businesses
12 that are soliciting, selling, and shipping wine from inside
13 or outside of this State directly to residents of this
14 State are licensed by this State or are selling or
15 attempting to sell wine to persons under 21 years of age in
16 violation of this Act.

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

24 (17) (A) A person licensed to make wine under the laws
25 of another state who has a winery shipper's license under
26 this Act and annually produces less than 25,000 gallons of

1 wine or a person who has a first-class or second-class wine
2 manufacturer's license, a first-class or second-class
3 wine-maker's license, or a limited wine manufacturer's
4 license under this Act and annually produces less than
5 25,000 gallons of wine may make application to the
6 Commission for a self-distribution exemption to allow the
7 sale of not more than 5,000 gallons of the exemption
8 holder's wine to retail licensees per year.

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

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

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

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

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

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

26 (H) It is the intent of this paragraph ~~subsection~~ (17)

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

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

22 (B) In the application, which shall be sworn under
23 penalty of perjury, the class 1 brewer licensee shall state
24 (1) the date it was established; (2) its volume of beer
25 manufactured and sold for each year since its
26 establishment; (3) its efforts to establish distributor

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

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

23 (D) A self-distribution exemption holder shall
24 annually certify to the State Commission its manufacture of
25 beer during the previous 12 months and its anticipated
26 manufacture and sales of beer for the next 12 months. The

1 State Commission may fine, suspend, or revoke a
2 self-distribution exemption after a hearing if it finds
3 that the exemption holder has made a material
4 misrepresentation in its application, violated a revenue
5 or alcoholic beverage law of Illinois, exceeded the
6 manufacture of 930,000 gallons of beer in any calendar year
7 or became part of an affiliated group manufacturing more
8 than 930,000 gallons of beer or any other alcoholic
9 beverage.

10 (E) The State Commission shall issue rules and
11 regulations governing self-distribution exemptions
12 consistent with this Act.

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

23 (G) It is the intent of this paragraph (18) to promote
24 and continue orderly markets. The General Assembly finds
25 that in order to preserve Illinois' regulatory
26 distribution system, it is necessary to create an exception

1 for smaller manufacturers in order to afford and allow such
2 smaller manufacturers of beer access to the marketplace in
3 order to develop a customer base without impairing the
4 integrity of the 3-tier system.

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

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

22 (C) Any application submitted shall be posted on the
23 State Commission's website at least 45 days prior to action
24 by the State Commission. The State Commission shall approve
25 the application for a self-distribution exemption if the
26 applicant: (1) is in compliance with State revenue and

1 alcoholic beverage laws; (2) is not a member of any
2 affiliated group that produces more than 50,000 gallons of
3 spirits per annum or produces any other alcoholic liquor;
4 (3) does not annually manufacture for sale more than 50,000
5 gallons of spirits; and (4) does not annually sell more
6 than 5,000 gallons of its spirits to retail licensees.

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

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

22 (F) Nothing in this paragraph (19) shall prohibit a
23 self-distribution exemption holder from entering into or
24 simultaneously having a distribution agreement with a
25 licensed Illinois importing distributor or a distributor.

26 (G) It is the intent of this paragraph (19) to promote

1 and continue orderly markets. The General Assembly finds
2 that in order to preserve Illinois' regulatory
3 distribution system, it is necessary to create an exception
4 for smaller manufacturers in order to afford and allow such
5 smaller manufacturers of spirits access to the marketplace
6 in order to develop a customer base without impairing the
7 integrity of the 3-tier system.

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

14 As part of its report, the Commission shall provide the
15 following information:

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

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

20 (iii) the number of reported violations, the number of
21 cease and desist notices issued by the Commission, the
22 number of notices of violations issued to the Department of
23 Revenue, and the number of notices and complaints of
24 violations to law enforcement officials.

25 (Source: P.A. 99-78, eff. 7-20-15; 99-448, eff. 8-24-15;
26 100-134, eff. 8-18-17; 100-201, eff. 8-18-17; 100-816, eff.

