



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB1166

Introduced 2/5/2019, by Sen. Iris Y. Martinez

#### SYNOPSIS AS INTRODUCED:

20 ILCS 5/5-725 new	
225 ILCS 210/2005	from Ch. 96 1/2, par. 1-2005
225 ILCS 320/10	from Ch. 111, par. 1109
225 ILCS 320/17	from Ch. 111, par. 1116
225 ILCS 345/9	from Ch. 111, par. 7110
225 ILCS 635/3.2	from Ch. 56 1/2, par. 242.2
225 ILCS 705/4.01	from Ch. 96 1/2, par. 401
225 ILCS 705/5.01	from Ch. 96 1/2, par. 501
225 ILCS 705/6.01	from Ch. 96 1/2, par. 601
225 ILCS 705/7.02	from Ch. 96 1/2, par. 702
225 ILCS 705/7.04	from Ch. 96 1/2, par. 704
225 ILCS 705/27.01	from Ch. 96 1/2, par. 2701
225 ILCS 705/27.02	from Ch. 96 1/2, par. 2702
225 ILCS 705/32.02	from Ch. 96 1/2, par. 3202
225 ILCS 705/32.03	from Ch. 96 1/2, par. 3203
235 ILCS 5/6-2	from Ch. 43, par. 120
240 ILCS 5/19	from Ch. 17, par. 1469

Amends the Civil Administrative Code of Illinois. Provides that, except as otherwise provided by law, no department shall deny an occupational or professional license based solely on the applicant's citizenship status or immigration status. Amends the Illinois Explosives Act to allow a person admitted for permanent residence to qualify for licensure. Amends the Illinois Plumbing License Law, the Water Well and Pump Installation Contractor's License Act, the Illinois Horse Meat Act, the Liquor Control Act of 1934, and the Safety Deposit License Act to remove references to United States citizenship as a prerequisite for licensure. Amends the Coal Mining Act to remove references to United States citizenship as a prerequisite and references to the ability to speak and understand the American Language. Makes other changes.

LRB101 06039 JRG 51060 b

1 AN ACT concerning regulation.

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

4 Section 5. The Civil Administrative Code of Illinois is  
5 amended by adding Section 5-725 as follows:

6 (20 ILCS 5/5-725 new)

7 Sec. 5-725. Licensure; immigration status. Except as  
8 otherwise provided by law, no department may deny an  
9 occupational or professional license based solely on the  
10 applicant's citizenship status or immigration status. The  
11 General Assembly finds and declares that this Section is a  
12 State law within the meaning of subsection (d) of Section 1621  
13 of Title 8 of the United States Code. Nothing in this Section  
14 shall affect the requirements to obtain a license that are not  
15 directly related to citizenship status or immigration status.  
16 Nothing in this Section shall be construed to grant eligibility  
17 for obtaining any public benefit other than a license.

18 Section 10. The Illinois Explosives Act is amended by  
19 changing Section 2005 as follows:

20 (225 ILCS 210/2005) (from Ch. 96 1/2, par. 1-2005)

21 Sec. 2005. Qualifications for licensure.

- 1 (a) No person shall qualify to hold a license who:
- 2 (1) is under 21 years of age;
- 3 (2) has been convicted in any court of a crime
- 4 punishable by imprisonment for a term exceeding one year;
- 5 (3) is under indictment for a crime punishable by
- 6 imprisonment for a term exceeding one year;
- 7 (4) is a fugitive from justice;
- 8 (5) is an unlawful user of or addicted to any
- 9 controlled substance as defined in Section 102 of the
- 10 federal Controlled Substances Act (21 U.S.C. Sec. 802 et
- 11 seq.);
- 12 (6) has been adjudicated a person with a mental
- 13 disability as defined in Section 1.1 of the Firearm Owners
- 14 Identification Card Act; or
- 15 (7) is not a legal citizen of the United States or
- 16 admitted for permanent residence.

17 (b) A person who has been granted a "relief from

18 disabilities" regarding criminal convictions and indictments,

19 pursuant to the federal Safe Explosives Act (18 U.S.C. Sec.

