



Rep. Deanne M. Mazzochi

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LRB102 12362 RPS 22653 a

1 AMENDMENT TO HOUSE BILL 2136

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2136 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Liquor Control Act of 1934 is amended by  
5 changing Sections 3-12, 5-1, 5-3, 6-2, 6-29, 6-29.1, 7-1, and  
6 9-13 as follows:

7 (235 ILCS 5/3-12)

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

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

- 11 (1) To receive applications and to issue licenses to
- 12 manufacturers, foreign importers, importing distributors,
- 13 distributors, non-resident dealers, on premise consumption
- 14 retailers, off premise sale retailers, special event
- 15 retailer licensees, special use permit licenses, auction
- 16 liquor licenses, brew pubs, caterer retailers,

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

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

23 For the purpose of this paragraph (1), when  
24 determining multiple violations for the sale of alcohol to  
25 a person under the age of 21, a second or subsequent  
26 violation for the sale of alcohol to a person under the age

1 of 21 shall only be considered if it was committed within 5  
2 years after the date when a prior violation for the sale of  
3 alcohol to a person under the age of 21 was committed.

4 The fine imposed under this paragraph may not exceed  
5 \$500 for each violation. Each day that the activity, which  
6 gave rise to the original fine, continues is a separate  
7 violation. The maximum fine that may be levied against any  
8 licensee, for the period of the license, shall not exceed  
9 \$20,000. The maximum penalty that may be imposed on a  
10 licensee for selling a bottle of alcoholic liquor with a  
11 foreign object in it or serving from a bottle of alcoholic  
12 liquor with a foreign object in it shall be the  
13 destruction of that bottle of alcoholic liquor for the  
14 first 10 bottles so sold or served from by the licensee.  
15 For the eleventh bottle of alcoholic liquor and for each  
16 third bottle thereafter sold or served from by the  
17 licensee with a foreign object in it, the maximum penalty  
18 that may be imposed on the licensee is the destruction of  
19 the bottle of alcoholic liquor and a fine of up to \$50.

20 Any notice issued by the State Commission to a  
21 licensee for a violation of this Act or any notice with  
22 respect to settlement or offer in compromise shall include  
23 the field report, photographs, and any other supporting  
24 documentation necessary to reasonably inform the licensee  
25 of the nature and extent of the violation or the conduct  
26 alleged to have occurred. The failure to include such

1 required documentation shall result in the dismissal of  
2 the action.

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

11 (3) To call upon other administrative departments of  
12 the State, county and municipal governments, county and  
13 city police departments and upon prosecuting officers for  
14 such information and assistance as it deems necessary in  
15 the performance of its duties.

16 (4) To recommend to local commissioners rules and  
17 regulations, not inconsistent with the law, for the  
18 distribution and sale of alcoholic liquors throughout the  
19 State.

20 (5) To inspect, or cause to be inspected, any premises  
21 in this State where alcoholic liquors are manufactured,  
22 distributed, warehoused, or sold. Nothing in this Act  
23 authorizes an agent of the State Commission to inspect  
24 private areas within the premises without reasonable  
25 suspicion or a warrant during an inspection. "Private  
26 areas" include, but are not limited to, safes, personal

1 property, and closed desks.

2 (5.1) Upon receipt of a complaint or upon having  
3 knowledge that any person is engaged in business as a  
4 manufacturer, importing distributor, distributor, or  
5 retailer without a license or valid license, to conduct an  
6 investigation. If, after conducting an investigation, the  
7 State Commission is satisfied that the alleged conduct  
8 occurred or is occurring, it may issue a cease and desist  
9 notice as provided in this Act, impose civil penalties as  
10 provided in this Act, notify the local liquor authority,  
11 or file a complaint with the State's Attorney's Office of  
12 the county where the incident occurred or the Attorney  
13 General.

14 (5.2) Upon receipt of a complaint or upon having  
15 knowledge that any person is shipping alcoholic liquor  
16 into this State from a point outside of this State if the  
17 shipment is in violation of this Act, to conduct an  
18 investigation. If, after conducting an investigation, the  
19 State Commission is satisfied that the alleged conduct  
20 occurred or is occurring, it may issue a cease and desist  
21 notice as provided in this Act, impose civil penalties as  
22 provided in this Act, notify the foreign jurisdiction, or  
23 file a complaint with the State's Attorney's Office of the  
24 county where the incident occurred or the Attorney  
25 General.

26 (5.3) To receive complaints from licensees, local

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

15 (5.4) To make arrests and issue notices of civil  
16 violations where necessary for the enforcement of this  
17 Act.

18 (5.5) To investigate any and all unlicensed activity.

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

1 a license.

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

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

1 by authorized representatives of the State Commission or  
2 by any local liquor control commissioner or his or her  
3 authorized representative. The commission~~r~~ may, from time  
4 to time, alter, amend~~l~~ or repeal, in whole or in part, any  
5 uniform system of accounts, or the form and manner of  
6 keeping accounts.

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

22 Any circuit court may~~l~~ by order duly entered, require  
23 the attendance of witnesses and the production of relevant  
24 books subpoenaed by the State Commission and the court may  
25 compel obedience to its order by proceedings for contempt.

26 (9) To investigate the administration of laws in



1 relation to alcoholic liquors in this and other states and  
2 any foreign countries, and to recommend from time to time  
3 to the Governor and through him or her to the legislature  
4 of this State, such amendments to this Act, if any, as it  
5 may think desirable and as will serve to further the  
6 general broad purposes contained in Section 1-2 hereof.

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

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

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

26 (12) To develop and maintain a repository of license

1 and regulatory information.

2 (13) (Blank).

