



## 103RD GENERAL ASSEMBLY

### State of Illinois

### 2023 and 2024

#### HB4021

Introduced 3/23/2023, by Rep. John M. Cabello

#### SYNOPSIS AS INTRODUCED:

230 ILCS 40/79.5	
235 ILCS 5/1-3.39	
235 ILCS 5/3-12	
235 ILCS 5/4-1	from Ch. 43, par. 110
235 ILCS 5/5-1	from Ch. 43, par. 115
235 ILCS 5/6-6.5	
235 ILCS 5/6-15	from Ch. 43, par. 130
235 ILCS 5/6-16	from Ch. 43, par. 131
235 ILCS 5/6-16.1	
235 ILCS 5/6-16.2	
235 ILCS 5/6-20	from Ch. 43, par. 134a
235 ILCS 5/6-21	from Ch. 43, par. 135
235 ILCS 5/6-28.8	
235 ILCS 5/6-29	from Ch. 43, par. 144e
235 ILCS 5/6-36	
235 ILCS 5/10-1	from Ch. 43, par. 183

Amends the Liquor Control Act of 1934. Changes the age at which a person may possess, consume, and manufacture alcoholic liquor to the age of 18 (instead of 21). Makes conforming changes. Amends the Video Gaming Act to make a conforming change.

LRB103 31471 RPS 59275 b

1 AN ACT concerning liquor.

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

4 Section 5. The Video Gaming Act is amended by changing  
5 Section 79.5 as follows:

6 (230 ILCS 40/79.5)

7 Sec. 79.5. Enforcement actions. The Board shall establish  
8 a policy and standards for compliance operations to  
9 investigate whether a licensed establishment, licensed  
10 fraternal establishment, licensed veterans establishment, or a  
11 licensed truck stop establishment is: (1) permitting any  
12 person under the age of 21 years to use or play a video gaming  
13 terminal in violation of this Act; or (2) furnishing alcoholic  
14 liquor to persons under 18 ~~21~~ years of age in violation of the  
15 Liquor Control Act of 1934.

16 The policy and standards for compliance operations under  
17 this Section shall be similar to the model policy and  
18 guidelines for the operation of alcohol and tobacco compliance  
19 checks by local law enforcement officers adopted by the  
20 Illinois Law Enforcement Training Standards Board pursuant to  
21 subsection (c) of Section 6-16.1 of the Liquor Control Act of  
22 1934. The Board shall adopt the policy and standards in the  
23 form of emergency rulemaking that shall be adopted no later

1 than 90 days after the effective date of this amendatory Act of  
2 the 101st General Assembly and shall be immediately followed  
3 by permanent rulemaking on the same subject.

4 A licensed establishment, licensed fraternal  
5 establishment, licensed veterans establishment, or licensed  
6 truck stop establishment that is the subject of an enforcement  
7 action under this Section and is found, pursuant to the  
8 enforcement action, to be in compliance with this Act shall be  
9 notified by the Board that no violation was found within 30  
10 days after the finding.

11 (Source: P.A. 101-318, eff. 8-9-19.)

12 Section 10. The Liquor Control Act of 1934 is amended by  
13 changing Sections 1-3.39, 3-12, 4-1, 5-1, 6-6.5, 6-15, 6-16,  
14 6-16.1, 6-16.2, 6-20, 6-21, 6-28.8, 6-29, 6-36, and 10-1 as  
15 follows:

16 (235 ILCS 5/1-3.39)

17 Sec. 1-3.39. Homemade brewed beverage. "Homemade brewed  
18 beverage" means beer or any other beverage obtained by the  
19 alcoholic fermentation of an infusion or concoction of grains,  
20 sugars, or both in water and includes, but is not limited to,  
21 beer, mead, and cider made by a person 18 ~~21~~ years of age or  
22 older, through his or her own efforts, fermented at his or her  
23 place of residence, fermented at another place of residence of  
24 a homemade brewed beverage brewer, or fermented at a premises

1 of a commercial enterprise that is engaged primarily in  
2 selling supplies and equipment for use by home brewers and not  
3 for a commercial purpose but for consumption by that person or  
4 his or her family, neighbors, guests, and friends or for use at  
5 an exhibition, demonstration, judging, tasting, or sampling  
6 with sampling sizes as authorized by Section 6-31 of this Act  
7 or as part of a contest or competition authorized by Section  
8 6-36 of this Act.

9 (Source: P.A. 98-55, eff. 7-5-13.)

10 (235 ILCS 5/3-12)

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

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

14 (1) To receive applications and to issue licenses to  
15 manufacturers, foreign importers, importing distributors,  
16 distributors, non-resident dealers, on premise consumption  
17 retailers, off premise sale retailers, special event  
18 retailer licensees, special use permit licenses, auction  
19 liquor licenses, brew pubs, caterer retailers,  
20 non-beverage users, railroads, including owners and  
21 lessees of sleeping, dining and cafe cars, airplanes,  
22 boats, brokers, and wine maker's premises licensees in  
23 accordance with the provisions of this Act, and to suspend  
24 or revoke such licenses upon the State Commission's  
25 determination, upon notice after hearing, that a licensee

1 has violated any provision of this Act or any rule or  
2 regulation issued pursuant thereto and in effect for 30  
3 days prior to such violation. Except in the case of an  
4 action taken pursuant to a violation of Section 6-3, 6-5,  
5 or 6-9, any action by the State Commission to suspend or  
6 revoke a licensee's license may be limited to the license  
7 for the specific premises where the violation occurred. An  
8 action for a violation of this Act shall be commenced by  
9 the State Commission within 2 years after the date the  
10 State Commission becomes aware of the violation.

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

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

25 The fine imposed under this paragraph may not exceed  
26 \$500 for each violation. Each day that the activity, which

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

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

24 (2) To adopt such rules and regulations consistent  
25 with the provisions of this Act which shall be necessary  
26 to carry on its functions and duties to the end that the

1 health, safety and welfare of the People of the State of  
2 Illinois shall be protected and temperance in the  
3 consumption of alcoholic liquors shall be fostered and  
4 promoted and to distribute copies of such rules and  
5 regulations to all licensees affected thereby.

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

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

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

23 (5.1) Upon receipt of a complaint or upon having  
24 knowledge that any person is engaged in business as a  
25 manufacturer, importing distributor, distributor, or  
26 retailer without a license or valid license, to conduct an

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

9 (5.2) Upon receipt of a complaint or upon having  
10 knowledge that any person is shipping alcoholic liquor  
11 into this State from a point outside of this State if the  
12 shipment is in violation of this Act, to conduct an  
13 investigation. If, after conducting an investigation, the  
14 State Commission is satisfied that the alleged conduct  
15 occurred or is occurring, it may issue a cease and desist  
16 notice as provided in this Act, impose civil penalties as  
17 provided in this Act, notify the foreign jurisdiction, or  
18 file a complaint with the State's Attorney's Office of the  
19 county where the incident occurred or the Attorney  
20 General.

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



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

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

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

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

23 (6) To hear and determine appeals from orders of a  
24 local commission in accordance with the provisions of this  
25 Act, as hereinafter set forth. Hearings under this  
26 subsection shall be held in Springfield or Chicago, at

1           whichever location is the more convenient for the majority  
2           of persons who are parties to the hearing.

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

1 keeping accounts.

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

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

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

1 general broad purposes contained in Section 1-2 hereof.

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

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

11 (11.1) To license persons providing education and  
12 training to alcohol beverage sellers and servers for  
13 mandatory and non-mandatory training under the Beverage  
14 Alcohol Sellers and Servers Education and Training  
15 (BASSET) programs and to develop and administer a public  
16 awareness program in Illinois to reduce or eliminate the  
17 illegal purchase and consumption of alcoholic beverage  
18 products by persons under the age of 18 ~~21~~. Application  
19 for a license shall be made on forms provided by the State  
20 Commission.

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

23 (13) (Blank).

24 (14) On or before April 30, 2008 and every 2 years  
25 thereafter, the State Commission shall present a written  
26 report to the Governor and the General Assembly that shall

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

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

8 (B) The amount of licensing fees received.

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

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

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

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

25 (15) As a means to reduce the underage consumption of  
26 alcoholic liquors, the State Commission shall conduct

1 alcohol compliance operations to investigate whether  
2 businesses that are soliciting, selling, and shipping wine  
3 from inside or outside of this State directly to residents  
4 of this State are licensed by this State or are selling or  
5 attempting to sell wine to persons under 18 ~~21~~ years of age  
6 in violation of this Act.