1 8-13-18; 100-1012, eff. 8-21-18; 100-1050, eff. 8-23-18;
2 revised 10-24-18.)

3 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

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

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,

- 1 (o) Auction liquor license,
- 2 (p) Caterer retailer license,
- 3 (q) Special use permit license,
- 4 (r) Winery shipper's license,
- 5 (s) Craft distiller tasting permit,
- 6 (t) Brewer warehouse permit, ~~u~~
- 7 (u) Distilling pub license,
- 8 (v) Craft distiller warehouse permit.

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

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

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

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

25 Class 3. A Brewer may make sales and deliveries of beer to
26 importing distributors and distributors and may make sales as

1 authorized under subsection (e) of Section 6-4 of this Act.

2 Class 4. A first class wine-manufacturer may make sales and
3 deliveries of up to 50,000 gallons of wine to manufacturers,
4 importing distributors and distributors, and to no other
5 licensees.

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

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

20 Class 7. A second-class wine-maker's license shall allow
21 the manufacture of between 50,000 and 150,000 gallons of wine
22 per year, and the storage and sale of such wine to distributors
23 in this State and to persons without the State, as may be
24 permitted by law. A person who, prior to June 1, 2008 (the
25 effective date of Public Act 95-634), is a holder of a
26 second-class wine-maker's license and annually produces more

1 than 25,000 gallons of its own wine and who distributes its
2 wine to licensed retailers shall cease this practice on or
3 before July 1, 2008 in compliance with Public Act 95-634.

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

8 Class 9. A class 1 craft distiller license, which may only
9 be issued to a licensed distiller or licensed non-resident
10 dealer, shall allow the manufacture of up to 50,000 gallons of
11 spirits per year provided that the class 1 craft distiller
12 licensee does not manufacture more than a combined 50,000
13 gallons of spirits per year and is not a member of or
14 affiliated with, directly or indirectly, a manufacturer that
15 produces more than 50,000 gallons of spirits per year or any
16 other alcoholic liquor. A class 1 craft distiller licensee may
17 make sales and deliveries to importing distributors and
18 distributors and to retail licensees in accordance with the
19 conditions set forth in paragraph (19) of subsection (a) of
20 Section 3-12 of this Act. However, the aggregate amount of
21 spirits sold to non-licensees and sold or delivered to retail
22 licensees may not exceed 5,000 gallons per year.

23 A class 1 craft distiller licensee may sell up to 5,000
24 gallons of such spirits to non-licensees to the extent
25 permitted by any exemption approved by the State Commission
26 pursuant to Section 6-4 of this Act. A class 1 craft distiller

1 license holder may store such spirits at a non-contiguous
2 licensed location, but at no time shall a class 1 craft
3 distiller license holder directly or indirectly produce in the
4 aggregate more than 50,000 gallons of spirits per year.

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

14 Class 10. A class 2 craft distiller license, which may only
15 be issued to a licensed distiller or licensed non-resident
16 dealer, shall allow the manufacture of up to 100,000 gallons of
17 spirits per year provided that the class 2 craft distiller
18 licensee does not manufacture more than a combined 100,000
19 gallons of spirits per year and is not a member of or
20 affiliated with, directly or indirectly, a manufacturer that
21 produces more than 100,000 gallons of spirits per year or any
22 other alcoholic liquor. A class 2 craft distiller licensee may
23 make sales and deliveries to importing distributors and
24 distributors, but shall not make sales or deliveries to any
25 other licensee. If the State Commission provides prior
26 approval, a class 2 craft distiller licensee may annually

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

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

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

1 indirectly produce in the aggregate more than 100,000 gallons
2 of spirits per year.