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

11 (A) The amount of State excise and sales tax  
12 revenues generated.

13 (B) The amount of licensing fees received.

14 (C) The number of cases of wine shipped from  
15 inside and outside of this State directly to residents  
16 of this State.

17 (D) The number of alcohol compliance operations  
18 conducted.

19 (E) The number of winery shipper's licenses  
20 issued.

21 (F) The number of each of the following: reported  
22 violations; cease and desist notices issued by the  
23 Commission; notices of violations issued by the  
24 Commission and to the Department of Revenue; and  
25 notices and complaints of violations to law  
26 enforcement officials, including, without limitation,

1 the Illinois Attorney General and the U.S. Department  
2 of Treasury's Alcohol and Tobacco Tax and Trade  
3 Bureau.

4 (G) The number of wine retail shipper's licenses  
5 issued.

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

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

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

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

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

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

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

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

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

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

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

25 (H) It is the intent of this paragraph (17) to promote  
26 and continue orderly markets. The General Assembly finds

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

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

21 (B) In the application, which shall be sworn under  
22 penalty of perjury, the class 1 brewer licensee shall  
23 state (1) the date it was established; (2) its volume of  
24 beer manufactured and sold for each year since its  
25 establishment; (3) its efforts to establish distributor  
26 relationships; (4) that a self-distribution exemption is

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

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

23 (D) A self-distribution exemption holder shall  
24 annually certify to the State Commission its manufacture  
25 of 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  
7 year or became part of an affiliated group manufacturing  
8 more 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  
20 the self-distribution exemption holder's distribution  
21 rights in the assigned territories shall cease in a  
22 reasonable 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



1 exception for smaller manufacturers in order to afford and  
2 allow such smaller manufacturers of beer access to the  
3 marketplace in order to develop a customer base without  
4 impairing the 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  
13 or 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  
16 efforts 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  
24 action by the State Commission. The State Commission shall  
25 approve the application for a self-distribution exemption  
26 if the applicant: (1) is in compliance with State revenue

1 and 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  
5 50,000 gallons of spirits; and (4) does not annually sell  
6 more than 5,000 gallons of its spirits to retail  
7 licensees.

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

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

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

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

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

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

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

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

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

26 (Source: P.A. 100-134, eff. 8-18-17; 100-201, eff. 8-18-17;

1 100-816, eff. 8-13-18; 100-1012, eff. 8-21-18; 100-1050, eff.  
2 8-23-18; 101-37, eff. 7-3-19; 101-81, eff. 7-12-19; 101-482,  
3 eff. 8-23-19; revised 9-20-19.)

4 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

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

14 (b) Distributor's license,

15 (c) Importing Distributor's license,

16 (d) Retailer's license,

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

18 (f) Railroad license,

19 (g) Boat license,

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

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

22 (j) Airplane license,

23 (k) Foreign importer's license,

24 (l) Broker's license,

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

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

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

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

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

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

1           Class 3. A Brewer may make sales and deliveries of beer to  
2 importing distributors and distributors and may make sales as  
3 authorized under subsection (e) of Section 6-4 of this Act.

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

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

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

22           Class 7. A second-class wine-maker's license shall allow  
23 the manufacture of between 50,000 and 150,000 gallons of wine  
24 per year, and the storage and sale of such wine to distributors  
25 in this State and to persons without the State, as may be  
26 permitted by law. A person who, prior to June 1, 2008 (the

1 effective date of Public Act 95-634), is a holder of a  
2 second-class wine-maker's license and annually produces more  
3 than 25,000 gallons of its own wine and who distributes its  
4 wine to licensed retailers shall cease this practice on or  
5 before July 1, 2008 in compliance with Public Act 95-634.

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

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

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

1 any other alcoholic liquor. A class 1 craft distiller licensee  
2 may make sales and deliveries to importing distributors and  
3 distributors and to retail licensees in accordance with the  
4 conditions set forth in paragraph (19) of subsection (a) of  
5 Section 3-12 of this Act. However, the aggregate amount of  
6 spirits sold to non-licensees and sold or delivered to retail  
7 licensees may not exceed 5,000 gallons per year.

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

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

25 Class 11. A class 2 craft distiller license, which may  
26 only be issued to a licensed craft distiller or licensed



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

1 craft distiller's licensed location.

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

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

15 Class 12. A class 1 brewer license, which may only be  
16 issued to a licensed brewer or licensed non-resident dealer,  
17 shall allow the manufacture of up to 930,000 gallons of beer  
18 per year provided that the class 1 brewer licensee does not  
19 manufacture more than a combined 930,000 gallons of beer per  
20 year and is not a member of or affiliated with, directly or  
21 indirectly, a manufacturer that produces more than 930,000  
22 gallons of beer per year or any other alcoholic liquor. A class  
23 1 brewer licensee may make sales and deliveries to importing  
24 distributors and distributors and to retail licensees in  
25 accordance with the conditions set forth in paragraph (18) of  
26 subsection (a) of Section 3-12 of this Act. If the State

1 Commission provides prior approval, a class 1 brewer may  
2 annually transfer up to 930,000 gallons of beer manufactured  
3 by that class 1 brewer to the premises of a licensed class 1  
4 brewer wholly owned and operated by the same licensee.