20 845) may receive a license provided all other qualifications

21 under this Act are met.

22 (Source: P.A. 98-63, eff. 7-9-13; 99-143, eff. 7-27-15.)

23 Section 15. The Illinois Plumbing License Law is amended by

24 changing Sections 10 and 17 as follows:

1 (225 ILCS 320/10) (from Ch. 111, par. 1109)

2 Sec. 10. (1) An applicant for a plumber's license shall  
3 file a written application in the office of the Department on  
4 the form designated by the Department at least 30 days before  
5 the date set by the Department for the examination.

6 (2) The Director shall promptly approve the application for  
7 examination if:

8 (a) the required application fee has been paid, and

9 (b) (blank), and ~~the applicant has submitted evidence~~  
10 ~~that he or she is a citizen of the United States or has~~  
11 ~~declared his or her intention to become a citizen, and~~

12 (c) the applicant has submitted evidence that he or she  
13 has completed at least a 2 year course of study in a high  
14 school, or an equivalent course of study, and

15 (d) the applicant has been employed as an Illinois  
16 licensed apprentice plumber under supervision in  
17 accordance with this Act for at least 4 years preceding the  
18 date of application and has submitted evidence that he or  
19 she has worked at the plumbing trade in accordance with  
20 this Act for the 4 year Illinois licensed apprentice  
21 plumber apprenticeship period, or

22 (e) the applicant has submitted evidence that he or she  
23 has successfully completed an approved course of  
24 instruction in plumbing supervised directly by an Illinois  
25 licensed plumber in colleges, universities, or trade  
26 schools.

1 (3) If the application for examination is approved, the  
2 Department shall promptly notify the applicant in writing of  
3 such approval and of the place and time of the examination. If  
4 the application is disapproved, the Department shall promptly  
5 notify the applicant in writing of such disapproval, stating  
6 the reasons for disapproval.

7 (4) If an applicant neglects, fails or refuses to take an  
8 examination for license under this Act, the application is  
9 denied. However, such applicant may submit a new application  
10 for examination, accompanied by the required application fee.  
11 Application fees for examination for a plumber's license are  
12 not refundable.

13 (Source: P.A. 99-504, eff. 1-1-17.)

14 (225 ILCS 320/17) (from Ch. 111, par. 1116)

15 Sec. 17. (a) Upon the payment of the required fee, an  
16 applicant who is a plumber, registered or licensed in another  
17 state, or municipality, may, without examination, be granted a  
18 license as a licensed plumber by the Department provided:

19 (1) that the applicant is at least twenty-one years of  
20 age ~~and is a citizen of the United States, or has declared~~  
21 ~~his intention to become a citizen,~~ and

22 (2) that the Board finds that the requirements for the  
23 registration or licensing of plumbers in such other state  
24 or municipality, were, at the date of the registration or  
25 license, substantially equal to the requirements then in

1 force in this State, and provided that the same privilege  
2 of registration is accorded by said state or municipality,  
3 to licensed plumbers in the State of Illinois.

4 (b) A plumber licensed or registered as a plumber by  
5 another state or municipality, whose license requirements are  
6 substantially equal to the requirements for an Illinois  
7 Plumber's license, and such governmental unit, does not have a  
8 reciprocal agreement with the State of Illinois, may apply for  
9 and be issued an Illinois Plumber's license provided that the  
10 applicant successfully passes the Illinois plumber's  
11 examination and pays the required fees.

12 (Source: P.A. 79-1000.)

13 Section 20. The Water Well and Pump Installation  
14 Contractor's License Act is amended by changing Section 9 as  
15 follows:

16 (225 ILCS 345/9) (from Ch. 111, par. 7110)

17 (Section scheduled to be repealed on January 1, 2022)

18 Sec. 9. Applications for a license, or for renewal thereof,  
19 and applications for examination shall be made to the  
20 Department in writing and under oath or affirmation, upon forms  
21 prescribed and furnished by the Department. Such applications  
22 shall contain such information as the Department deems  
23 necessary in order to carry out the provisions of this Act.