3 ~~A craft distiller license shall allow the manufacture of up to~~
4 ~~100,000 gallons of spirits by distillation per year and the~~
5 ~~storage of such spirits. If a craft distiller licensee,~~
6 ~~including a craft distiller licensee who holds more than one~~
7 ~~craft distiller license, is not affiliated with any other~~
8 ~~manufacturer of spirits, then the craft distiller licensee may~~
9 ~~sell such spirits to distributors in this State and up to 2,500~~
10 ~~gallons of such spirits to non licensees to the extent~~
11 ~~permitted by any exemption approved by the Commission pursuant~~
12 ~~to Section 6-4 of this Act. A craft distiller license holder~~
13 ~~may store such spirits at a non-contiguous licensed location,~~
14 ~~but at no time shall a craft distiller license holder directly~~
15 ~~or indirectly produce in the aggregate more than 100,000~~
16 ~~gallons of spirits per year.~~

17 ~~A craft distiller licensee may hold more than one craft~~
18 ~~distiller's license. However, a craft distiller that holds more~~
19 ~~than one craft distiller license shall not manufacture, in the~~
20 ~~aggregate, more than 100,000 gallons of spirits by distillation~~
21 ~~per year and shall not sell, in the aggregate, more than 2,500~~
22 ~~gallons of such spirits to non licensees in accordance with an~~
23 ~~exemption approved by the State Commission pursuant to Section~~
24 ~~6-4 of this Act.~~

25 ~~Any craft distiller licensed under this Act who on July 28,~~
26 ~~2010 (the effective date of Public Act 96-1367) was licensed as~~

1 ~~a distiller and manufactured no more spirits than permitted by~~
2 ~~this Section shall not be required to pay the initial licensing~~
3 ~~fee.~~

4 Class 11 ~~10~~. 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 or any other alcoholic liquor. A class
12 1 brewer licensee may make sales and deliveries to importing
13 distributors and distributors and to retail licensees in
14 accordance with the conditions set forth in paragraph (18) of
15 subsection (a) of Section 3-12 of this Act. If the State
16 Commission provides prior approval, a class 1 brewer may
17 annually transfer up to 930,000 gallons of beer manufactured by
18 that class 1 brewer to the premises of a licensed class 1
19 brewer wholly owned and operated by the same licensee.

20 Class 12 ~~11~~. A class 2 brewer license, which may only be
21 issued to a licensed brewer or licensed non-resident dealer,
22 shall allow the manufacture of up to 3,720,000 gallons of beer
23 per year provided that the class 2 brewer licensee does not
24 manufacture more than a combined 3,720,000 gallons of beer per
25 year and is not a member of or affiliated with, directly or
26 indirectly, a manufacturer that produces more than 3,720,000

1 gallons of beer per year or any other alcoholic liquor. A class
2 brewer licensee may make sales and deliveries to importing
3 distributors and distributors, but shall not make sales or
4 deliveries to any other licensee. If the State Commission
5 provides prior approval, a class 2 brewer licensee may annually
6 transfer up to 3,720,000 gallons of beer manufactured by that
7 class 2 brewer licensee to the premises of a licensed class 2
8 brewer 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 permitted
14 production limit; (iii) all beer transferred shall be subject
15 to Article VIII of this Act; (iv) a written record shall be
16 maintained by the brewer and brew pub specifying the amount,
17 date of delivery, and receipt of the product by the brew pub;
18 and (v) the brew pub shall be located no farther than 80 miles
19 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 (a-1) A manufacturer which is licensed in this State to
2 make sales or deliveries of alcoholic liquor to licensed
3 distributors or importing distributors and which enlists
4 agents, representatives, or individuals acting on its behalf
5 who contact licensed retailers on a regular and continual basis
6 in this State must register those agents, representatives, or
7 persons acting on its behalf with the State Commission.