5 Class 13. A class 2 brewer license, which may only be  
6 issued to a licensed brewer or licensed non-resident dealer,  
7 shall allow the manufacture of up to 3,720,000 gallons of beer  
8 per year provided that the class 2 brewer licensee does not  
9 manufacture more than a combined 3,720,000 gallons of beer per  
10 year and is not a member of or affiliated with, directly or  
11 indirectly, a manufacturer that produces more than 3,720,000  
12 gallons of beer per year or any other alcoholic liquor. A class  
13 2 brewer licensee may make sales and deliveries to importing  
14 distributors and distributors, but shall not make sales or  
15 deliveries to any other licensee. If the State Commission  
16 provides prior approval, a class 2 brewer licensee may  
17 annually transfer up to 3,720,000 gallons of beer manufactured  
18 by that class 2 brewer licensee to the premises of a licensed  
19 class 2 brewer wholly owned and operated by the same licensee.

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

1 shall be maintained by the brewer and brew pub specifying the  
2 amount, date of delivery, and receipt of the product by the  
3 brew pub; and (v) the brew pub shall be located no farther than  
4 80 miles from the class 2 brewer's licensed location.

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

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

20 Registration of agents, representatives, or persons acting  
21 on behalf of a manufacturer is fulfilled by submitting a form  
22 to the Commission. The form shall be developed by the  
23 Commission and shall include the name and address of the  
24 applicant, the name and address of the manufacturer he or she  
25 represents, the territory or areas assigned to sell to or  
26 discuss pricing terms of alcoholic liquor, and any other

1 questions deemed appropriate and necessary. All statements in  
2 the forms required to be made by law or by rule shall be deemed  
3 material, and any person who knowingly misstates any material  
4 fact under oath in an application is guilty of a Class B  
5 misdemeanor. Fraud, misrepresentation, false statements,  
6 misleading statements, evasions, or suppression of material  
7 facts in the securing of a registration are grounds for  
8 suspension or revocation of the registration. The State  
9 Commission shall post a list of registered agents on the  
10 Commission's website.

11 (b) A distributor's license shall allow (i) the wholesale  
12 purchase and storage of alcoholic liquors and sale of  
13 alcoholic liquors to licensees in this State and to persons  
14 without the State, as may be permitted by law; (ii) the sale of  
15 beer, cider, or both beer and cider to brewers, class 1  
16 brewers, and class 2 brewers that, pursuant to subsection (e)  
17 of Section 6-4 of this Act, sell beer, cider, or both beer and  
18 cider to non-licensees at their breweries; and (iii) the sale  
19 of vermouth to class 1 craft distillers and class 2 craft  
20 distillers that, pursuant to subsection (e) of Section 6-4 of  
21 this Act, sell spirits, vermouth, or both spirits and vermouth  
22 to non-licensees at their distilleries. No person licensed as  
23 a distributor shall be granted a non-resident dealer's  
24 license.

25 (c) An importing distributor's license may be issued to  
26 and held by those only who are duly licensed distributors,

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

18 (d) A retailer's license shall allow the licensee to sell  
19 and offer for sale at retail, only in the premises specified in  
20 the license, alcoholic liquor for use or consumption, but not  
21 for resale in any form. Nothing in Public Act 95-634 shall  
22 deny, limit, remove, or restrict the ability of a holder of a  
23 retailer's license to transfer, deliver, or ship alcoholic  
24 liquor to the purchaser for use or consumption subject to any  
25 applicable local law or ordinance or to Section 6-29. Any  
26 retail license issued to a manufacturer shall only permit the

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

8 Notwithstanding any other provision of this subsection  
9 (d), a retail licensee may sell alcoholic liquors to a special  
10 event retailer licensee for resale to the extent permitted  
11 under subsection (e).

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

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

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

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



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

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

23 (h) A non-beverage user's license shall allow the licensee  
24 to purchase alcoholic liquor from a licensed manufacturer or  
25 importing distributor, without the imposition of any tax upon  
26 the business of such licensed manufacturer or importing

1 distributor as to such alcoholic liquor to be used by such  
 2 licensee solely for the non-beverage purposes set forth in  
 3 subsection (a) of Section 8-1 of this Act, and such licenses  
 4 shall be divided and classified and shall permit the purchase,  
 5 possession and use of limited and stated quantities of  
 6 alcoholic liquor as follows:

- 7 Class 1, not to exceed ..... 500 gallons
- 8 Class 2, not to exceed ..... 1,000 gallons
- 9 Class 3, not to exceed ..... 5,000 gallons
- 10 Class 4, not to exceed ..... 10,000 gallons
- 11 Class 5, not to exceed ..... 50,000 gallons

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

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

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

1 VIII of this Act as applied to importing distributors. An  
2 airplane licensee shall also permit the sale or dispensing of  
3 alcoholic liquors on any passenger airplane regularly operated  
4 by a common carrier in this State, but shall not permit the  
5 sale for resale of any alcoholic liquors to any licensee  
6 within this State. A single airplane license shall be required  
7 of an airline company if liquor service is provided on board  
8 aircraft in this State. The annual fee for such license shall  
9 be as determined in Section 5-3.

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

25 (l) (i) A broker's license shall be required of all  
26 persons who solicit orders for, offer to sell or offer to

1 supply alcoholic liquor to retailers in the State of Illinois,  
2 or who offer to retailers to ship or cause to be shipped or to  
3 make contact with distillers, craft distillers, rectifiers,  
4 brewers or manufacturers or any other party within or without  
5 the State of Illinois in order that alcoholic liquors be  
6 shipped to a distributor, importing distributor or foreign  
7 importer, whether such solicitation or offer is consummated  
8 within or without the State of Illinois.

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

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

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

1 who promotes, solicits, or accepts orders for wine as  
2 specifically authorized in Section 6-29 of this Act.