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

14 (17) (A) A person licensed to make wine under the laws  
15 of another state who has a winery shipper's license under  
16 this Act and annually produces less than 25,000 gallons of  
17 wine or a person who has a first-class or second-class  
18 wine manufacturer's license, a first-class or second-class  
19 wine-maker's license, or a limited wine manufacturer's  
20 license under this Act and annually produces less than  
21 25,000 gallons of wine may make application to the  
22 Commission for a self-distribution exemption to allow the  
23 sale of not more than 5,000 gallons of the exemption  
24 holder's wine to retail licensees per year and to sell  
25 cider, mead, or both cider and mead to brewers, class 1  
26 brewers, class 2 brewers, and class 3 brewers that,

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

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

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

24          (D) A self-distribution exemption holder shall  
25          annually certify to the State Commission its production of  
26          wine in the previous 12 months and its anticipated

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

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

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

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

26 (H) It is the intent of this paragraph (17) to promote



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

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

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

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

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

26 (D) A self-distribution exemption holder shall

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

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

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

1 (G) It is the intent of this paragraph (18) 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 beer access to the  
7 marketplace in order to develop a customer base without  
8 impairing the integrity of the 3-tier system.

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

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

26 (C) Any application submitted shall be posted on the

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

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

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

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

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

15           (20) (A) A class 3 brewer licensee who must manufacture  
16 less than 465,000 gallons of beer in the aggregate and not  
17 more than 155,000 gallons at any single brewery premises  
18 may make application to the State Commission for a  
19 self-distribution exemption to allow the sale of not more  
20 than 6,200 gallons of beer from each in-state or  
21 out-of-state class 3 brewery premises, which shall not  
22 exceed 18,600 gallons annually in the aggregate, that is  
23 manufactured at a wholly owned class 3 brewer's in-state  
24 or out-of-state licensed premises to retail licensees and  
25 class 3 brewers and to brewers, class 1 brewers, class 2  
26 brewers that, pursuant to subsection (e) of Section 6-4,

1 sell beer, cider, or both beer and cider to non-licensees  
2 at their licensed breweries.

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

6 (1) the date it was established;

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

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

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

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

16 (C) Any application submitted shall be posted on the  
17 State Commission's website at least 45 days before action  
18 by the State Commission. The State Commission shall  
19 approve the application for a self-distribution exemption  
20 if the class 3 brewer licensee: (1) is in compliance with  
21 the State, revenue, and alcoholic beverage laws; (2) is  
22 not a member of any affiliated group that manufacturers,  
23 directly or indirectly, more than 465,000 gallons of beer  
24 per annum; (3) shall not annually manufacture for sale  
25 more than 465,000 gallons of beer or more than 155,000  
26 gallons at any single brewery premises; and (4) shall not

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

9           (D) A self-distribution exemption holder shall  
10          annually certify to the State Commission its manufacture  
11          of beer during the previous 12 months and its anticipated  
12          manufacture and sales of beer for the next 12 months. The  
13          State Commission may fine, suspend, or revoke a  
14          self-distribution exemption after a hearing if it finds  
15          that the exemption holder has made a material  
16          misrepresentation in its application, violated a revenue  
17          or alcoholic beverage law of Illinois, exceeded the  
18          manufacture of 465,000 gallons of beer in any calendar  
19          year or became part of an affiliated group manufacturing  
20          more than 465,000 gallons of beer, or exceeded the sale to  
21          retail licensees, brewers, class 1 brewers, class 2  
22          brewers, and class 3 brewers of 6,200 gallons per brewery  
23          location or 18,600 gallons in the aggregate.

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

26          (F) Nothing in this paragraph shall prohibit a



1 self-distribution exemption holder from entering into or  
2 simultaneously having a distribution agreement with a  
3 licensed Illinois importing distributor or a distributor.  
4 If a self-distribution exemption holder enters into a  
5 distribution agreement and has assigned distribution  
6 rights to an importing distributor or distributor, then  
7 the self-distribution exemption holder's distribution  
8 rights in the assigned territories shall cease in a  
9 reasonable time not to exceed 60 days.

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

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

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

26 (i) the amount of State excise and sales tax revenues

1 generated as a result of Public Act 90-739;

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

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

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

12 (235 ILCS 5/4-1) (from Ch. 43, par. 110)

13 Sec. 4-1. In every city, village or incorporated town, the  
14 city council or president and board of trustees, and in  
15 counties in respect of territory outside the limits of any  
16 such city, village or incorporated town the county board shall  
17 have the power by general ordinance or resolution to determine  
18 the number, kind and classification of licenses, for sale at  
19 retail of alcoholic liquor not inconsistent with this Act and  
20 the amount of the local licensee fees to be paid for the  
21 various kinds of licenses to be issued in their political  
22 subdivision, except those issued to the specific non-beverage  
23 users exempt from payment of license fees under Section 5-3  
24 which shall be issued without payment of any local license  
25 fees, and the manner of distribution of such fees after their

1 collection; to regulate or prohibit the presence of persons  
2 under the age of 18 ~~21~~ on the premises of licensed retail  
3 establishments of various kinds and classifications where  
4 alcoholic liquor is drawn, poured, mixed or otherwise served  
5 for consumption on the premises; to prohibit any minor from  
6 drawing, pouring, or mixing any alcoholic liquor as an  
7 employee of any retail licensee; and to prohibit any minor  
8 from at any time attending any bar and from drawing, pouring or  
9 mixing any alcoholic liquor in any licensed retail premises;  
10 and to establish such further regulations and restrictions  
11 upon the issuance of and operations under local licenses not  
12 inconsistent with law as the public good and convenience may  
13 require; and to provide penalties for the violation of  
14 regulations and restrictions, including those made by county  
15 boards, relative to operation under local licenses; provided,  
16 however, that in the exercise of any of the powers granted in  
17 this Section, the issuance of such licenses shall not be  
18 prohibited except for reasons specifically enumerated in  
19 Sections 6-2, 6-11, 6-12 and 6-25 of this Act.

20 However, in any municipality with a population exceeding  
21 1,000,000 that has adopted the form of government authorized  
22 under "An Act concerning cities, villages, and incorporated  
23 towns, and to repeal certain Acts herein named", approved  
24 August 15, 1941, as amended, no person shall be granted any  
25 license or privilege to sell alcoholic liquors between the  
26 hours of two o'clock a.m. and seven o'clock a.m. on week days

1 unless such person has given at least 14 days prior written  
2 notice to the alderperson of the ward in which such person's  
3 licensed premises are located stating his intention to make  
4 application for such license or privilege and unless evidence  
5 confirming service of such written notice is included in such  
6 application. Any license or privilege granted in violation of  
7 this paragraph shall be null and void.

8 (Source: P.A. 102-15, eff. 6-17-21.)

9 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

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

20 (b) Distributor's license,

21 (c) Importing Distributor's license,

22 (d) Retailer's license,

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

24 (f) Railroad license,

25 (g) Boat license,

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

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

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

25 Class 1. A Distiller may make sales and deliveries of  
26 alcoholic liquor to distillers, rectifiers, importing

1 distributors, distributors and non-beverage users and to no  
2 other licensees.

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

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

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

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

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

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

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

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



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

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

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

24 Class 10. A class 1 craft distiller license, which may  
25 only be issued to a licensed craft distiller or licensed  
26 non-resident dealer, shall allow the manufacture of up to

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

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

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

18           Class 11. A class 2 craft distiller license, which may  
19 only be issued to a licensed craft distiller or licensed  
20 non-resident dealer, shall allow the manufacture of up to  
21 100,000 gallons of spirits per year provided that the class 2  
22 craft distiller licensee does not manufacture more than a  
23 combined 100,000 gallons of spirits per year and is not a  
24 member of or affiliated with, directly or indirectly, a  
25 manufacturer that produces more than 100,000 gallons of  
26 spirits per year. If a class 2 craft distiller manufactures

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

1 transferred shall be subject to Article VIII of this Act; (iv)  
2 a written record shall be maintained by the distiller and  
3 distilling pub specifying the amount, date of delivery, and  
4 receipt of the product by the distilling pub; and (v) the  
5 distilling pub shall be located no farther than 80 miles from  
6 the class 2 craft distiller's licensed location.

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

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

20 Class 12. A class 1 brewer license, which may only be  
21 issued to a licensed brewer or licensed non-resident dealer,  
22 shall allow the manufacture of up to 930,000 gallons of beer  
23 per year provided that the class 1 brewer licensee does not  
24 manufacture more than a combined 930,000 gallons of beer per  
25 year and is not a member of or affiliated with, directly or  
26 indirectly, a manufacturer that produces more than 930,000

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

23 Class 13. A class 2 brewer license, which may only be  
24 issued to a licensed brewer or licensed non-resident dealer,  
25 shall allow the manufacture of up to 3,720,000 gallons of beer  
26 per year provided that the class 2 brewer licensee does not

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

25 A class 2 brewer may transfer beer to a brew pub wholly  
26 owned and operated by the class 2 brewer subject to the

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

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

17 Class 14. A class 3 brewer license, which may be issued to  
18 a brewer or a non-resident dealer, shall allow the manufacture  
19 of no more than 465,000 gallons of beer per year and no more  
20 than 155,000 gallons at a single brewery premises, and shall  
21 allow the sale of no more than 6,200 gallons of beer from each  
22 in-state or out-of-state class 3 brewery premises, or 18,600  
23 gallons in the aggregate, to retail licensees, class 1  
24 brewers, class 2 brewers, and class 3 brewers as long as the  
25 class 3 brewer licensee does not manufacture more than a  
26 combined 465,000 gallons of beer per year and is not a member



1 of or affiliated with, directly or indirectly, a manufacturer  
2 that produces more than 465,000 gallons of beer per year to  
3 make sales to importing distributors, distributors, retail  
4 licensees, brewers, class 1 brewers, class 2 brewers, and  
5 class 3 brewers in accordance with the conditions set forth in  
6 paragraph (20) of subsection (a) of Section 3-12. If the State  
7 Commission provides prior approval, a class 3 brewer may  
8 annually transfer up to 155,000 gallons of beer manufactured  
9 by that class 3 brewer to the premises of a licensed class 3  
10 brewer wholly owned and operated by the same licensee. A class  
11 3 brewer shall manufacture beer at the brewer's class 3  
12 designated licensed premises, and may sell beer as otherwise  
13 provided in this Act.