24 The Department shall issue a Water Well Contractor's

1 license, a Water Well Pump Installation Contractor's license,  
2 or a Water Well and Pump Installation Contractor's license to  
3 any applicant therefor who:

4 (a) is at least 18 years of age,

5 (b) (blank), ~~is a citizen of the United States or has~~  
6 ~~declared his intention to become a citizen of the United~~  
7 ~~States,~~

8 (c) possesses a good moral character,

9 (d) has had the required experience as follows:

10 (1) an applicant for a water well contractor's  
11 license shall have worked two years under the  
12 supervision of a licensed water well contractor,

13 (2) an applicant for a water well pump installation  
14 contractor's license shall have worked two years under  
15 the supervision of a licensed water well pump  
16 installation contractor or in the case of those  
17 applicants whose experience was gained prior to  
18 January 1, 1972, under the supervision of a contractor  
19 who was engaged in water well pump installation,

20 (3) an applicant for a water well and pump  
21 installation contractor's license shall have worked  
22 two years for a licensed water well and pump  
23 installation contractor and the applicant shall show  
24 evidence satisfactory to the Department that he was  
25 engaged in both water well contracting and pump  
26 installing during the two year period. For those

1 applicants who gained their experience prior to  
2 January 1, 1972, it shall be sufficient for them to  
3 show that they worked under the supervision of a  
4 licensed water well contractor who was engaged in pump  
5 installation and that they did work in both fields.

6 (e) has made a satisfactory grade on the examination  
7 for the particular license for which he is applying.

8 (f) has paid the fee provided by statute.

9 Such licenses shall be serially numbered, shall be signed  
10 by the Director and issued under the seal of the Department.

11 (Source: P.A. 81-791.)

12 Section 25. The Illinois Horse Meat Act is amended by  
13 changing Section 3.2 as follows:

14 (225 ILCS 635/3.2) (from Ch. 56 1/2, par. 242.2)

15 Sec. 3.2. The following persons are ineligible for  
16 licenses:

17 a. A person who is not a resident of the city, village  
18 or county in which the premises covered by the license are  
19 located; except in case of railroad or boat licenses.

20 b. A person who is not of good character and reputation  
21 in the community in which he resides.

22 c. (Blank). ~~A person who is not a citizen of the United~~  
23 ~~States.~~

24 d. A person with a prior conviction of a felony or a



1           misdemeanor that is directly related to the practice of the  
2           profession where such conviction will impair the person's  
3           ability to engage in the licensed position.

4           e. (Blank).

5           f. A person whose license issued under this Act has  
6           been revoked for cause.

7           g. A person who at the time of application for renewal  
8           of any license issued hereunder would not be eligible for  
9           such license upon a first application.

10          h. A co-partnership, unless all of the members of such  
11          co-partnership shall be qualified to obtain a license.

12          i. A corporation, if any officer, manager or director  
13          thereof or any stockholder or stockholders owning in the  
14          aggregate more than five percent (5%) of the stock of such  
15          corporation, would not be eligible to receive a license  
16          hereunder for any reason other than citizenship and  
17          residence within the political subdivision.

18          j. A person whose place of business is conducted by a  
19          manager or agent unless said manager or agent possesses the  
20          same qualifications required of the licensee.

21          (Source: P.A. 100-286, eff. 1-1-18.)

22                Section 30. The Coal Mining Act is amended by changing  
23                Sections 4.01, 5.01, 6.01, 7.02, 7.04, 27.01, 27.02, 32.02, and  
24                32.03 as follows:

1 (225 ILCS 705/4.01) (from Ch. 96 1/2, par. 401)

2 Sec. 4.01. Each applicant for a certificate of competency  
3 as State Mine Inspector shall produce evidence satisfactory to  
4 the Mining Board that he is a resident ~~citizen~~ of this State,  
5 at least thirty years of age; that he has had a practical  
6 mining experience of ten years, of which at least two years  
7 shall have been in the State of Illinois, and that he is a man  
8 of good repute and temperate habits; and that he has a first  
9 class mine manager's certificate. He shall pass an examination  
10 as to his practical and technological knowledge of mine  
11 appliances; of the proper development and operation of coal  
12 mines; of ventilation in mines; of the nature and properties of  
13 mine gases; of first aid to the injured and of mine rescue  
14 methods and appliances, as prescribed by the Department of  
15 Natural Resources; of the geology of coal measures in this  
16 State; and of the laws of this State relating to coal mines.