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

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

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

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

1 right to sell such brands at wholesale by duly filing such  
2 registration statement, thereby authorizing the non-resident  
3 dealer to proceed to sell such brands at wholesale, and (iii)  
4 the non-resident dealer shall comply with the provisions of  
5 Sections 6-5 and 6-6 of this Act to the same extent that these  
6 provisions apply to manufacturers. No person licensed as a  
7 non-resident dealer shall be granted a distributor's or  
8 importing distributor's license.

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

1 notwithstanding item (i) of this subsection, brew pubs wholly  
2 owned and operated by the same licensee may combine each  
3 location's production limit of 155,000 gallons of beer per  
4 year and allocate the aggregate total between the wholly  
5 owned, operated, and licensed locations.

6 A brew pub licensee shall not under any circumstance sell  
7 or offer for sale beer manufactured by the brew pub licensee to  
8 retail licensees.

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

20 Notwithstanding any other provision of this Act, a  
21 licensed brewer, class 2 brewer, or non-resident dealer who  
22 before July 1, 2015 manufactured less than 3,720,000 gallons  
23 of beer per year and held a brew pub license on or before July  
24 1, 2015 may (i) continue to qualify for and hold that brew pub  
25 license for the licensed premises and (ii) manufacture more  
26 than 3,720,000 gallons of beer per year and continue to



1 qualify for and hold that brew pub license if that brewer,  
2 class 2 brewer, or non-resident dealer does not simultaneously  
3 hold a class 1 brewer license and is not a member of or  
4 affiliated with, directly or indirectly, a manufacturer that  
5 produces more than 3,720,000 gallons of beer per year or that  
6 produces any other alcoholic liquor.

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

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

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

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

22 (p) An auction liquor license shall allow the licensee to  
23 sell and offer for sale at auction wine and spirits for use or  
24 consumption, or for resale by an Illinois liquor licensee in  
25 accordance with provisions of this Act. An auction liquor  
26 license will be issued to a person and it will permit the

1 auction liquor licensee to hold the auction anywhere in the  
2 State. An auction liquor license must be obtained for each  
3 auction at least 14 days in advance of the auction date.

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

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

1 provided that the distributor or importing distributor issues  
2 bona fide charges to the special use permit licensee for fuel,  
3 labor, and delivery and the distributor or importing  
4 distributor collects payment from the retail licensee prior to  
5 the distributor or importing distributor transferring  
6 inventory to the retail premises.

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

22 (r) A winery shipper's license shall allow a person with a  
23 first-class or second-class wine manufacturer's license, a  
24 first-class or second-class wine-maker's license, or a limited  
25 wine manufacturer's license or who is licensed to make wine  
26 under the laws of another state to ship wine made by that

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

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

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

1 statement, and the following information:

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

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

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

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

24 The State Commission shall adopt rules as soon as  
25 practicable to implement the requirements of Public Act 99-904  
26 and shall adopt rules prohibiting any such third-party

1 appointment of a third-party provider, except for a common  
2 carrier, that has been deemed by the State Commission to have  
3 violated the provisions of this Act with regard to any winery  
4 shipper licensee.

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

24 A winery shipper licensee must collect, maintain, and  
25 submit to the Commission on a semi-annual basis the total  
26 number of cases per resident of wine shipped to residents of



1 this State. A winery shipper licensed under this subsection  
2 (r) must comply with the requirements of Section 6-29 of this  
3 Act.

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

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

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

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

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

1 the license any form of alcoholic liquor purchased from a  
2 licensed distributor or importing distributor, and (vi) with  
3 the prior approval of the State Commission, annually transfer  
4 no more than 5,000 gallons of spirits manufactured on the  
5 premises to a licensed distilling pub wholly owned and  
6 operated by the same licensee.

7 A distilling pub licensee shall not under any circumstance  
8 sell or offer for sale spirits manufactured by the distilling  
9 pub licensee to retail licensees.

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

21 (v) A craft distiller warehouse permit may be issued to  
22 the holder of a class 1 craft distiller or class 2 craft  
23 distiller license. The craft distiller warehouse permit shall  
24 allow the holder to store or warehouse up to 500,000 gallons of  
25 spirits manufactured by the holder of the permit at the  
26 premises specified on the permit. Sales to non-licensees are

1 prohibited at the premises specified in the craft distiller  
2 warehouse permit.

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

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

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

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

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

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

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

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

1 offense.

2 The State Commission shall adopt rules as soon as  
3 practicable to implement the requirements of this amendatory  
4 Act of the 102nd General Assembly and shall adopt rules  
5 prohibiting any such third-party appointment of a third-party  
6 provider, except for a common carrier, that has been deemed by  
7 the State Commission to have violated the provisions of this  
8 Act with regard to any wine retail shipper's licensee.

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

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

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

24 (Source: P.A. 100-17, eff. 6-30-17; 100-201, eff. 8-18-17;  
25 100-816, eff. 8-13-18; 100-885, eff. 8-14-18; 100-1050, eff.  
26 8-23-18; 101-16, eff. 6-14-19; 101-31, eff. 6-28-19; 101-81,

1 eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff. 8-23-19;  
2 101-615, eff. 12-20-19.)