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

22 Registration of agents, representatives, or persons acting  
23 on behalf of a manufacturer is fulfilled by submitting a form  
24 to the Commission. The form shall be developed by the  
25 Commission and shall include the name and address of the  
26 applicant, the name and address of the manufacturer he or she

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

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

1 non-resident dealer's license.

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

21 (d) A retailer's license shall allow the licensee to sell  
22 and offer for sale at retail, only in the premises specified in  
23 the license, alcoholic liquor for use or consumption, but not  
24 for resale in any form. Except as provided in Section 6-16,  
25 6-29, or 6-29.1, nothing in this Act shall deny, limit,  
26 remove, or restrict the ability of a holder of a retailer's

1 license to transfer or ship alcoholic liquor to the purchaser  
2 for use or consumption subject to any applicable local law or  
3 ordinance. For the purposes of this Section, "shipping" means  
4 the movement of alcoholic liquor from a licensed retailer to a  
5 consumer via a common carrier. Except as provided in Section  
6 6-16, 6-29, or 6-29.1, nothing in this Act shall deny, limit,  
7 remove, or restrict the ability of a holder of a retailer's  
8 license to deliver alcoholic liquor to the purchaser for use  
9 or consumption. The delivery shall be made only within 12  
10 hours from the time the alcoholic liquor leaves the licensed  
11 premises of the retailer for delivery. For the purposes of  
12 this Section, "delivery" means the movement of alcoholic  
13 liquor purchased from a licensed retailer to a consumer  
14 through the following methods:

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

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

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

22 Under subsection (1), (2), or (3), delivery shall not  
23 include the use of common carriers.

24 Any retail license issued to a manufacturer shall only  
25 permit the manufacturer to sell beer at retail on the premises  
26 actually occupied by the manufacturer. For the purpose of

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

6 Except for a municipality with a population of more than  
7 1,000,000 inhabitants, a home rule unit may not regulate the  
8 delivery of alcoholic liquor inconsistent with this  
9 subsection. This paragraph is a limitation under subsection  
10 (i) of Section 6 of Article VII of the Illinois Constitution on  
11 the concurrent exercise by home rule units of powers and  
12 functions exercised by the State. A non-home rule municipality  
13 may not regulate the delivery of alcoholic liquor inconsistent  
14 with this subsection.

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

19 (e) A special event retailer's license (not-for-profit)  
20 shall permit the licensee to purchase alcoholic liquors from  
21 an Illinois licensed distributor (unless the licensee  
22 purchases less than \$500 of alcoholic liquors for the special  
23 event, in which case the licensee may purchase the alcoholic  
24 liquors from a licensed retailer) and shall allow the licensee  
25 to sell and offer for sale, at retail, alcoholic liquors for  
26 use or consumption, but not for resale in any form and only at

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

23 Nothing in this Act prohibits an Illinois licensed  
24 distributor from offering credit or a refund for unused,  
25 salable alcoholic liquors to a holder of a special event  
26 retailer's license or the special event retailer's licensee

1 from accepting the credit or refund of alcoholic liquors at  
2 the conclusion of the event specified in the license.

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

24 (g) A boat license shall allow the sale of alcoholic  
25 liquor in individual drinks, on any passenger boat regularly  
26 operated as a common carrier on navigable waters in this State

1 or on any riverboat operated under the Illinois Gambling Act,  
 2 which boat or riverboat maintains a public dining room or  
 3 restaurant thereon.

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

- 14 Class 1, not to exceed ..... 500 gallons
- 15 Class 2, not to exceed ..... 1,000 gallons
- 16 Class 3, not to exceed ..... 5,000 gallons
- 17 Class 4, not to exceed ..... 10,000 gallons
- 18 Class 5, not to exceed ..... 50,000 gallons

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



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

25 (j) An airplane license shall permit the licensee to  
26 import alcoholic liquors into this State from any point in the

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

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

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

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

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

24 The broker shall, upon the acceptance by a retailer of the  
25 broker's solicitation of an order or offer to sell or supply or  
26 deliver or have delivered alcoholic liquors, promptly forward

1 to the Illinois Liquor Control Commission a notification of  
2 said transaction in such form as the Commission may by  
3 regulations prescribe.

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

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

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

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

26 (m) A non-resident dealer's license shall permit such

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

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

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

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

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

1 directly or indirectly, a manufacturer that produces more than  
2 3,720,000 gallons of beer per year or any other alcoholic  
3 liquor.

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

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

23 (1) has a valid retail license on or before May 1,  
24 2021;

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

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

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

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

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

23           Nothing in this Act prohibits a distributor or importing  
24 distributor from offering credit or a refund for unused,  
25 salable beer to a holder of a caterer retailer license or a  
26 caterer retailer licensee from accepting a credit or refund



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

24 For purposes of this subsection (o), an "act of God" means  
25 an unforeseeable event, such as a rain or snow storm, hail, a  
26 flood, or a similar event, that is the sole cause of the

1 cancellation of an off-site, outdoor event.

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

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

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

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

1 likely spoil if transferred to the retailer premises.

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

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

17 Except for a common carrier, a third-party provider  
18 shipping wine on behalf of a winery shipper's license holder  
19 is the agent of the winery shipper's license holder and, as  
20 such, a winery shipper's license holder is responsible for the  
21 acts and omissions of the third-party provider acting on  
22 behalf of the license holder. A third-party provider, except  
23 for a common carrier, that engages in shipping wine into  
24 Illinois on behalf of a winery shipper's license holder shall  
25 consent to the jurisdiction of the State Commission and the  
26 State. Any third-party, except for a common carrier, holding

1 such an appointment shall, by February 1 of each calendar year  
2 and upon request by the State Commission or the Department of  
3 Revenue, file with the State Commission a statement detailing  
4 each shipment made to an Illinois resident. The statement  
5 shall include the name and address of the third-party provider  
6 filing the statement, the time period covered by the  
7 statement, and the following information:

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

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

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

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

1 Class C misdemeanor. In case of a continuing violation, each  
2 day's continuance thereof shall be a separate and distinct  
3 offense.

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

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

1 by the winery shipper and shipped to persons in this State, the  
2 winery shipper's license shall be revoked in accordance with  
3 the provisions of Article VII of this Act.

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

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

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

19 (s) A craft distiller tasting permit license shall allow  
20 an Illinois licensed class 1 craft distiller or class 2 craft  
21 distiller to transfer a portion of its alcoholic liquor  
22 inventory from its class 1 craft distiller or class 2 craft  
23 distiller licensed premises to the premises specified in the  
24 license hereby created and to conduct a sampling, only in the  
25 premises specified in the license hereby created, of the  
26 transferred alcoholic liquor in accordance with subsection (c)



1 of Section 6-31 of this Act. The transferred alcoholic liquor  
2 may not be sold or resold in any form. An applicant for the  
3 craft distiller tasting permit license must also submit with  
4 the application proof satisfactory to the State Commission  
5 that the applicant will provide dram shop liability insurance  
6 to the maximum limits and have local authority approval.

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

20 (u) A distilling pub license shall allow the licensee to  
21 only (i) manufacture up to 5,000 gallons of spirits per year  
22 only on the premises specified in the license, (ii) make sales  
23 of the spirits manufactured on the premises or, with the  
24 approval of the State Commission, spirits manufactured on  
25 another distilling pub licensed premises that is wholly owned  
26 and operated by the same licensee to importing distributors

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

13 A distilling pub licensee shall not under any circumstance  
14 sell or offer for sale spirits manufactured by the distilling  
15 pub licensee to retail licensees.

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

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

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

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

4 (Source: P.A. 101-16, eff. 6-14-19; 101-31, eff. 6-28-19;  
5 101-81, eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff.  
6 8-23-19; 101-615, eff. 12-20-19; 101-668, eff. 1-1-22;  
7 102-442, eff. 8-20-21; 102-1142, eff. 2-17-23.)

8 (235 ILCS 5/6-6.5)

9 Sec. 6-6.5. Sanitation and use of growlers and crowlers.

10 (a) A manufacturer, distributor, or importing distributor  
11 may not provide for free, but may sell coil cleaning services  
12 and installation services, including labor costs, to a retail  
13 licensee at fair market cost.