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

25 (b) A distributor's license shall allow (i) the wholesale
26 purchase and storage of alcoholic liquors and sale of alcoholic

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

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

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

5 (d) A retailer's license shall allow the licensee to sell
6 and offer for sale at retail, only in the premises specified in
7 the license, alcoholic liquor for use or consumption, but not
8 for resale in any form. Nothing in Public Act 95-634 shall
9 deny, limit, remove, or restrict the ability of a holder of a
10 retailer's license to transfer, deliver, or ship alcoholic
11 liquor to the purchaser for use or consumption subject to any
12 applicable local law or ordinance. Any retail license issued to
13 a manufacturer shall only permit the manufacturer to sell beer
14 at retail on the premises actually occupied by the
15 manufacturer. For the purpose of further describing the type of
16 business conducted at a retail licensed premises, a retailer's
17 licensee may be designated by the State Commission as (i) an on
18 premise consumption retailer, (ii) an off premise sale
19 retailer, or (iii) a combined on premise consumption and off
20 premise sale retailer.

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

25 (e) A special event retailer's license (not-for-profit)
26 shall permit the licensee to purchase alcoholic liquors from an

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

1 obtained local authority approval.

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

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

1 permit the sale for resale of any alcoholic liquors to any
2 licensee within this State. A license shall be obtained for
3 each car in which such sales are made.

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

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

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

25 (i) A wine-maker's premises license shall allow a licensee
26 that concurrently holds a first-class wine-maker's license to

1 sell and offer for sale at retail in the premises specified in
2 such license not more than 50,000 gallons of the first-class
3 wine-maker's wine that is made at the first-class wine-maker's
4 licensed premises per year for use or consumption, but not for
5 resale in any form. A wine-maker's premises license shall allow
6 a licensee who concurrently holds a second-class wine-maker's
7 license to sell and offer for sale at retail in the premises
8 specified in such license up to 100,000 gallons of the
9 second-class wine-maker's wine that is made at the second-class
10 wine-maker's licensed premises per year for use or consumption
11 but not for resale in any form. A wine-maker's premises license
12 shall allow a licensee that concurrently holds a first-class
13 wine-maker's license or a second-class wine-maker's license to
14 sell and offer for sale at retail at the premises specified in
15 the wine-maker's premises license, for use or consumption but
16 not for resale in any form, any beer, wine, and spirits
17 purchased from a licensed distributor. Upon approval from the
18 State Commission, a wine-maker's premises license shall allow
19 the licensee to sell and offer for sale at (i) the wine-maker's
20 licensed premises and (ii) at up to 2 additional locations for
21 use and consumption and not for resale. Each location shall
22 require additional licensing per location as specified in
23 Section 5-3 of this Act. A wine-maker's premises licensee shall
24 secure liquor liability insurance coverage in an amount at
25 least equal to the maximum liability amounts set forth in
26 subsection (a) of Section 6-21 of this Act.

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

21 (k) A foreign importer's license shall permit such licensee
22 to purchase alcoholic liquor from Illinois licensed
23 non-resident dealers only, and to import alcoholic liquor other
24 than in bulk from any point outside the United States and to
25 sell such alcoholic liquor to Illinois licensed importing
26 distributors and to no one else in Illinois; provided that (i)

1 the foreign importer registers with the State Commission every
2 brand of alcoholic liquor that it proposes to sell to Illinois
3 licensees during the license period, (ii) the foreign importer
4 complies with all of the provisions of Section 6-9 of this Act
5 with respect to registration of such Illinois licensees as may
6 be granted the right to sell such brands at wholesale, and
7 (iii) the foreign importer complies with the provisions of
8 Sections 6-5 and 6-6 of this Act to the same extent that these
9 provisions apply to manufacturers.

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

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

25 The broker shall, upon the acceptance by a retailer of the
26 broker's solicitation of an order or offer to sell or supply or

1 deliver or have delivered alcoholic liquors, promptly forward
2 to the Illinois Liquor Control Commission a notification of
3 said transaction in such form as the Commission may by
4 regulations prescribe.

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

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

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

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

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

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

1 for use and consumption, (iii) store the beer upon the
2 premises, (iv) sell and offer for sale at retail from the
3 licensed premises for off-premises consumption no more than
4 155,000 gallons per year so long as such sales are only made
5 in-person, (v) sell and offer for sale at retail for use and
6 consumption on the premises specified in the license any form
7 of alcoholic liquor purchased from a licensed distributor or
8 importing distributor, and (vi) with the prior approval of the
9 Commission, annually transfer no more than 155,000 gallons of
10 beer manufactured on the premises to a licensed brew pub wholly
11 owned and operated by the same licensee.