17 (Source: P.A. 89-445, eff. 2-7-96.)

18 (225 ILCS 705/5.01) (from Ch. 96 1/2, par. 501)

19 Sec. 5.01. Each applicant for a certificate of competency  
20 as mine manager shall produce evidence satisfactory of the  
21 Mining Board that he is ~~a citizen of the United States,~~ at  
22 least 23 years of age; ~~that he~~ has had at least 4 years'  
23 practical underground mining experience; has been issued a  
24 Certificate of Competency as Mine Examiner, or its equivalent  
25 issued by another state; ~~and that he~~ has satisfactorily

1 completed a course of instruction in first aid to the injured  
2 and mine rescue methods and appliances prescribed by the  
3 Department; and ~~that he~~ is a man of good repute and temperate  
4 habits. He shall also pass such examination as to his  
5 experience in mines and in the management of men; his knowledge  
6 of mine machinery and appliances; the use of surveying and  
7 other instruments used in mining; the properties of mine gases;  
8 the principles of ventilation; and the legal duties and  
9 responsibilities of mine managers, as shall be prescribed by  
10 the rules of the Mining Board.

11 Persons who have graduated and hold a degree in engineering  
12 or an approved 4-year program in coal mining technology from an  
13 accredited school, college or university are required to have  
14 only 2 years' practical underground mining experience to  
15 qualify for the examination for a Certificate of Competency.

16 Persons who have graduated and hold a two-year Associate in  
17 Applied Science Degree in Coal Mining Technology from an  
18 accredited school, college or university are required to have  
19 only 3 years' practical underground mining experience to  
20 qualify for the examination for a Certificate of Competency.

21 (Source: P.A. 79-876.)

22 (225 ILCS 705/6.01) (from Ch. 96 1/2, par. 601)

23 Sec. 6.01. Each applicant for a certificate of competency  
24 as mine examiner shall produce evidence satisfactory to the  
25 Mining Board that he is ~~a citizen of the United States,~~ at

1 least 21 years of age and of good repute and temperate habits  
2 and that he has had at least 4 years practical underground  
3 mining experience, and has been issued a First Class  
4 Certificate of Competency by the Department of Natural  
5 Resources. He shall pass an examination as to his experience in  
6 mines generating dangerous gases, his practical and  
7 technological knowledge of the nature and properties of mine  
8 gases, the laws of ventilation, the structures and use of  
9 multi-gas detectors, and the laws of this State relating to  
10 safeguards against fires from any source in mines. He shall  
11 also submit to the Mining Board satisfactory evidence that he  
12 has completed a course of training in first aid to the injured  
13 and mine rescue methods and appliances prescribed by the  
14 Department. Persons who have graduated and hold a degree in  
15 engineering or an approved 4-year program in coal mining  
16 technology from an accredited school, college, or university,  
17 are required to have only 2 years of practical underground  
18 mining experience to qualify for the examination for a  
19 certificate of competency.

20 Persons who have graduated and hold a two-year Associate in  
21 Applied Science Degree in Coal Mining Technology from an  
22 accredited school, college or university are required to have  
23 only 3 years' practical underground mining experience to  
24 qualify for the examination for a Certificate of Competency as  
25 a Mine Examiner.

26 (Source: P.A. 99-538, eff. 1-1-17.)