14 A manufacturer, distributor, or importing distributor may  
15 not provide for free, but may sell dispensing accessories to  
16 retail licensees at a price not less than the cost to the  
17 manufacturer, distributor, or importing distributor who  
18 initially purchased them. Dispensing accessories include, but  
19 are not limited to, items such as standards, faucets, cold  
20 plates, rods, vents, taps, tap standards, hoses, washers,  
21 couplings, gas gauges, vent tongues, shanks, glycol draught  
22 systems, pumps, and check valves. A manufacturer, distributor,  
23 or importing distributor may service, balance, or inspect  
24 draft beer, wine, or distilled spirits systems at regular  
25 intervals and may provide labor to replace or install

1 dispensing accessories.

2 Coil cleaning supplies consisting of detergents, cleaning  
3 chemicals, brushes, or similar type cleaning devices may be  
4 sold at a price not less than the cost to the manufacturer,  
5 distributor, or importing distributor.

6 (a-5) A manufacturer of beer licensed under subsection (e)  
7 of Section 6-4 or a brew pub may transfer any beer manufactured  
8 or sold on its licensed premises to a growler or crowler and  
9 sell those growlers or crowlers to non-licensees for  
10 consumption off the premises. A manufacturer of beer under  
11 subsection (e) of Section 6-4 or a brew pub is not subject to  
12 subsection (b) of this Section.

13 (b) An on-premises retail licensee may transfer beer to a  
14 growler or crowler, which is not an original manufacturer  
15 container, but is a reusable rigid container that holds up to  
16 128 fluid ounces of beer and is designed to be sealed on  
17 premises by the licensee for off-premises consumption, if the  
18 following requirements are met:

19 (1) the beer is transferred within the licensed  
20 premises by an employee of the licensed premises at the  
21 time of sale;

22 (2) the person transferring the alcohol to be sold to  
23 the end consumer is 18 ~~21~~ years of age or older;

24 (3) the growler or crowler holds no more than 128  
25 fluid ounces;

26 (4) the growler or crowler bears a twist-type closure,

1 cork, stopper, or plug and includes a one-time use  
2 tamper-proof seal;

3 (5) the growler or crowler is affixed with a label or  
4 tag that contains the following information:

5 (A) the brand name of the product dispensed;

6 (B) the name of the brewer or bottler;

7 (C) the type of product, such as beer, ale, lager,  
8 bock, stout, or other brewed or fermented beverage;

9 (D) the net contents;

10 (E) the name and address of the business that  
11 cleaned, sanitized, labeled, and filled or refilled  
12 the growler or crowler; and

13 (F) the date the growler or crowler was filled or  
14 refilled;

15 (5.5) the growler or crowler has been purged with CO<sub>2</sub>  
16 prior to sealing the container;

17 (6) the on-premises retail licensee complies with the  
18 sanitation requirements under subsections (a) through (c)  
19 of 11 Ill. Adm. Code 100.160 when sanitizing the  
20 dispensing equipment used to draw beer to fill the growler  
21 or crowler or refill the growler;

22 (7) before filling the growler or crowler or refilling  
23 the growler, the on-premises retail licensee or licensee's  
24 employee shall clean and sanitize the growler or crowler  
25 in one of the following manners:

26 (A) By manual washing in a 3-compartment sink.

1 (i) Before sanitizing the growler or crowler,  
2 the sinks and work area shall be cleaned to remove  
3 any chemicals, oils, or grease from other cleaning  
4 activities.

5 (ii) Any residual liquid from the growler  
6 shall be emptied into a drain. A growler shall not  
7 be emptied into the cleaning water.

8 (iii) The growler and cap shall be cleaned in  
9 water and detergent. The water temperature shall  
10 be, at a minimum, 110 degrees Fahrenheit or the  
11 temperature specified on the cleaning agent  
12 manufacturer's label instructions. The detergent  
13 shall not be fat-based or oil-based.

14 (iv) Any residues on the interior and exterior  
15 of the growler shall be removed.

16 (v) The growler and cap shall be rinsed with  
17 water in the middle compartment. Rinsing may be  
18 from the spigot with a spray arm, from a spigot, or  
19 from a tub as long as the water for rinsing is not  
20 stagnant but is continually refreshed.

21 (vi) The growler shall be sanitized in the  
22 third compartment. Chemical sanitizer shall be  
23 used in accordance with the United States  
24 Environmental Protection Agency-registered label  
25 use instructions and shall meet the minimum water  
26 temperature requirements of that chemical.

1           (vii) A test kit or other device that  
2 accurately measures the concentration in  
3 milligrams per liter of chemical sanitizing  
4 solutions shall be provided and be readily  
5 accessible for use.

6           (B) By using a mechanical washing and sanitizing  
7 machine.

8           (i) Mechanical washing and sanitizing machines  
9 shall be provided with an easily accessible and  
10 readable data plate affixed to the machine by the  
11 manufacturer and shall be used according to the  
12 machine's design and operation specifications.

13           (ii) Mechanical washing and sanitizing  
14 machines shall be equipped with chemical or hot  
15 water sanitization.

16           (iii) The concentration of the sanitizing  
17 solution or the water temperature shall be  
18 accurately determined by using a test kit or other  
19 device.

20           (iv) The machine shall be regularly serviced  
21 based upon the manufacturer's or installer's  
22 guidelines.

23           (C) By transferring beer to a growler or crowler  
24 with a tube.

25           (i) Beer may be transferred to a growler or  
26 crowler from the bottom of the growler or crowler



1 to the top with a tube that is attached to the tap  
2 and extends to the bottom of the growler or  
3 growler or with a commercial filling machine.

4 (ii) Food grade sanitizer shall be used in  
5 accordance with the United States Environmental  
6 Protection Agency-registered label use  
7 instructions.

8 (iii) A container of liquid food grade  
9 sanitizer shall be maintained for no more than 10  
10 malt beverage taps that will be used for filling  
11 growlers or crowlers and refilling growlers.

12 (iv) Each container shall contain no less than  
13 5 tubes that will be used only for filling  
14 growlers or crowlers and refilling growlers.

15 (v) The growler or growler must be inspected  
16 visually for contamination.

17 (vi) After each transfer of beer to a growler  
18 or growler, the tube shall be immersed in the  
19 container with the liquid food grade sanitizer.

20 (vii) A different tube from the container must  
21 be used for each fill of a growler or growler or  
22 refill of a growler.

23 (c) Growlers and crowlers that comply with items (4) and  
24 (5) of subsection (b) shall not be deemed an unsealed  
25 container for purposes of Section 11-502 of the Illinois  
26 Vehicle Code.

1 (d) Growlers and crowlers, as described and authorized  
2 under this Section, are not original packages for the purposes  
3 of this Act. Upon a consumer taking possession of a growler or  
4 crowler from an on-premises retail licensee, the growler or  
5 crowler and its contents are deemed to be in the sole custody,  
6 control, and care of the consumer.

7 (Source: P.A. 101-16, eff. 6-14-19; 101-517, eff. 8-23-19;  
8 102-558, eff. 8-20-21.)

9 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

10 Sec. 6-15. No alcoholic liquors shall be sold or delivered  
11 in any building belonging to or under the control of the State  
12 or any political subdivision thereof except as provided in  
13 this Act. The corporate authorities of any city, village,  
14 incorporated town, township, or county may provide by  
15 ordinance, however, that alcoholic liquor may be sold or  
16 delivered in any specifically designated building belonging to  
17 or under the control of the municipality, township, or county,  
18 or in any building located on land under the control of the  
19 municipality, township, or county; provided that such township  
20 or county complies with all applicable local ordinances in any  
21 incorporated area of the township or county. Alcoholic liquor  
22 may be delivered to and sold under the authority of a special  
23 use permit on any property owned by a conservation district  
24 organized under the Conservation District Act, provided that  
25 (i) the alcoholic liquor is sold only at an event authorized by

1 the governing board of the conservation district, (ii) the  
2 issuance of the special use permit is authorized by the local  
3 liquor control commissioner of the territory in which the  
4 property is located, and (iii) the special use permit  
5 authorizes the sale of alcoholic liquor for one day or less.  
6 Alcoholic liquors may be delivered to and sold at any airport  
7 belonging to or under the control of a municipality of more  
8 than 25,000 inhabitants, or in any building or on any golf  
9 course owned by a park district organized under the Park  
10 District Code, subject to the approval of the governing board  
11 of the district, or in any building or on any golf course owned  
12 by a forest preserve district organized under the Downstate  
13 Forest Preserve District Act, subject to the approval of the  
14 governing board of the district, or on the grounds within 500  
15 feet of any building owned by a forest preserve district  
16 organized under the Downstate Forest Preserve District Act  
17 during times when food is dispensed for consumption within 500  
18 feet of the building from which the food is dispensed, subject  
19 to the approval of the governing board of the district, or in a  
20 building owned by a Local Mass Transit District organized  
21 under the Local Mass Transit District Act, subject to the  
22 approval of the governing Board of the District, or in  
23 Bicentennial Park, or on the premises of the City of Mendota  
24 Lake Park located adjacent to Route 51 in Mendota, Illinois,  
25 or on the premises of Camden Park in Milan, Illinois, or in the  
26 community center owned by the City of Loves Park that is