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 licensed

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

13 (o) A caterer retailer license shall allow the holder to
14 serve alcoholic liquors as an incidental part of a food service
15 that serves prepared meals which excludes the serving of snacks
16 as the primary meal, either on or off-site whether licensed or
17 unlicensed.

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

26 (q) A special use permit license shall allow an Illinois

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

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

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

1 indirectly through a third-party provider, from the licensee's
2 own production.

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

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

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

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

24 If the Department of Revenue or the State Commission requests a
25 statement under this paragraph, the third-party provider must
26 provide that statement no later than 30 days after the request

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

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

22 A winery shipper licensee must pay to the Department of
23 Revenue the State liquor gallonage tax under Section 8-1 for
24 all wine that is sold by the licensee and shipped to a person
25 in this State. For the purposes of Section 8-1, a winery
26 shipper licensee shall be taxed in the same manner as a

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

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

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

24 As used in this subsection, "third-party provider" means
25 any entity that provides fulfillment house services, including
26 warehousing, packaging, distribution, order processing, or

1 shipment of wine, but not the sale of wine, on behalf of a
2 licensed winery shipper.

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

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

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

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

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

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

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

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

18 (Source: P.A. 99-448, eff. 8-24-15; 99-642, eff. 7-28-16;
19 99-800, eff. 8-12-16; 99-902, eff. 8-26-16; 99-904, eff.
20 1-1-17; 100-17, eff. 6-30-17; 100-201, eff. 8-18-17; 100-816,
21 eff. 8-13-18; 100-885, eff. 8-14-18; 100-1050, eff. 8-23-18;
22 revised 10-2-18.)

23 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

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

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

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

6		Online	Initial
7		renewal	license
8			or
9			non-online
10			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. <u>Class 1</u> Craft Distiller ..	<u>50</u>	<u>75</u>
24	<u>Class 10. Class 2</u> Craft Distiller ..	<u>75</u>	<u>100</u>
25	Class <u>11</u> 10 . Class 1 Brewer	50	75
26	Class <u>12</u> 11 . Class 2 Brewer	75	100

1	For a Brew Pub License	1,200	1,500
2	<u>For a Distilling Pub License</u>	<u>1,200</u>	<u>1,500</u>
3	For a caterer retailer's license ..	350	500
4	For a foreign importer's license ..	25	25
5	For an importing distributor's		
6	license.....	25	25
7	For a distributor's license		
8	(11,250,000 gallons		
9	or over)	1,450	2,200
10	For a distributor's license		
11	(over 4,500,000 gallons, but		
12	under 11,250,000 gallons)	950	1,450
13	For a distributor's license		
14	(4,500,000 gallons or under) ..	300	450
15	For a non-resident dealer's license		
16	(500,000 gallons or over)	1,200	1,500
17	For a non-resident dealer's license		
18	(under 500,000 gallons)	250	350
19	For a wine-maker's premises		
20	license.....	250	500
21	For a winery shipper's license		
22	(under 250,000 gallons)	200	350
23	For a winery shipper's license		
24	(250,000 or over, but		
25	under 500,000 gallons)	750	1,000
26	For a winery shipper's license		

1	(500,000 gallons or over)	1,200	1,500
2	For a wine-maker's premises license,		
3	second location	500	1,000
4	For a wine-maker's premises license,		
5	third location	500	1,000
6	For a retailer's license	600	750
7	For a special event retailer's		
8	license, (not-for-profit)	25	25
9	For a special use permit license,		
10	one day only	100	150
11	2 days or more	150	250
12	For a railroad license	100	150
13	For a boat license	500	1,000
14	For an airplane license, times the		
15	licensee's maximum number of		
16	aircraft in flight, serving		
17	liquor over the State at any		
18	given time, which either		
19	originate, terminate, or make		
20	an intermediate stop in		
21	the State	100	150
22	For a non-beverage user's license:		
23	Class 1	24	24
24	Class 2	60	60
25	Class 3	120	120
26	Class 4	240	240