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

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

9 The fee for licenses issued by the State Commission shall  
10 be as follows:

	Online	Initial
	renewal	license
		or
		non-online
		renewal

16 For a manufacturer's license:

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



1	Class 8. Limited Wine		
2	Manufacturer .....	250	350
3	Class 9. Craft Distiller .....	<del>\$2,000</del>	<del>\$2,500</del>
4	Class 10. Class 1 Craft Distiller ..	50	75
5	Class 11. Class 2 Craft Distiller ..	75	100
6	Class 12. Class 1 Brewer .....	50	75
7	Class 13. Class 2 Brewer .....	75	100
8	For a Brew Pub License .....	1,200	1,500
9	For a Distilling Pub License .....	1,200	1,500
10	For a caterer retailer's license ..	350	500
11	For a foreign importer's license ..	25	25
12	For an importing distributor's		
13	license.....	25	25
14	For a distributor's license		
15	(11,250,000 gallons		
16	or over) .....	1,450	2,200
17	For a distributor's license		
18	(over 4,500,000 gallons, but		
19	under 11,250,000 gallons) .....	950	1,450
20	For a distributor's license		
21	(4,500,000 gallons or under) ..	300	450
22	For a non-resident dealer's license		
23	(500,000 gallons or over) .....	1,200	1,500
24	<u>For a wine retail shipper's</u>		
25	<u>    license.....</u>	<u>600</u>	<u>750</u>
26	For a non-resident dealer's license		

1	(under 500,000 gallons) .....	250	350
2	For a wine-maker's premises		
3	license.....	250	500
4	For a winery shipper's license		
5	(under 250,000 gallons) .....	200	350
6	For a winery shipper's license		
7	(250,000 or over, but		
8	under 500,000 gallons) .....	750	1,000
9	For a winery shipper's license		
10	(500,000 gallons or over) .....	1,200	1,500
11	For a wine-maker's premises		
12	license, second location .....	500	1,000
13	For a wine-maker's premises		
14	license, third location.....	500	1,000
15	For a retailer's license .....	600	750
16	For a special event retailer's		
17	license, (not-for-profit).....	25	25
18	For a special use permit license,		
19	one day only .....	100	150
20	2 days or more .....	150	250
21	For a railroad license .....	100	150
22	For a boat license .....	500	1,000
23	For an airplane license, times the		
24	licensee's maximum number of		
25	aircraft in flight, serving		
26	liquor over the State at any		

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

23 Fees collected under this Section shall be paid into the  
 24 Dram Shop Fund. On and after July 1, 2003 and until June 30,  
 25 2016, of the funds received for a retailer's license, in  
 26 addition to the first \$175, an additional \$75 shall be paid

1 into the Dram Shop Fund, and \$250 shall be paid into the  
2 General Revenue Fund. On and after June 30, 2016, one-half of  
3 the funds received for a retailer's license shall be paid into  
4 the Dram Shop Fund and one-half of the funds received for a  
5 retailer's license shall be paid into the General Revenue  
6 Fund. Beginning June 30, 1990 and on June 30 of each subsequent  
7 year through June 29, 2003, any balance over \$5,000,000  
8 remaining in the Dram Shop Fund shall be credited to State  
9 liquor licensees and applied against their fees for State  
10 liquor licenses for the following year. The amount credited to  
11 each licensee shall be a proportion of the balance in the Dram  
12 Fund that is the same as the proportion of the license fee paid  
13 by the licensee under this Section for the period in which the  
14 balance was accumulated to the aggregate fees paid by all  
15 licensees during that period.

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

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

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

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

26 (Source: P.A. 100-201, eff. 8-18-17; 100-816, eff. 8-13-18;

1 101-482, eff. 8-23-19; 101-615, eff. 12-20-19; revised  
2 8-19-20.)

3 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

4 Sec. 6-2. Issuance of licenses to certain persons  
5 prohibited.

6 (a) Except as otherwise provided in subsection (b) of this  
7 Section and in paragraph (1) of subsection (a) of Section  
8 3-12, no license of any kind issued by the State Commission or  
9 any local commission shall be issued to:

10 (1) A person who is not a resident of any city, village  
11 or county in which the premises covered by the license are  
12 located; except in case of railroad or boat licenses or  
13 wine retail shipper's licenses.

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

16 (3) (Blank).

17 (4) A person who has been convicted of a felony under  
18 any Federal or State law, unless the Commission determines  
19 that such person will not be impaired by the conviction in  
20 engaging in the licensed practice after considering  
21 matters set forth in such person's application in  
22 accordance with Section 6-2.5 of this Act and the  
23 Commission's investigation.

24 (5) A person who has been convicted of keeping a place  
25 of prostitution or keeping a place of juvenile

1 prostitution, promoting prostitution that involves keeping  
2 a place of prostitution, or promoting juvenile  
3 prostitution that involves keeping a place of juvenile  
4 prostitution.

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

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

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

11 (9) A copartnership, if any general partnership  
12 thereof, or any limited partnership thereof, owning more  
13 than 5% of the aggregate limited partner interest in such  
14 copartnership would not be eligible to receive a license  
15 hereunder for any reason other than residence within the  
16 political subdivision, unless residency is required by  
17 local ordinance.

18 (10) A corporation or limited liability company, if  
19 any member, officer, manager or director thereof, or any  
20 stockholder or stockholders owning in the aggregate more  
21 than 5% of the stock of such corporation, would not be  
22 eligible to receive a license hereunder for any reason  
23 other than residence within the political subdivision.

24 (10a) A corporation or limited liability company  
25 unless it is incorporated or organized in Illinois, or  
26 unless it is a foreign corporation or foreign limited

1 liability company which is qualified under the Business  
2 Corporation Act of 1983 or the Limited Liability Company  
3 Act to transact business in Illinois. The Commission shall  
4 permit and accept from an applicant for a license under  
5 this Act proof prepared from the Secretary of State's  
6 website that the corporation or limited liability company  
7 is in good standing and is qualified under the Business  
8 Corporation Act of 1983 or the Limited Liability Company  
9 Act to transact business in Illinois.