1 located at 1000 River Park Drive in Loves Park, Illinois, or,  
2 in connection with the operation of an established food  
3 serving facility during times when food is dispensed for  
4 consumption on the premises, and at the following aquarium and  
5 museums located in public parks: Art Institute of Chicago,  
6 Chicago Academy of Sciences, Chicago Historical Society, Field  
7 Museum of Natural History, Museum of Science and Industry,  
8 DuSable Museum of African American History, John G. Shedd  
9 Aquarium and Adler Planetarium, or at Lakeview Museum of Arts  
10 and Sciences in Peoria, or in connection with the operation of  
11 the facilities of the Chicago Zoological Society or the  
12 Chicago Horticultural Society on land owned by the Forest  
13 Preserve District of Cook County, or on any land used for a  
14 golf course or for recreational purposes owned by the Forest  
15 Preserve District of Cook County, subject to the control of  
16 the Forest Preserve District Board of Commissioners and  
17 applicable local law, provided that dram shop liability  
18 insurance is provided at maximum coverage limits so as to hold  
19 the District harmless from all financial loss, damage, and  
20 harm, or in any building located on land owned by the Chicago  
21 Park District if approved by the Park District Commissioners,  
22 or on any land used for a golf course or for recreational  
23 purposes and owned by the Illinois International Port District  
24 if approved by the District's governing board, or at any  
25 airport, golf course, faculty center, or facility in which  
26 conference and convention type activities take place belonging

1 to or under control of any State university or public  
2 community college district, provided that with respect to a  
3 facility for conference and convention type activities  
4 alcoholic liquors shall be limited to the use of the  
5 convention or conference participants or participants in  
6 cultural, political or educational activities held in such  
7 facilities, and provided further that the faculty or staff of  
8 the State university or a public community college district,  
9 or members of an organization of students, alumni, faculty or  
10 staff of the State university or a public community college  
11 district are active participants in the conference or  
12 convention, or in Memorial Stadium on the campus of the  
13 University of Illinois at Urbana-Champaign during games in  
14 which the Chicago Bears professional football team is playing  
15 in that stadium during the renovation of Soldier Field, not  
16 more than one and a half hours before the start of the game and  
17 not after the end of the third quarter of the game, or in the  
18 Pavilion Facility on the campus of the University of Illinois  
19 at Chicago during games in which the Chicago Storm  
20 professional soccer team is playing in that facility, not more  
21 than one and a half hours before the start of the game and not  
22 after the end of the third quarter of the game, or in the  
23 Pavilion Facility on the campus of the University of Illinois  
24 at Chicago during games in which the WNBA professional women's  
25 basketball team is playing in that facility, not more than one  
26 and a half hours before the start of the game and not after the

1 10-minute mark of the second half of the game, or by a catering  
2 establishment which has rented facilities from a board of  
3 trustees of a public community college district, or in a  
4 restaurant that is operated by a commercial tenant in the  
5 North Campus Parking Deck building that (1) is located at 1201  
6 West University Avenue, Urbana, Illinois and (2) is owned by  
7 the Board of Trustees of the University of Illinois, or, if  
8 approved by the District board, on land owned by the  
9 Metropolitan Sanitary District of Greater Chicago and leased  
10 to others for a term of at least 20 years. Nothing in this  
11 Section precludes the sale or delivery of alcoholic liquor in  
12 the form of original packaged goods in premises located at 500  
13 S. Racine in Chicago belonging to the University of Illinois  
14 and used primarily as a grocery store by a commercial tenant  
15 during the term of a lease that predates the University's  
16 acquisition of the premises; but the University shall have no  
17 power or authority to renew, transfer, or extend the lease  
18 with terms allowing the sale of alcoholic liquor; and the sale  
19 of alcoholic liquor shall be subject to all local laws and  
20 regulations. After the acquisition by Winnebago County of the  
21 property located at 404 Elm Street in Rockford, a commercial  
22 tenant who sold alcoholic liquor at retail on a portion of the  
23 property under a valid license at the time of the acquisition  
24 may continue to do so for so long as the tenant and the County  
25 may agree under existing or future leases, subject to all  
26 local laws and regulations regarding the sale of alcoholic

1 liquor. Alcoholic liquors may be delivered to and sold at  
2 Memorial Hall, located at 211 North Main Street, Rockford,  
3 under conditions approved by Winnebago County and subject to  
4 all local laws and regulations regarding the sale of alcoholic  
5 liquor. Each facility shall provide dram shop liability in  
6 maximum insurance coverage limits so as to save harmless the  
7 State, municipality, State university, airport, golf course,  
8 faculty center, facility in which conference and convention  
9 type activities take place, park district, Forest Preserve  
10 District, public community college district, aquarium, museum,  
11 or sanitary district from all financial loss, damage or harm.  
12 Alcoholic liquors may be sold at retail in buildings of golf  
13 courses owned by municipalities or Illinois State University  
14 in connection with the operation of an established food  
15 serving facility during times when food is dispensed for  
16 consumption upon the premises. Alcoholic liquors may be  
17 delivered to and sold at retail in any building owned by a fire  
18 protection district organized under the Fire Protection  
19 District Act, provided that such delivery and sale is approved  
20 by the board of trustees of the district, and provided further  
21 that such delivery and sale is limited to fundraising events  
22 and to a maximum of 6 events per year. However, the limitation  
23 to fundraising events and to a maximum of 6 events per year  
24 does not apply to the delivery, sale, or manufacture of  
25 alcoholic liquors at the building located at 59 Main Street in  
26 Oswego, Illinois, owned by the Oswego Fire Protection District

1 if the alcoholic liquor is sold or dispensed as approved by the  
2 Oswego Fire Protection District and the property is no longer  
3 being utilized for fire protection purposes.

4 Alcoholic liquors may be served or sold in buildings under  
5 the control of the Board of Trustees of the University of  
6 Illinois for events that the Board may determine are public  
7 events and not related student activities. The Board of  
8 Trustees shall issue a written policy within 6 months of  
9 August 15, 2008 (the effective date of Public Act 95-847)  
10 concerning the types of events that would be eligible for an  
11 exemption. Thereafter, the Board of Trustees may issue  
12 revised, updated, new, or amended policies as it deems  
13 necessary and appropriate. In preparing its written policy,  
14 the Board of Trustees shall, among other factors it considers  
15 relevant and important, give consideration to the following:  
16 (i) whether the event is a student activity or student related  
17 activity; (ii) whether the physical setting of the event is  
18 conducive to control of liquor sales and distribution; (iii)  
19 the ability of the event operator to ensure that the sale or  
20 serving of alcoholic liquors and the demeanor of the  
21 participants are in accordance with State law and University  
22 policies; (iv) regarding the anticipated attendees at the  
23 event, the relative proportion of individuals under the age of  
24 18 ~~21~~ to individuals age 18 ~~21~~ or older; (v) the ability of the  
25 venue operator to prevent the sale or distribution of  
26 alcoholic liquors to individuals under the age of 18 ~~21~~; (vi)



1 whether the event prohibits participants from removing  
2 alcoholic beverages from the venue; and (vii) whether the  
3 event prohibits participants from providing their own  
4 alcoholic liquors to the venue. In addition, any policy  
5 submitted by the Board of Trustees to the Illinois Liquor  
6 Control Commission must require that any event at which  
7 alcoholic liquors are served or sold in buildings under the  
8 control of the Board of Trustees shall require the prior  
9 written approval of the Office of the Chancellor for the  
10 University campus where the event is located. The Board of  
11 Trustees shall submit its policy, and any subsequently  
12 revised, updated, new, or amended policies, to the Illinois  
13 Liquor Control Commission, and any University event, or  
14 location for an event, exempted under such policies shall  
15 apply for a license under the applicable Sections of this Act.

16 Alcoholic liquors may be served or sold in buildings under  
17 the control of the Board of Trustees of Northern Illinois  
18 University for events that the Board may determine are public  
19 events and not student-related activities. The Board of  
20 Trustees shall issue a written policy within 6 months after  
21 June 28, 2011 (the effective date of Public Act 97-45)  
22 concerning the types of events that would be eligible for an  
23 exemption. Thereafter, the Board of Trustees may issue  
24 revised, updated, new, or amended policies as it deems  
25 necessary and appropriate. In preparing its written policy,  
26 the Board of Trustees shall, in addition to other factors it

1 considers relevant and important, give consideration to the  
2 following: (i) whether the event is a student activity or  
3 student-related activity; (ii) whether the physical setting of  
4 the event is conducive to control of liquor sales and  
5 distribution; (iii) the ability of the event operator to  
6 ensure that the sale or serving of alcoholic liquors and the  
7 demeanor of the participants are in accordance with State law  
8 and University policies; (iv) the anticipated attendees at the  
9 event and the relative proportion of individuals under the age  
10 of 18 ~~21~~ to individuals age 18 ~~21~~ or older; (v) the ability of  
11 the venue operator to prevent the sale or distribution of  
12 alcoholic liquors to individuals under the age of 18 ~~21~~; (vi)  
13 whether the event prohibits participants from removing  
14 alcoholic beverages from the venue; and (vii) whether the  
15 event prohibits participants from providing their own  
16 alcoholic liquors to the venue.