1	Class 5	600	600
2	For a broker's license	750	1,000
3	For an auction liquor license	100	150
4	For a homebrewer special		
5	event permit	25	25
6	For a craft distiller		
7	tasting permit	25	25
8	For a BASSET trainer license	300	350
9	For a tasting representative		
10	license.....	200	300
11	For a brewer warehouse permit	25	25
12	<u>For a craft distiller</u>		
13	<u>warehouse permit</u>	<u>25</u>	<u>25</u>

14 Fees collected under this Section shall be paid into the
 15 Dram Shop Fund. On and after July 1, 2003 and until June 30,
 16 2016, of the funds received for a retailer's license, in
 17 addition to the first \$175, an additional \$75 shall be paid
 18 into the Dram Shop Fund, and \$250 shall be paid into the
 19 General Revenue Fund. On and after June 30, 2016, one-half of
 20 the funds received for a retailer's license shall be paid into
 21 the Dram Shop Fund and one-half of the funds received for a
 22 retailer's license shall be paid into the General Revenue Fund.
 23 Beginning June 30, 1990 and on June 30 of each subsequent year
 24 through June 29, 2003, any balance over \$5,000,000 remaining in
 25 the Dram Shop Fund shall be credited to State liquor licensees
 26 and applied against their fees for State liquor licenses for

1 the following year. The amount credited to each licensee shall
2 be a proportion of the balance in the Dram Fund that is the
3 same as the proportion of the license fee paid by the licensee
4 under this Section for the period in which the balance was
5 accumulated to the aggregate fees paid by all licensees during
6 that period.

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

9 (a) Hospitals, sanitariums, or clinics when their use
10 of alcoholic liquor is exclusively medicinal, mechanical
11 or scientific.

12 (b) Universities, colleges of learning or schools when
13 their use of alcoholic liquor is exclusively medicinal,
14 mechanical or scientific.

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

17 (Source: P.A. 99-448, eff. 8-24-15; 99-902, eff. 8-26-16;
18 99-904, eff. 8-26-16; 100-201, eff. 8-18-17; 100-816, eff.
19 8-13-18.)

20 (235 ILCS 5/6-4) (from Ch. 43, par. 121)

21 Sec. 6-4. (a) No person licensed by any licensing authority
22 as a distiller, or a wine manufacturer, or any subsidiary or
23 affiliate thereof, or any officer, associate, member, partner,
24 representative, employee, agent or shareholder owning more
25 than 5% of the outstanding shares of such person shall be

1 issued an importing distributor's or distributor's license,
2 nor shall any person licensed by any licensing authority as an
3 importing distributor, distributor or retailer, or any
4 subsidiary or affiliate thereof, or any officer or associate,
5 member, partner, representative, employee, agent or
6 shareholder owning more than 5% of the outstanding shares of
7 such person be issued a distiller's license, a craft
8 distiller's license, or a wine manufacturer's license; and no
9 person or persons licensed as a distiller, ~~or class 1~~ craft
10 distiller, or class 2 craft distiller by any licensing
11 authority shall have any interest, directly or indirectly, with
12 such distributor or importing distributor.

13 However, an importing distributor or distributor, which on
14 January 1, 1985 is owned by a brewer, or any subsidiary or
15 affiliate thereof or any officer, associate, member, partner,
16 representative, employee, agent or shareholder owning more
17 than 5% of the outstanding shares of the importing distributor
18 or distributor referred to in this paragraph, may own or
19 acquire an ownership interest of more than 5% of the
20 outstanding shares of a wine manufacturer and be issued a wine
21 manufacturer's license by any licensing authority.