1 (225 ILCS 705/7.02) (from Ch. 96 1/2, par. 702)

2 Sec. 7.02. Each applicant for a certificate of competency  
3 as electrical hoisting engineer shall produce evidence  
4 satisfactory to the Mining Board that he is ~~a citizen of the~~  
5 ~~United States,~~ at least 21 years of age, ~~that he~~ has had two  
6 years' experience with electrical hoisting equipment, or has  
7 completed a training course in operation and maintenance of  
8 electrical hoisting machinery approved by the Mining Board, and  
9 is of good repute and temperate habits. He shall pass an  
10 examination as to his practical and technical knowledge of the  
11 construction of same, the care and adjustment of electrical  
12 hoisting engines, the management and efficiency of electric  
13 pumps, ropes and winding apparatus and as to his knowledge of  
14 the laws of this State in relation to signals and the hoisting  
15 and lowering of men at mines.

16 (Source: P.A. 79-876.)

17 (225 ILCS 705/7.04) (from Ch. 96 1/2, par. 704)

18 Sec. 7.04. The Mining Board may grant a permit to operate a  
19 second motion engine, or internal combustion engine, at any  
20 mine employing not more than 10 men, to any person recommended  
21 to the Mining Board by the State Mine Inspector of the  
22 district. The applicant for such permit shall have filed with  
23 the Mining Board satisfactory evidence that he ~~is a citizen of~~  
24 ~~the United States,~~ that he has had at least one year of

1 experience in operating a steam engine, steam boiler, or  
2 internal combustion engine and understands the handling and  
3 care of the same. Such application shall be accompanied by a  
4 statement from at least three persons who will testify from  
5 their personal knowledge of the applicant that he is a man of  
6 good repute and personal habits, and that he has, in their  
7 judgment, a knowledge of and experience in handling boilers and  
8 engines as required in this section. Such permit shall apply  
9 only to the mine for which it was issued, and for a period not  
10 to exceed one year, except such permit, when it expires, may be  
11 renewed by the Mining Board from year to year if the person  
12 holding same requests renewal, and certifies by sworn statement  
13 that all the circumstances and conditions are the same as when  
14 said permit was originally issued.

15 (Source: Laws 1957, p. 2413.)

16 (225 ILCS 705/27.01) (from Ch. 96 1/2, par. 2701)

17 Sec. 27.01. In all mines in this State which are classified  
18 as gassy by the State Mine Inspector, and where coal is broken  
19 down by the use of explosives, a sufficient number of first  
20 class miners, who are citizens of the United States or admitted  
21 for permanent residence ~~and able to speak and understand the~~  
22 ~~American language~~, shall be designated and employed as drillers  
23 and shooters or shot firers. The duties of the drillers and  
24 shooters or shot firers shall be to prepare permissible  
25 explosives for breaking down coal in a safe, practical and

1 workmanlike manner, and to fire or detonate the same.

2 (Source: Laws 1953, p. 701.)

3 (225 ILCS 705/27.02) (from Ch. 96 1/2, par. 2702)

4 Sec. 27.02. In all mines in this State which are classified  
5 as non-gassy by the State Mine Inspector, and where coal is  
6 broken down by the use of explosives, a sufficient number of  
7 first-class miners, who are citizens of the United States or  
8 admitted for permanent residence ~~and able to speak and~~  
9 ~~understand the American language~~, shall be designated and  
10 employed as drillers and shooters or as shot firers. The duties  
11 of the drillers and shooters or shot firers shall be to prepare  
12 permissible explosives for breaking down coal in a safe,  
13 practical and workmanlike manner, and to fire or detonate the  
14 same.

15 (Source: Laws 1953, p. 701.)

16 (225 ILCS 705/32.02) (from Ch. 96 1/2, par. 3202)

17 Sec. 32.02. The person authorized to weigh the coal and  
18 keep the record thereof shall ~~be a citizen of the United~~  
19 ~~States, and shall~~, before entering upon his duties, make and  
20 subscribe to an oath before some person duly authorized to  
21 administer oaths, that he will accurately weigh and carefully  
22 keep a true record of all coal weighed, and such affidavit  
23 shall be kept conspicuously posted at the place of weighing.