17 Alcoholic liquors may be served or sold in buildings under  
18 the control of the Board of Trustees of Chicago State  
19 University for events that the Board may determine are public  
20 events and not student-related activities. The Board of  
21 Trustees shall issue a written policy within 6 months after  
22 August 2, 2013 (the effective date of Public Act 98-132)  
23 concerning the types of events that would be eligible for an  
24 exemption. Thereafter, the Board of Trustees may issue  
25 revised, updated, new, or amended policies as it deems  
26 necessary and appropriate. In preparing its written policy,

1 the Board of Trustees shall, in addition to other factors it  
2 considers relevant and important, give consideration to the  
3 following: (i) whether the event is a student activity or  
4 student-related activity; (ii) whether the physical setting of  
5 the event is conducive to control of liquor sales and  
6 distribution; (iii) the ability of the event operator to  
7 ensure that the sale or serving of alcoholic liquors and the  
8 demeanor of the participants are in accordance with State law  
9 and University policies; (iv) the anticipated attendees at the  
10 event and the relative proportion of individuals under the age  
11 of 18 ~~21~~ to individuals age 18 ~~21~~ or older; (v) the ability of  
12 the venue operator to prevent the sale or distribution of  
13 alcoholic liquors to individuals under the age of 18 ~~21~~; (vi)  
14 whether the event prohibits participants from removing  
15 alcoholic beverages from the venue; and (vii) whether the  
16 event prohibits participants from providing their own  
17 alcoholic liquors to the venue.

18 Alcoholic liquors may be served or sold in buildings under  
19 the control of the Board of Trustees of Illinois State  
20 University for events that the Board may determine are public  
21 events and not student-related activities. The Board of  
22 Trustees shall issue a written policy within 6 months after  
23 March 1, 2013 (the effective date of Public Act 97-1166)  
24 concerning the types of events that would be eligible for an  
25 exemption. Thereafter, the Board of Trustees may issue  
26 revised, updated, new, or amended policies as it deems

1 necessary and appropriate. In preparing its written policy,  
2 the Board of Trustees shall, in addition to other factors it  
3 considers relevant and important, give consideration to the  
4 following: (i) whether the event is a student activity or  
5 student-related activity; (ii) whether the physical setting of  
6 the event is conducive to control of liquor sales and  
7 distribution; (iii) the ability of the event operator to  
8 ensure that the sale or serving of alcoholic liquors and the  
9 demeanor of the participants are in accordance with State law  
10 and University policies; (iv) the anticipated attendees at the  
11 event and the relative proportion of individuals under the age  
12 of 18 ~~21~~ to individuals age 18 ~~21~~ or older; (v) the ability of  
13 the venue operator to prevent the sale or distribution of  
14 alcoholic liquors to individuals under the age of 18 ~~21~~; (vi)  
15 whether the event prohibits participants from removing  
16 alcoholic beverages from the venue; and (vii) whether the  
17 event prohibits participants from providing their own  
18 alcoholic liquors to the venue.

19 Alcoholic liquors may be served or sold in buildings under  
20 the control of the Board of Trustees of Southern Illinois  
21 University for events that the Board may determine are public  
22 events and not student-related activities. The Board of  
23 Trustees shall issue a written policy within 6 months after  
24 August 12, 2016 (the effective date of Public Act 99-795)  
25 concerning the types of events that would be eligible for an  
26 exemption. Thereafter, the Board of Trustees may issue

1 revised, updated, new, or amended policies as it deems  
2 necessary and appropriate. In preparing its written policy,  
3 the Board of Trustees shall, in addition to other factors it  
4 considers relevant and important, give consideration to the  
5 following: (i) whether the event is a student activity or  
6 student-related activity; (ii) whether the physical setting of  
7 the event is conducive to control of liquor sales and  
8 distribution; (iii) the ability of the event operator to  
9 ensure that the sale or serving of alcoholic liquors and the  
10 demeanor of the participants are in accordance with State law  
11 and University policies; (iv) the anticipated attendees at the  
12 event and the relative proportion of individuals under the age  
13 of 18 ~~21~~ to individuals age 18 ~~21~~ or older; (v) the ability of  
14 the venue operator to prevent the sale or distribution of  
15 alcoholic liquors to individuals under the age of 18 ~~21~~; (vi)  
16 whether the event prohibits participants from removing  
17 alcoholic beverages from the venue; and (vii) whether the  
18 event prohibits participants from providing their own  
19 alcoholic liquors to the venue.

20 Alcoholic liquors may be served or sold in buildings under  
21 the control of the Board of Trustees of a public university for  
22 events that the Board of Trustees of that public university  
23 may determine are public events and not student-related  
24 activities. If the Board of Trustees of a public university  
25 has not issued a written policy pursuant to an exemption under  
26 this Section on or before July 15, 2016 (the effective date of

1 Public Act 99-550), then that Board of Trustees shall issue a  
2 written policy within 6 months after July 15, 2016 (the  
3 effective date of Public Act 99-550) concerning the types of  
4 events that would be eligible for an exemption. Thereafter,  
5 the Board of Trustees may issue revised, updated, new, or  
6 amended policies as it deems necessary and appropriate. In  
7 preparing its written policy, the Board of Trustees shall, in  
8 addition to other factors it considers relevant and important,  
9 give consideration to the following: (i) whether the event is  
10 a student activity or student-related activity; (ii) whether  
11 the physical setting of the event is conducive to control of  
12 liquor sales and distribution; (iii) the ability of the event  
13 operator to ensure that the sale or serving of alcoholic  
14 liquors and the demeanor of the participants are in accordance  
15 with State law and University policies; (iv) the anticipated  
16 attendees at the event and the relative proportion of  
17 individuals under the age of 18 ~~21~~ to individuals age 18 ~~21~~ or  
18 older; (v) the ability of the venue operator to prevent the  
19 sale or distribution of alcoholic liquors to individuals under  
20 the age of 18 ~~21~~; (vi) whether the event prohibits  
21 participants from removing alcoholic beverages from the venue;  
22 and (vii) whether the event prohibits participants from  
23 providing their own alcoholic liquors to the venue. As used in  
24 this paragraph, "public university" means the University of  
25 Illinois, Illinois State University, Chicago State University,  
26 Governors State University, Southern Illinois University,

1 Northern Illinois University, Eastern Illinois University,  
2 Western Illinois University, and Northeastern Illinois  
3 University.

4 Alcoholic liquors may be served or sold in buildings under  
5 the control of the Board of Trustees of a community college  
6 district for events that the Board of Trustees of that  
7 community college district may determine are public events and  
8 not student-related activities. The Board of Trustees shall  
9 issue a written policy within 6 months after July 15, 2016 (the  
10 effective date of Public Act 99-550) concerning the types of  
11 events that would be eligible for an exemption. Thereafter,  
12 the Board of Trustees may issue revised, updated, new, or  
13 amended policies as it deems necessary and appropriate. In  
14 preparing its written policy, the Board of Trustees shall, in  
15 addition to other factors it considers relevant and important,  
16 give consideration to the following: (i) whether the event is  
17 a student activity or student-related activity; (ii) whether  
18 the physical setting of the event is conducive to control of  
19 liquor sales and distribution; (iii) the ability of the event  
20 operator to ensure that the sale or serving of alcoholic  
21 liquors and the demeanor of the participants are in accordance  
22 with State law and community college district policies; (iv)  
23 the anticipated attendees at the event and the relative  
24 proportion of individuals under the age of 18 ~~21~~ to  
25 individuals age 18 ~~21~~ or older; (v) the ability of the venue  
26 operator to prevent the sale or distribution of alcoholic

1 liquors to individuals under the age of 18 ~~21~~; (vi) whether the  
2 event prohibits participants from removing alcoholic beverages  
3 from the venue; and (vii) whether the event prohibits  
4 participants from providing their own alcoholic liquors to the  
5 venue. This paragraph does not apply to any community college  
6 district authorized to sell or serve alcoholic liquor under  
7 any other provision of this Section.

8 Alcoholic liquor may be delivered to and sold at retail in  
9 the Dorchester Senior Business Center owned by the Village of  
10 Dolton if the alcoholic liquor is sold or dispensed only in  
11 connection with organized functions for which the planned  
12 attendance is 20 or more persons, and if the person or facility  
13 selling or dispensing the alcoholic liquor has provided dram  
14 shop liability insurance in maximum limits so as to hold  
15 harmless the Village of Dolton and the State from all  
16 financial loss, damage and harm.