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

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

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

25 (14) Any law enforcing public official, including  
26 members of local liquor control commissions, any mayor,

1 alderman, or member of the city council or commission, any  
2 president of the village board of trustees, any member of  
3 a village board of trustees, or any president or member of  
4 a county board; and no such official shall have a direct  
5 interest in the manufacture, sale, or distribution of  
6 alcoholic liquor, except that a license may be granted to  
7 such official in relation to premises that are not located  
8 within the territory subject to the jurisdiction of that  
9 official if the issuance of such license is approved by  
10 the State Liquor Control Commission and except that a  
11 license may be granted, in a city or village with a  
12 population of 55,000 or less, to any alderman, member of a  
13 city council, or member of a village board of trustees in  
14 relation to premises that are located within the territory  
15 subject to the jurisdiction of that official if (i) the  
16 sale of alcoholic liquor pursuant to the license is  
17 incidental to the selling of food, (ii) the issuance of  
18 the license is approved by the State Commission, (iii) the  
19 issuance of the license is in accordance with all  
20 applicable local ordinances in effect where the premises  
21 are located, and (iv) the official granted a license does  
22 not vote on alcoholic liquor issues pending before the  
23 board or council to which the license holder is elected.  
24 Notwithstanding any provision of this paragraph (14) to  
25 the contrary, an alderman or member of a city council or  
26 commission, a member of a village board of trustees other



1 than the president of the village board of trustees, or a  
2 member of a county board other than the president of a  
3 county board may have a direct interest in the  
4 manufacture, sale, or distribution of alcoholic liquor as  
5 long as he or she is not a law enforcing public official, a  
6 mayor, a village board president, or president of a county  
7 board. To prevent any conflict of interest, the elected  
8 official with the direct interest in the manufacture,  
9 sale, or distribution of alcoholic liquor shall not  
10 participate in any meetings, hearings, or decisions on  
11 matters impacting the manufacture, sale, or distribution  
12 of alcoholic liquor. Furthermore, the mayor of a city with  
13 a population of 55,000 or less or the president of a  
14 village with a population of 55,000 or less may have an  
15 interest in the manufacture, sale, or distribution of  
16 alcoholic liquor as long as the council or board over  
17 which he or she presides has made a local liquor control  
18 commissioner appointment that complies with the  
19 requirements of Section 4-2 of this Act.

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

22 (16) A person who has been convicted of a gambling  
23 offense as proscribed by any of subsections (a) (3)  
24 through (a) (11) of Section 28-1 of, or as proscribed by  
25 Section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the  
26 Criminal Code of 2012, or as proscribed by a statute

1 replaced by any of the aforesaid statutory provisions.

2 (17) A person or entity to whom a federal wagering  
3 stamp has been issued by the federal government, unless  
4 the person or entity is eligible to be issued a license  
5 under the Raffles and Poker Runs Act or the Illinois Pull  
6 Tabs and Jar Games Act.

7 (18) A person who intends to sell alcoholic liquors  
8 for use or consumption on his or her licensed retail  
9 premises who does not have liquor liability insurance  
10 coverage for that premises in an amount that is at least  
11 equal to the maximum liability amounts set out in  
12 subsection (a) of Section 6-21.

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

1 of business enterprise licensed as a manufacturer of beer.

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

26 (b) A criminal conviction of a corporation is not grounds

1 for the denial, suspension, or revocation of a license applied  
2 for or held by the corporation if the criminal conviction was  
3 not the result of a violation of any federal or State law  
4 concerning the manufacture, possession or sale of alcoholic  
5 liquor, the offense that led to the conviction did not result  
6 in any financial gain to the corporation and the corporation  
7 has terminated its relationship with each director, officer,  
8 employee, or controlling shareholder whose actions directly  
9 contributed to the conviction of the corporation. The  
10 Commission shall determine if all provisions of this  
11 subsection (b) have been met before any action on the  
12 corporation's license is initiated.

13 (Source: P.A. 100-286, eff. 1-1-18; 101-541, eff. 8-23-19.)

14 (235 ILCS 5/6-29) (from Ch. 43, par. 144e)

15 Sec. 6-29. Winery shipper's license and wine retail  
16 shipper license.

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

19 (1) To authorize direct shipment of wine by an  
20 out-of-state maker of wine or out-of-state retailer of  
21 wine on the same basis permitted an in-state maker or  
22 retailer of wine pursuant to the authority of the State  
23 under the provisions of Section 2 of the Twenty-First  
24 Amendment to the United States Constitution and in  
25 conformance with the United States Supreme Court decisions

1 ~~decision~~ decided on May 16, 2005 in Granholm v. Heald and  
2 Tennessee Wine and Spirits Retailers Association v. Thomas  
3 decided on June 26, 2019.

4 (2) To reaffirm that the General Assembly's findings  
5 and declarations that selling alcoholic liquor through  
6 various direct marketing means such as catalogs,  
7 newspapers, mailings, and the Internet directly to  
8 consumers of this State poses a serious threat to the  
9 State's efforts to further temperance and prevent youth  
10 from accessing alcoholic liquor and the expansion of youth  
11 access to additional types of alcoholic liquors.

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

17 (4) To ensure that the General Assembly, by  
18 authorizing limited direct shipment of wine to meet the  
19 directives of the United States Supreme Court, does not  
20 intend to impair or modify the State's distribution of  
21 wine through distributors or importing distributors, but  
22 only to permit limited shipment of wine for personal use.

23 (5) To provide that, in the event that a court of  
24 competent jurisdiction declares or finds that this  
25 Section, which is enacted to conform Illinois law to the  
26 United States Supreme Court decision, is invalid or

1           unconstitutional, the Illinois General Assembly at its  
2           earliest general session shall conduct hearings and study  
3           methods to conform to any directive or order of the court  
4           consistent with the temperance and revenue collection  
5           purposes of this Act.