24 (Source: Laws 1953, p. 701.)

1 (225 ILCS 705/32.03) (from Ch. 96 1/2, par. 3203)

2 Sec. 32.03. The miners at work in any coal mine may employ  
3 a check weighman at their option and at their own expense,  
4 whose duty it shall be to balance the scales and see that the  
5 coal is properly weighed, and that a correct account of the  
6 same is kept, and for this purpose he shall have access at all  
7 times to the beam box of the scales, and be afforded every  
8 facility for verifying the weights while the weighing is being  
9 done. The check weighman so employed by the miners shall ~~be a~~  
10 ~~citizen of the United States, and~~ before entering upon his  
11 duties, ~~shall~~ make and subscribe to an oath before some person  
12 duly authorized to administer oaths, that he will faithfully  
13 discharge his duties as check weighman, and such oath shall be  
14 kept conspicuously posted at the place of weighing.

15 (Source: Laws 1953, p. 701.)

16 Section 35. The Liquor Control Act of 1934 is amended by  
17 changing Section 6-2 as follows:

18 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

19 Sec. 6-2. Issuance of licenses to certain persons  
20 prohibited.

21 (a) Except as otherwise provided in subsection (b) of this  
22 Section and in paragraph (1) of subsection (a) of Section 3-12,  
23 no license of any kind issued by the State Commission or any



1 local commission shall be issued to:

2 (1) A person who is not a resident of any city, village  
3 or county in which the premises covered by the license are  
4 located; except in case of railroad or boat licenses.

5 (2) A person who is not of good character and  
6 reputation in the community in which he resides.

7 (3) (Blank). ~~A person who is not a citizen of the~~  
8 ~~United States.~~

9 (4) A person who has been convicted of a felony under  
10 any Federal or State law, unless the Commission determines  
11 that such person will not be impaired by the conviction in  
12 engaging in the licensed practice after considering  
13 matters set forth in such person's application in  
14 accordance with Section 6-2.5 of this Act and the  
15 Commission's investigation.

16 (5) A person who has been convicted of keeping a place  
17 of prostitution or keeping a place of juvenile  
18 prostitution, promoting prostitution that involves keeping  
19 a place of prostitution, or promoting juvenile  
20 prostitution that involves keeping a place of juvenile  
21 prostitution.

22 (6) A person who has been convicted of pandering.

23 (7) A person whose license issued under this Act has  
24 been revoked for cause.

25 (8) A person who at the time of application for renewal  
26 of any license issued hereunder would not be eligible for

1 such license upon a first application.

2 (9) A copartnership, if any general partnership  
3 thereof, or any limited partnership thereof, owning more  
4 than 5% of the aggregate limited partner interest in such  
5 copartnership would not be eligible to receive a license  
6 hereunder for any reason other than residence within the  
7 political subdivision, unless residency is required by  
8 local ordinance.

9 (10) A corporation or limited liability company, if any  
10 member, officer, manager or director thereof, or any  
11 stockholder or stockholders owning in the aggregate more  
12 than 5% of the stock of such corporation, would not be  
13 eligible to receive a license hereunder for any reason  
14 other than ~~citizenship and~~ residence within the political  
15 subdivision.

16 (10a) A corporation or limited liability company  
17 unless it is incorporated or organized in Illinois, or  
18 unless it is a foreign corporation or foreign limited  
19 liability company which is qualified under the Business  
20 Corporation Act of 1983 or the Limited Liability Company  
21 Act to transact business in Illinois. The Commission shall  
22 permit and accept from an applicant for a license under  
23 this Act proof prepared from the Secretary of State's  
24 website that the corporation or limited liability company  
25 is in good standing and is qualified under the Business  
26 Corporation Act of 1983 or the Limited Liability Company

1 Act to transact business in Illinois.

2 (11) A person whose place of business is conducted by a  
3 manager or agent unless the manager or agent possesses the  
4 same qualifications required by the licensee.