22 (b) The foregoing provisions shall not apply to any person
23 licensed by any licensing authority as a distiller or wine
24 manufacturer, or to any subsidiary or affiliate of any
25 distiller or wine manufacturer who shall have been heretofore
26 licensed by the State Commission as either an importing

1 distributor or distributor during the annual licensing period
2 expiring June 30, 1947, and shall actually have made sales
3 regularly to retailers.

4 (c) Provided, however, that in such instances where a
5 distributor's or importing distributor's license has been
6 issued to any distiller or wine manufacturer or to any
7 subsidiary or affiliate of any distiller or wine manufacturer
8 who has, during the licensing period ending June 30, 1947, sold
9 or distributed as such licensed distributor or importing
10 distributor alcoholic liquors and wines to retailers, such
11 distiller or wine manufacturer or any subsidiary or affiliate
12 of any distiller or wine manufacturer holding such
13 distributor's or importing distributor's license may continue
14 to sell or distribute to retailers such alcoholic liquors and
15 wines which are manufactured, distilled, processed or marketed
16 by distillers and wine manufacturers whose products it sold or
17 distributed to retailers during the whole or any part of its
18 licensing periods; and such additional brands and additional
19 products may be added to the line of such distributor or
20 importing distributor, provided, that such brands and such
21 products were not sold or distributed by any distributor or
22 importing distributor licensed by the State Commission during
23 the licensing period ending June 30, 1947, but can not sell or
24 distribute to retailers any other alcoholic liquors or wines.

25 (d) It shall be unlawful for any distiller licensed
26 anywhere to have any stock ownership or interest in any

1 distributor's or importing distributor's license wherein any
2 other person has an interest therein who is not a distiller and
3 does not own more than 5% of any stock in any distillery.
4 Nothing herein contained shall apply to such distillers or
5 their subsidiaries or affiliates, who had a distributor's or
6 importing distributor's license during the licensing period
7 ending June 30, 1947, which license was owned in whole by such
8 distiller, or subsidiaries or affiliates of such distiller.

9 (e) Any person licensed as a brewer, class 1 brewer, or
10 class 2 brewer shall be permitted to sell on the licensed
11 premises to non-licensees for on or off-premises consumption
12 for the premises in which he or she actually conducts such
13 business: (i) beer manufactured by the brewer, class 1 brewer,
14 or class 2 brewer; (ii) beer manufactured by any other brewer,
15 class 1 brewer, or class 2 brewer; and (iii) cider. Such sales
16 shall be limited to on-premises, in-person sales only, for
17 lawful consumption on or off premises. Such authorization shall
18 be considered a privilege granted by the brewer license and,
19 other than a manufacturer of beer as stated above, no
20 manufacturer or distributor or importing distributor,
21 excluding airplane licensees exercising powers provided in
22 paragraph (i) of Section 5-1 of this Act, or any subsidiary or
23 affiliate thereof, or any officer, associate, member, partner,
24 representative, employee or agent, or shareholder shall be
25 issued a retailer's license, nor shall any person having a
26 retailer's license, excluding airplane licensees exercising

1 powers provided in paragraph (i) of Section 5-1 of this Act, or
2 any subsidiary or affiliate thereof, or any officer, associate,
3 member, partner, representative or agent, or shareholder be
4 issued a manufacturer's license or importing distributor's
5 license.

6 A manufacturer of beer that imports or transfers beer into
7 this State must comply with Sections 6-8 and 8-1 of this Act.

8 A person who holds a class 1 or class 2 brewer license and
9 is authorized by this Section to sell beer to non-licensees
10 shall not sell beer to non-licensees from more than 3 total
11 brewer or commonly owned brew pub licensed locations in this
12 State. The class 1 or class 2 brewer shall designate to the
13 State Commission the brewer or brew pub locations from which it
14 will sell beer to non-licensees.