17 Alcoholic liquors may be delivered to and sold at retail  
18 in any building used as an Illinois State Armory provided:

19 (i) the Adjutant General's written consent to the  
20 issuance of a license to sell alcoholic liquor in such  
21 building is filed with the Commission;

22 (ii) the alcoholic liquor is sold or dispensed only in  
23 connection with organized functions held on special  
24 occasions;

25 (iii) the organized function is one for which the  
26 planned attendance is 25 or more persons; and



1           (iv) the facility selling or dispensing the alcoholic  
2           liquors has provided dram shop liability insurance in  
3           maximum limits so as to save harmless the facility and the  
4           State from all financial loss, damage or harm.

5           Alcoholic liquors may be delivered to and sold at retail  
6           in the Chicago Civic Center, provided that:

7           (i) the written consent of the Public Building  
8           Commission which administers the Chicago Civic Center is  
9           filed with the Commission;

10          (ii) the alcoholic liquor is sold or dispensed only in  
11          connection with organized functions held on special  
12          occasions;

13          (iii) the organized function is one for which the  
14          planned attendance is 25 or more persons;

15          (iv) the facility selling or dispensing the alcoholic  
16          liquors has provided dram shop liability insurance in  
17          maximum limits so as to hold harmless the Civic Center,  
18          the City of Chicago and the State from all financial loss,  
19          damage or harm; and

20          (v) all applicable local ordinances are complied with.

21          Alcoholic liquors may be delivered or sold in any building  
22          belonging to or under the control of any city, village or  
23          incorporated town where more than 75% of the physical  
24          properties of the building is used for commercial or  
25          recreational purposes, and the building is located upon a pier  
26          extending into or over the waters of a navigable lake or stream

1 or on the shore of a navigable lake or stream. In accordance  
2 with a license issued under this Act, alcoholic liquor may be  
3 sold, served, or delivered in buildings and facilities under  
4 the control of the Department of Natural Resources during  
5 events or activities lasting no more than 7 continuous days  
6 upon the written approval of the Director of Natural Resources  
7 acting as the controlling government authority. The Director  
8 of Natural Resources may specify conditions on that approval,  
9 including but not limited to requirements for insurance and  
10 hours of operation. Notwithstanding any other provision of  
11 this Act, alcoholic liquor sold by a United States Army Corps  
12 of Engineers or Department of Natural Resources concessionaire  
13 who was operating on June 1, 1991 for on-premises consumption  
14 only is not subject to the provisions of Articles IV and IX.  
15 Beer and wine may be sold on the premises of the Joliet Park  
16 District Stadium owned by the Joliet Park District when  
17 written consent to the issuance of a license to sell beer and  
18 wine in such premises is filed with the local liquor  
19 commissioner by the Joliet Park District. Beer and wine may be  
20 sold in buildings on the grounds of State veterans' homes when  
21 written consent to the issuance of a license to sell beer and  
22 wine in such buildings is filed with the Commission by the  
23 Department of Veterans' Affairs, and the facility shall  
24 provide dram shop liability in maximum insurance coverage  
25 limits so as to save the facility harmless from all financial  
26 loss, damage or harm. Such liquors may be delivered to and sold

1 at any property owned or held under lease by a Metropolitan  
2 Pier and Exposition Authority or Metropolitan Exposition and  
3 Auditorium Authority.

4 Beer and wine may be sold and dispensed at professional  
5 sporting events and at professional concerts and other  
6 entertainment events conducted on premises owned by the Forest  
7 Preserve District of Kane County, subject to the control of  
8 the District Commissioners and applicable local law, provided  
9 that dram shop liability insurance is provided at maximum  
10 coverage limits so as to hold the District harmless from all  
11 financial loss, damage and harm.

12 Nothing in this Section shall preclude the sale or  
13 delivery of beer and wine at a State or county fair or the sale  
14 or delivery of beer or wine at a city fair in any otherwise  
15 lawful manner.

16 Alcoholic liquors may be sold at retail in buildings in  
17 State parks under the control of the Department of Natural  
18 Resources, provided:

19 a. the State park has overnight lodging facilities  
20 with some restaurant facilities or, not having overnight  
21 lodging facilities, has restaurant facilities which serve  
22 complete luncheon and dinner or supper meals,

23 b. (blank), and

24 c. the alcoholic liquors are sold by the State park  
25 lodge or restaurant concessionaire only during the hours  
26 from 11 o'clock a.m. until 12 o'clock midnight.

1           Notwithstanding any other provision of this Act, alcoholic  
2           liquor sold by the State park or restaurant concessionaire  
3           is not subject to the provisions of Articles IV and IX.

4           Alcoholic liquors may be sold at retail in buildings on  
5           properties under the control of the Division of Historic  
6           Preservation of the Department of Natural Resources or the  
7           Abraham Lincoln Presidential Library and Museum provided:

8           a. the property has overnight lodging facilities with  
9           some restaurant facilities or, not having overnight  
10          lodging facilities, has restaurant facilities which serve  
11          complete luncheon and dinner or supper meals,

12          b. consent to the issuance of a license to sell  
13          alcoholic liquors in the buildings has been filed with the  
14          commission by the Division of Historic Preservation of the  
15          Department of Natural Resources or the Abraham Lincoln  
16          Presidential Library and Museum, and

17          c. the alcoholic liquors are sold by the lodge or  
18          restaurant concessionaire only during the hours from 11  
19          o'clock a.m. until 12 o'clock midnight.

20          The sale of alcoholic liquors pursuant to this Section  
21          does not authorize the establishment and operation of  
22          facilities commonly called taverns, saloons, bars, cocktail  
23          lounges, and the like except as a part of lodge and restaurant  
24          facilities in State parks or golf courses owned by Forest  
25          Preserve Districts with a population of less than 3,000,000 or  
26          municipalities or park districts.

1           Alcoholic liquors may be sold at retail in the Springfield  
2 Administration Building of the Department of Transportation  
3 and the Illinois State Armory in Springfield; provided, that  
4 the controlling government authority may consent to such sales  
5 only if

6           a. the request is from a not-for-profit organization;

7           b. such sales would not impede normal operations of  
8 the departments involved;

9           c. the not-for-profit organization provides dram shop  
10 liability in maximum insurance coverage limits and agrees  
11 to defend, save harmless and indemnify the State of  
12 Illinois from all financial loss, damage or harm;

13           d. no such sale shall be made during normal working  
14 hours of the State of Illinois; and

15           e. the consent is in writing.

16           Alcoholic liquors may be sold at retail in buildings in  
17 recreational areas of river conservancy districts under the  
18 control of, or leased from, the river conservancy districts.  
19 Such sales are subject to reasonable local regulations as  
20 provided in Article IV; however, no such regulations may  
21 prohibit or substantially impair the sale of alcoholic liquors  
22 on Sundays or Holidays.

23           Alcoholic liquors may be provided in long term care  
24 facilities owned or operated by a county under Division 5-21  
25 or 5-22 of the Counties Code, when approved by the facility  
26 operator and not in conflict with the regulations of the

1 Illinois Department of Public Health, to residents of the  
2 facility who have had their consumption of the alcoholic  
3 liquors provided approved in writing by a physician licensed  
4 to practice medicine in all its branches.

5 Alcoholic liquors may be delivered to and dispensed in  
6 State housing assigned to employees of the Department of  
7 Corrections. No person shall furnish or allow to be furnished  
8 any alcoholic liquors to any prisoner confined in any jail,  
9 reformatory, prison or house of correction except upon a  
10 physician's prescription for medicinal purposes.

11 Alcoholic liquors may be sold at retail or dispensed at  
12 the Willard Ice Building in Springfield, at the State Library  
13 in Springfield, and at Illinois State Museum facilities by (1)  
14 an agency of the State, whether legislative, judicial or  
15 executive, provided that such agency first obtains written  
16 permission to sell or dispense alcoholic liquors from the  
17 controlling government authority, or by (2) a not-for-profit  
18 organization, provided that such organization:

19 a. Obtains written consent from the controlling  
20 government authority;

21 b. Sells or dispenses the alcoholic liquors in a  
22 manner that does not impair normal operations of State  
23 offices located in the building;

24 c. Sells or dispenses alcoholic liquors only in  
25 connection with an official activity in the building;

26 d. Provides, or its catering service provides, dram

1 shop liability insurance in maximum coverage limits and in  
2 which the carrier agrees to defend, save harmless and  
3 indemnify the State of Illinois from all financial loss,  
4 damage or harm arising out of the selling or dispensing of  
5 alcoholic liquors.

6 Nothing in this Act shall prevent a not-for-profit  
7 organization or agency of the State from employing the  
8 services of a catering establishment for the selling or  
9 dispensing of alcoholic liquors at authorized functions.

10 The controlling government authority for the Willard Ice  
11 Building in Springfield shall be the Director of the  
12 Department of Revenue. The controlling government authority  
13 for Illinois State Museum facilities shall be the Director of  
14 the Illinois State Museum. The controlling government  
15 authority for the State Library in Springfield shall be the  
16 Secretary of State.