5 (12) A person who has been convicted of a violation of  
6 any Federal or State law concerning the manufacture,  
7 possession or sale of alcoholic liquor, subsequent to the  
8 passage of this Act or has forfeited his bond to appear in  
9 court to answer charges for any such violation, unless the  
10 Commission determines, in accordance with Section 6-2.5 of  
11 this Act, that the person will not be impaired by the  
12 conviction in engaging in the licensed practice.

13 (13) A person who does not beneficially own the  
14 premises for which a license is sought, or does not have a  
15 lease thereon for the full period for which the license is  
16 to be issued.

17 (14) Any law enforcing public official, including  
18 members of local liquor control commissions, any mayor,  
19 alderman, or member of the city council or commission, any  
20 president of the village board of trustees, any member of a  
21 village board of trustees, or any president or member of a  
22 county board; and no such official shall have a direct  
23 interest in the manufacture, sale, or distribution of  
24 alcoholic liquor, except that a license may be granted to  
25 such official in relation to premises that are not located  
26 within the territory subject to the jurisdiction of that

1 official if the issuance of such license is approved by the  
2 State Liquor Control Commission and except that a license  
3 may be granted, in a city or village with a population of  
4 55,000 or less, to any alderman, member of a city council,  
5 or member of a village board of trustees in relation to  
6 premises that are located within the territory subject to  
7 the jurisdiction of that official if (i) the sale of  
8 alcoholic liquor pursuant to the license is incidental to  
9 the selling of food, (ii) the issuance of the license is  
10 approved by the State Commission, (iii) the issuance of the  
11 license is in accordance with all applicable local  
12 ordinances in effect where the premises are located, and  
13 (iv) the official granted a license does not vote on  
14 alcoholic liquor issues pending before the board or council  
15 to which the license holder is elected. Notwithstanding any  
16 provision of this paragraph (14) to the contrary, an  
17 alderman or member of a city council or commission, a  
18 member of a village board of trustees other than the  
19 president of the village board of trustees, or a member of  
20 a county board other than the president of a county board  
21 may have a direct interest in the manufacture, sale, or  
22 distribution of alcoholic liquor as long as he or she is  
23 not a law enforcing public official, a mayor, a village  
24 board president, or president of a county board. To prevent  
25 any conflict of interest, the elected official with the  
26 direct interest in the manufacture, sale, or distribution

1 of alcoholic liquor shall not participate in any meetings,  
2 hearings, or decisions on matters impacting the  
3 manufacture, sale, or distribution of alcoholic liquor.  
4 Furthermore, the mayor of a city with a population of  
5 55,000 or less or the president of a village with a  
6 population of 55,000 or less may have an interest in the  
7 manufacture, sale, or distribution of alcoholic liquor as  
8 long as the council or board over which he or she presides  
9 has made a local liquor control commissioner appointment  
10 that complies with the requirements of Section 4-2 of this  
11 Act.

12 (15) A person who is not a beneficial owner of the  
13 business to be operated by the licensee.

14 (16) A person who has been convicted of a gambling  
15 offense as proscribed by any of subsections (a) (3) through  
16 (a) (11) of Section 28-1 of, or as proscribed by Section  
17 28-1.1 or 28-3 of, the Criminal Code of 1961 or the  
18 Criminal Code of 2012, or as proscribed by a statute  
19 replaced by any of the aforesaid statutory provisions.

20 (17) A person or entity to whom a federal wagering  
21 stamp has been issued by the federal government, unless the  
22 person or entity is eligible to be issued a license under  
23 the Raffles and Poker Runs Act or the Illinois Pull Tabs  
24 and Jar Games Act.

25 (18) A person who intends to sell alcoholic liquors for  
26 use or consumption on his or her licensed retail premises

1           who does not have liquor liability insurance coverage for  
2           that premises in an amount that is at least equal to the  
3           maximum liability amounts set out in subsection (a) of  
4           Section 6-21.