15 A person licensed as a class 1 craft distiller or a class 2
16 craft distiller, including a person who holds more than one
17 class 1 craft distiller or class 2 craft distiller license, not
18 affiliated with any other person manufacturing spirits may be
19 authorized by the State Commission to sell (1) up to 5,000
20 ~~2,500~~ gallons of spirits produced by the person to
21 non-licensees for on or off-premises consumption for the
22 premises in which he or she actually conducts business
23 permitting only the retail sale of spirits manufactured at such
24 premises and (2) vermouth purchased through a licensed
25 distributor for on-premises consumption. Such sales shall be
26 limited to on-premises, in-person sales only, for lawful

1 consumption on or off premises, and such authorization shall be
2 considered a privilege granted by the class 1 craft distiller
3 or class 2 craft distiller license. A class 1 craft distiller
4 or class 2 craft distiller licensed for retail sale shall
5 secure liquor liability insurance coverage in an amount at
6 least equal to the maximum liability amounts set forth in
7 subsection (a) of Section 6-21 of this Act.

8 A class 1 craft distiller or class 2 craft distiller
9 license holder shall not deliver any alcoholic liquor to any
10 non-licensee off the licensed premises. A class 1 craft
11 distiller or class 2 craft distiller shall affirm in its annual
12 ~~craft distiller's~~ license application that it does not produce
13 more than 50,000 or 100,000 gallons of distilled spirits
14 annually, whichever is applicable, and that the craft distiller
15 does not sell more than 5,000 ~~2,500~~ gallons of spirits to
16 non-licensees for on or off-premises consumption. In the
17 application, which shall be sworn under penalty of perjury, the
18 class 1 craft distiller or class 2 craft distiller shall state
19 the volume of production and sales for each year since the
20 class 1 craft distiller's or class 2 craft distiller's
21 establishment.

22 A person who holds a class 1 craft distiller or class 2
23 craft distiller license and is authorized by this Section to
24 sell spirits to non-licensees shall not sell spirits to
25 non-licensees from more than 3 total distillery or commonly
26 owned distilling pub licensed locations in this State. The

1 class 1 craft distiller or class 2 craft distiller shall
2 designate to the State Commission the distillery or distilling
3 pub locations from which it will sell spirits to non-licensees.

4 (f) (Blank).

5 (g) Notwithstanding any of the foregoing prohibitions, a
6 limited wine manufacturer may sell at retail at its
7 manufacturing site for on or off premises consumption and may
8 sell to distributors. A limited wine manufacturer licensee
9 shall secure liquor liability insurance coverage in an amount
10 at least equal to the maximum liability amounts set forth in
11 subsection (a) of Section 6-21 of this Act.

12 (h) The changes made to this Section by Public Act 99-47
13 shall not diminish or impair the rights of any person, whether
14 a distiller, wine manufacturer, agent, or affiliate thereof,
15 who requested in writing and submitted documentation to the
16 State Commission on or before February 18, 2015 to be approved
17 for a retail license pursuant to what has heretofore been
18 subsection (f); provided that, on or before that date, the
19 State Commission considered the intent of that person to apply
20 for the retail license under that subsection and, by recorded
21 vote, the State Commission approved a resolution indicating
22 that such a license application could be lawfully approved upon
23 that person duly filing a formal application for a retail
24 license and if that person, within 90 days of the State
25 Commission appearance and recorded vote, first filed an
26 application with the appropriate local commission, which

1 application was subsequently approved by the appropriate local
2 commission prior to consideration by the State Commission of
3 that person's application for a retail license. It is further
4 provided that the State Commission may approve the person's
5 application for a retail license or renewals of such license if
6 such person continues to diligently adhere to all
7 representations made in writing to the State Commission on or
8 before February 18, 2015, or thereafter, or in the affidavit
9 filed by that person with the State Commission to support the
10 issuance of a retail license and to abide by all applicable
11 laws and duly adopted rules.

12 (Source: P.A. 99-47, eff. 7-15-15; 99-448, eff. 8-24-15;
13 99-642, eff. 7-28-16; 99-902, eff. 8-26-16; 100-201, eff.
14 8-18-17; 100-816, eff. 8-13-18; 100-885, eff. 8-14-18; revised
15 10-24-18.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.