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

11          (b-3) Notwithstanding any other provision of law, sale and  
12          shipment by a winery shipper licensee or wine retail shipper  
13          licensee pursuant to this Section shall be deemed to  
14          constitute a sale in this State.

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

1 of delivery, and the name and signature of the individual 21  
2 years of age or older who accepts delivery. The Commission  
3 shall design and create a label or approve a label that must be  
4 affixed to the shipping container by the licensee.

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

7 (d) It is not the intent of this Section to impair the  
8 distribution of wine through distributors or importing  
9 distributors, but only to permit shipments of wine for  
10 personal use.

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

12 (235 ILCS 5/6-29.1)

13 Sec. 6-29.1. Direct shipments of alcoholic liquor.

14 (a) The General Assembly makes the following findings:

15 (1) The General Assembly of Illinois, having reviewed  
16 this Act in light of the United States Supreme Court's  
17 2005 decision in Granholm v. Heald and 2019 decision in  
18 Tennessee Wine and Spirits Retailers Association v.  
19 Thomas, has determined to conform that law to the  
20 constitutional principles enunciated by the Court in a  
21 manner that best preserves the temperance, revenue, and  
22 orderly distribution values of this Act.

23 (2) Minimizing automobile accidents and fatalities,  
24 domestic violence, health problems, loss of productivity,  
25 unemployment, and other social problems associated with

1 dependency and improvident use of alcoholic beverages  
2 remains the policy of Illinois.

3 (3) To the maximum extent constitutionally feasible,  
4 Illinois desires to collect sufficient revenue from excise  
5 and use taxes on alcoholic beverages for the purpose of  
6 responding to such social problems.

7 (4) Combined with family education and individual  
8 discipline, retail validation of age, and assessment of  
9 the capacity of the consumer remains the best pre-sale  
10 social protection against the problems associated with the  
11 abuse of alcoholic liquor.

12 (5) Therefore, the paramount purpose of Public Act  
13 95-634 and this amendatory Act of the 102nd General  
14 Assembly ~~this amendatory Act~~ is to continue to carefully  
15 limit direct shipment sales of wine by retailers of wine  
16 and produced by makers of wine and to continue to prohibit  
17 such direct shipment sales for spirits and beer.

18 For these reasons, the Commission shall establish a system  
19 to notify the out-of-state trade of this prohibition and to  
20 detect violations. The Commission shall request the Attorney  
21 General to extradite any offender.

22 (b) Pursuant to the Twenty-First Amendment of the United  
23 States Constitution allowing states to regulate the  
24 distribution and sale of alcoholic liquor and pursuant to the  
25 federal Webb-Kenyon Act declaring that alcoholic liquor  
26 shipped in interstate commerce must comply with state laws,



1 the General Assembly hereby finds and declares that selling  
2 alcoholic liquor from a point outside this State through  
3 various direct marketing means, such as catalogs, newspapers,  
4 mailers, and the Internet, directly to residents of this State  
5 poses a serious threat to the State's efforts to prevent  
6 youths from accessing alcoholic liquor; to State revenue  
7 collections; and to the economy of this State.

8 Any person manufacturing, distributing, retailing, or  
9 selling alcoholic liquor who knowingly ships or transports or  
10 causes the shipping or transportation of any alcoholic liquor  
11 from a point outside this State to a person in this State who  
12 does not hold a manufacturer's, distributor's, importing  
13 distributor's, retailer's, or non-resident dealer's license  
14 issued by the Liquor Control Commission, other than a shipment  
15 of sacramental wine to a bona fide religious organization, a  
16 shipment authorized by Section 6-29, subparagraph (17) of  
17 Section 3-12, or any other shipment authorized by this Act, is  
18 in violation of this Act.

19 The Commission, upon determining, after investigation,  
20 that a person has violated this Section, shall give notice to  
21 the person by certified mail to cease and desist all shipments  
22 of alcoholic liquor into this State and to withdraw from this  
23 State within 5 working days after receipt of the notice all  
24 shipments of alcoholic liquor then in transit. A person who  
25 violates the cease and desist notice is subject to the  
26 applicable penalties in subsection (a) of Section 10-1 of this

1 Act.

2 (Source: P.A. 99-904, eff. 1-1-17.)

3 (235 ILCS 5/7-1) (from Ch. 43, par. 145)

4 Sec. 7-1. An applicant for a retail license, except for a  
5 wine retail shipper's license, from the State Commission shall  
6 submit to the State Commission an application in writing under  
7 oath stating:

8 (1) The applicant's name and mailing address;

9 (2) The name and address of the applicant's business;

10 (3) If applicable, the date of the filing of the  
11 "assumed name" of the business with the County Clerk;

12 (4) In case of a copartnership, the date of the  
13 formation of the partnership; in the case of an Illinois  
14 corporation, the date of its incorporation; or in the case  
15 of a foreign corporation, the State where it was  
16 incorporated and the date of its becoming qualified under  
17 the Business Corporation Act of 1983 to transact business  
18 in the State of Illinois;

19 (5) The number, the date of issuance and the date of  
20 expiration of the applicant's current local retail liquor  
21 license;

22 (6) The name of the city, village, or county that  
23 issued the local retail liquor license;

24 (7) The name and address of the landlord if the  
25 premises are leased;

1           (8) The date of the applicant's first request for a  
2 State liquor license and whether it was granted, denied or  
3 withdrawn;

4           (9) The address of the applicant when the first  
5 application for a State liquor license was made;

6           (10) The applicant's current State liquor license  
7 number;

8           (11) The date the applicant began liquor sales at his  
9 place of business;