5           (19) A person who is licensed by any licensing  
6           authority as a manufacturer of beer, or any partnership,  
7           corporation, limited liability company, or trust or any  
8           subsidiary, affiliate, or agent thereof, or any other form  
9           of business enterprise licensed as a manufacturer of beer,  
10          having any legal, equitable, or beneficial interest,  
11          directly or indirectly, in a person licensed in this State  
12          as a distributor or importing distributor. For purposes of  
13          this paragraph (19), a person who is licensed by any  
14          licensing authority as a "manufacturer of beer" shall also  
15          mean a brewer and a non-resident dealer who is also a  
16          manufacturer of beer, including a partnership,  
17          corporation, limited liability company, or trust or any  
18          subsidiary, affiliate, or agent thereof, or any other form  
19          of business enterprise licensed as a manufacturer of beer.

20          (20) A person who is licensed in this State as a  
21          distributor or importing distributor, or any partnership,  
22          corporation, limited liability company, or trust or any  
23          subsidiary, affiliate, or agent thereof, or any other form  
24          of business enterprise licensed in this State as a  
25          distributor or importing distributor having any legal,  
26          equitable, or beneficial interest, directly or indirectly,

1 in a person licensed as a manufacturer of beer by any  
2 licensing authority, or any partnership, corporation,  
3 limited liability company, or trust or any subsidiary,  
4 affiliate, or agent thereof, or any other form of business  
5 enterprise, except for a person who owns, on or after the  
6 effective date of this amendatory Act of the 98th General  
7 Assembly, no more than 5% of the outstanding shares of a  
8 manufacturer of beer whose shares are publicly traded on an  
9 exchange within the meaning of the Securities Exchange Act  
10 of 1934. For the purposes of this paragraph (20), a person  
11 who is licensed by any licensing authority as a  
12 "manufacturer of beer" shall also mean a brewer and a  
13 non-resident dealer who is also a manufacturer of beer,  
14 including a partnership, corporation, limited liability  
15 company, or trust or any subsidiary, affiliate, or agent  
16 thereof, or any other form of business enterprise licensed  
17 as a manufacturer of beer.

18 (b) A criminal conviction of a corporation is not grounds  
19 for the denial, suspension, or revocation of a license applied  
20 for or held by the corporation if the criminal conviction was  
21 not the result of a violation of any federal or State law  
22 concerning the manufacture, possession or sale of alcoholic  
23 liquor, the offense that led to the conviction did not result  
24 in any financial gain to the corporation and the corporation  
25 has terminated its relationship with each director, officer,  
26 employee, or controlling shareholder whose actions directly

1 contributed to the conviction of the corporation. The  
2 Commission shall determine if all provisions of this subsection  
3 (b) have been met before any action on the corporation's  
4 license is initiated.

5 (Source: P.A. 100-286, eff. 1-1-18.)

6 Section 40. The Safety Deposit License Act is amended by  
7 changing Section 19 as follows:

8 (240 ILCS 5/19) (from Ch. 17, par. 1469)

9 Sec. 19. No applicant shall be issued a license who:

- 10 1. (Blank); ~~Is not a citizen of the United States;~~
- 11 2. Has been convicted of a felony;
- 12 3. Has not provided a burglar alarm system for the  
13 safe, vault, and other fixtures;
- 14 4. Has not provided a time lock for the safe, vault or  
15 other fixtures;
- 16 5. Has not provided one or more combination locked  
17 steel doors (one in front of the other and no door less  
18 than one inch thick) aggregating at least 3 1/2 inches in  
19 thickness; or one combination locked round or square steel  
20 door not less than 3 1/2 inches in thickness;
- 21 6. Has not provided vault construction (walls, ceiling  
22 and floor) of equal resistance to the door;
- 23 7. Has not placed in a conspicuous place in the  
24 location, a sign in large print, telling the depositor what



1 types of protection are being furnished by the licensee;

2 8. Has advertised or advertises that the facilities  
3 furnished by him are approved by the Director.

4 Any of the requirements set forth in this section which are  
5 not capable of fulfillment because of wartime restrictions may  
6 during the war time emergency, be waived by the Director.

7 (Source: Laws 1967, p. 1668.)