10           (12) The address of the applicant's warehouse if he  
11 warehouses liquor;

12           (13) The applicant's Retailers' Occupation Tax (ROT)  
13 Registration Number;

14           (14) The applicant's document locator number on his  
15 Federal Special Tax Stamp;

16           (15) Whether the applicant is delinquent in the  
17 payment of the Retailers' Occupation Tax (Sales Tax), and  
18 if so, the reasons therefor;

19           (16) Whether the applicant is delinquent under the  
20 cash beer law, and if so, the reasons therefor;

21           (17) In the case of a retailer, whether he is  
22 delinquent under the 30-day credit law, and if so, the  
23 reasons therefor;

24           (18) In the case of a distributor, whether he is  
25 delinquent under the 15-day credit law, and if so, the  
26 reasons therefor;

1           (19) Whether the applicant has made an application for  
2 a liquor license which has been denied, and if so, the  
3 reasons therefor;

4           (20) Whether the applicant has ever had any previous  
5 liquor license suspended or revoked, and if so, the  
6 reasons therefor;

7           (21) Whether the applicant has ever been convicted of  
8 a gambling offense or felony, and if so, the particulars  
9 thereof;

10           (22) Whether the applicant possesses a current Federal  
11 Wagering Stamp, and if so, the reasons therefor;

12           (23) Whether the applicant, or any other person,  
13 directly in his place of business is a public official,  
14 and if so, the particulars thereof;

15           (24) The applicant's name, sex, date of birth, social  
16 security number, position and percentage of ownership in  
17 the business; and the name, sex, date of birth, social  
18 security number, position and percentage of ownership in  
19 the business of every sole owner, partner, corporate  
20 officer, director, manager and any person who owns 5% or  
21 more of the shares of the applicant business entity or  
22 parent corporations of the applicant business entity; and

23           (25) That he has not received or borrowed money or  
24 anything else of value, and that he will not receive or  
25 borrow money or anything else of value (other than  
26 merchandising credit in the ordinary course of business

1 for a period not to exceed 90 days as herein expressly  
2 permitted under Section 6-5 hereof), directly or  
3 indirectly, from any manufacturer, importing distributor  
4 or distributor or from any representative of any such  
5 manufacturer, importing distributor or distributor, nor be  
6 a party in any way, directly or indirectly, to any  
7 violation by a manufacturer, distributor or importing  
8 distributor of Section 6-6 of this Act.

9 In addition to any other requirement of this Section, an  
10 applicant for a special use permit license and a special event  
11 retailer's license shall also submit (A) proof satisfactory to  
12 the Commission that the applicant has a resale number issued  
13 under Section 2c of the Retailers' Occupation Tax Act or that  
14 the applicant is registered under Section 2a of the Retailers'  
15 Occupation Tax Act, (B) proof satisfactory to the Commission  
16 that the applicant has a current, valid exemption  
17 identification number issued under Section 1g of the  
18 Retailers' Occupation Tax Act and a certification to the  
19 Commission that the purchase of alcoholic liquors will be a  
20 tax-exempt purchase, or (C) a statement that the applicant is  
21 not registered under Section 2a of the Retailers' Occupation  
22 Tax Act, does not hold a resale number under Section 2c of the  
23 Retailers' Occupation Tax Act, and does not hold an exemption  
24 number under Section 1g of the Retailers' Occupation Tax Act.  
25 The applicant shall also submit proof of adequate dram shop  
26 insurance for the special event prior to being issued a

1 license.

2 In addition to the foregoing information, such application  
3 shall contain such other and further information as the State  
4 Commission and the local commission may, by rule or regulation  
5 not inconsistent with law, prescribe.

6 If the applicant reports a felony conviction as required  
7 under paragraph (21) of this Section, such conviction may be  
8 considered by the Commission in accordance with Section 6-2.5  
9 of this Act in determining qualifications for licensing, but  
10 shall not operate as a bar to licensing.

11 If said application is made in behalf of a partnership,  
12 firm, association, club or corporation, then the same shall be  
13 signed by one member of such partnership or the president or  
14 secretary of such corporation or an authorized agent of said  
15 partnership or corporation.

16 All other applications shall be on forms prescribed by the  
17 State Commission, and which may exclude any of the above  
18 requirements which the State Commission rules to be  
19 inapplicable.

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

21 (235 ILCS 5/9-13) (from Ch. 43, par. 176)

22 Sec. 9-13. It is unlawful to sell alcoholic liquor at  
23 retail or to grant or issue, or cause to be granted or issued,  
24 any license to sell alcoholic liquor at retail within the  
25 limits of any political subdivision or precinct or at any

1 premises while the prohibition against such sales is in  
2 effect, or to sell at retail alcoholic liquor other than beer  
3 containing not more than 4% of alcohol by weight, or to grant  
4 or issue or cause to be granted any license to sell such  
5 alcoholic liquor at retail within the limits of such political  
6 subdivision or precinct while the prohibition against such  
7 sales is in effect, or to sell at retail alcoholic liquor  
8 containing more than 4% of alcohol by weight except in the  
9 original package and not for consumption on the premises, or  
10 to grant or issue or cause to be granted or issued any license  
11 to sell such alcoholic liquor at retail within the limits of  
12 such political subdivision or precinct while the prohibition  
13 against such sales is in effect. If any such license be granted  
14 or issued in violation of this section, the license shall be  
15 void. This section shall not prohibit the issuance of and  
16 operation under a manufacturer's or distributor's or importing  
17 distributor's license in accordance with law. This Section  
18 does not prohibit the retail sale of wine by a licensee under  
19 subsection (w) of Section 5-1.

20 (Source: P.A. 86-861.)".