17 Alcoholic liquors may be delivered to and sold at retail  
18 or dispensed at any facility, property or building under the  
19 jurisdiction of the Division of Historic Preservation of the  
20 Department of Natural Resources or the Abraham Lincoln  
21 Presidential Library and Museum where the delivery, sale or  
22 dispensing is by (1) an agency of the State, whether  
23 legislative, judicial or executive, provided that such agency  
24 first obtains written permission to sell or dispense alcoholic  
25 liquors from a controlling government authority, or by (2) an  
26 individual or organization provided that such individual or

1 organization:

2 a. Obtains written consent from the controlling  
3 government authority;

4 b. Sells or dispenses the alcoholic liquors in a  
5 manner that does not impair normal workings of State  
6 offices or operations located at the facility, property or  
7 building;

8 c. Sells or dispenses alcoholic liquors only in  
9 connection with an official activity of the individual or  
10 organization in the facility, property or building;

11 d. Provides, or its catering service provides, dram  
12 shop liability insurance in maximum coverage limits and in  
13 which the carrier agrees to defend, save harmless and  
14 indemnify the State of Illinois from all financial loss,  
15 damage or harm arising out of the selling or dispensing of  
16 alcoholic liquors.

17 The controlling government authority for the Division of  
18 Historic Preservation of the Department of Natural Resources  
19 shall be the Director of Natural Resources, and the  
20 controlling government authority for the Abraham Lincoln  
21 Presidential Library and Museum shall be the Executive  
22 Director of the Abraham Lincoln Presidential Library and  
23 Museum.

24 Alcoholic liquors may be delivered to and sold at retail  
25 or dispensed for consumption at the Michael Bilandic Building  
26 at 160 North LaSalle Street, Chicago IL 60601, after the



1 normal business hours of any day care or child care facility  
2 located in the building, by (1) a commercial tenant or  
3 subtenant conducting business on the premises under a lease  
4 made pursuant to Section 405-315 of the Department of Central  
5 Management Services Law (20 ILCS 405/405-315), provided that  
6 such tenant or subtenant who accepts delivery of, sells, or  
7 dispenses alcoholic liquors shall procure and maintain dram  
8 shop liability insurance in maximum coverage limits and in  
9 which the carrier agrees to defend, indemnify, and save  
10 harmless the State of Illinois from all financial loss,  
11 damage, or harm arising out of the delivery, sale, or  
12 dispensing of alcoholic liquors, or by (2) an agency of the  
13 State, whether legislative, judicial, or executive, provided  
14 that such agency first obtains written permission to accept  
15 delivery of and sell or dispense alcoholic liquors from the  
16 Director of Central Management Services, or by (3) a  
17 not-for-profit organization, provided that such organization:

18 a. obtains written consent from the Department of  
19 Central Management Services;

20 b. accepts delivery of and sells or dispenses the  
21 alcoholic liquors in a manner that does not impair normal  
22 operations of State offices located in the building;

23 c. accepts delivery of and sells or dispenses  
24 alcoholic liquors only in connection with an official  
25 activity in the building; and

26 d. provides, or its catering service provides, dram

1 shop liability insurance in maximum coverage limits and in  
2 which the carrier agrees to defend, save harmless, and  
3 indemnify the State of Illinois from all financial loss,  
4 damage, or harm arising out of the selling or dispensing  
5 of alcoholic liquors.

6 Nothing in this Act shall prevent a not-for-profit  
7 organization or agency of the State from employing the  
8 services of a catering establishment for the selling or  
9 dispensing of alcoholic liquors at functions authorized by the  
10 Director of Central Management Services.

11 Alcoholic liquors may be sold at retail or dispensed at  
12 the James R. Thompson Center in Chicago, subject to the  
13 provisions of Section 7.4 of the State Property Control Act,  
14 and 222 South College Street in Springfield, Illinois by (1) a  
15 commercial tenant or subtenant conducting business on the  
16 premises under a lease or sublease made pursuant to Section  
17 405-315 of the Department of Central Management Services Law  
18 (20 ILCS 405/405-315), provided that such tenant or subtenant  
19 who sells or dispenses alcoholic liquors shall procure and  
20 maintain dram shop liability insurance in maximum coverage  
21 limits and in which the carrier agrees to defend, indemnify  
22 and save harmless the State of Illinois from all financial  
23 loss, damage or harm arising out of the sale or dispensing of  
24 alcoholic liquors, or by (2) an agency of the State, whether  
25 legislative, judicial or executive, provided that such agency  
26 first obtains written permission to sell or dispense alcoholic

1 liquors from the Director of Central Management Services, or  
2 by (3) a not-for-profit organization, provided that such  
3 organization:

4 a. Obtains written consent from the Department of  
5 Central Management Services;

6 b. Sells or dispenses the alcoholic liquors in a  
7 manner that does not impair normal operations of State  
8 offices located in the building;

9 c. Sells or dispenses alcoholic liquors only in  
10 connection with an official activity in the building;

11 d. Provides, or its catering service provides, dram  
12 shop liability insurance in maximum coverage limits and in  
13 which the carrier agrees to defend, save harmless and  
14 indemnify the State of Illinois from all financial loss,  
15 damage or harm arising out of the selling or dispensing of  
16 alcoholic liquors.

17 Nothing in this Act shall prevent a not-for-profit  
18 organization or agency of the State from employing the  
19 services of a catering establishment for the selling or  
20 dispensing of alcoholic liquors at functions authorized by the  
21 Director of Central Management Services.

22 Alcoholic liquors may be sold or delivered at any facility  
23 owned by the Illinois Sports Facilities Authority provided  
24 that dram shop liability insurance has been made available in  
25 a form, with such coverage and in such amounts as the Authority  
26 reasonably determines is necessary.

1           Alcoholic liquors may be sold at retail or dispensed at  
2 the Rockford State Office Building by (1) an agency of the  
3 State, whether legislative, judicial or executive, provided  
4 that such agency first obtains written permission to sell or  
5 dispense alcoholic liquors from the Department of Central  
6 Management Services, or by (2) a not-for-profit organization,  
7 provided that such organization:

8           a. Obtains written consent from the Department of  
9 Central Management Services;

10           b. Sells or dispenses the alcoholic liquors in a  
11 manner that does not impair normal operations of State  
12 offices located in the building;

13           c. Sells or dispenses alcoholic liquors only in  
14 connection with an official activity in the building;

15           d. Provides, or its catering service provides, dram  
16 shop liability insurance in maximum coverage limits and in  
17 which the carrier agrees to defend, save harmless and  
18 indemnify the State of Illinois from all financial loss,  
19 damage or harm arising out of the selling or dispensing of  
20 alcoholic liquors.

21           Nothing in this Act shall prevent a not-for-profit  
22 organization or agency of the State from employing the  
23 services of a catering establishment for the selling or  
24 dispensing of alcoholic liquors at functions authorized by the  
25 Department of Central Management Services.

26           Alcoholic liquors may be sold or delivered in a building

1 that is owned by McLean County, situated on land owned by the  
2 county in the City of Bloomington, and used by the McLean  
3 County Historical Society if the sale or delivery is approved  
4 by an ordinance adopted by the county board, and the  
5 municipality in which the building is located may not prohibit  
6 that sale or delivery, notwithstanding any other provision of  
7 this Section. The regulation of the sale and delivery of  
8 alcoholic liquor in a building that is owned by McLean County,  
9 situated on land owned by the county, and used by the McLean  
10 County Historical Society as provided in this paragraph is an  
11 exclusive power and function of the State and is a denial and  
12 limitation under Article VII, Section 6, subsection (h) of the  
13 Illinois Constitution of the power of a home rule municipality  
14 to regulate that sale and delivery.

15 Alcoholic liquors may be sold or delivered in any building  
16 situated on land held in trust for any school district  
17 organized under Article 34 of the School Code, if the building  
18 is not used for school purposes and if the sale or delivery is  
19 approved by the board of education.

20 Alcoholic liquors may be delivered to and sold at retail  
21 in any building owned by a public library district, provided  
22 that the delivery and sale is approved by the board of trustees  
23 of that public library district and is limited to library  
24 fundraising events or programs of a cultural or educational  
25 nature. Before the board of trustees of a public library  
26 district may approve the delivery and sale of alcoholic

1 liquors, the board of trustees of the public library district  
2 must have a written policy that has been approved by the board  
3 of trustees of the public library district governing when and  
4 under what circumstances alcoholic liquors may be delivered to  
5 and sold at retail on property owned by that public library  
6 district. The written policy must (i) provide that no  
7 alcoholic liquor may be sold, distributed, or consumed in any  
8 area of the library accessible to the general public during  
9 the event or program, (ii) prohibit the removal of alcoholic  
10 liquor from the venue during the event, and (iii) require that  
11 steps be taken to prevent the sale or distribution of  
12 alcoholic liquor to persons under the age of 18 ~~21~~. Any public  
13 library district that has alcoholic liquor delivered to or  
14 sold at retail on property owned by the public library  
15 district shall provide dram shop liability insurance in  
16 maximum insurance coverage limits so as to save harmless the  
17 public library districts from all financial loss, damage, or  
18 harm.

19 Alcoholic liquors may be sold or delivered in buildings  
20 owned by the Community Building Complex Committee of Boone  
21 County, Illinois if the person or facility selling or  
22 dispensing the alcoholic liquor has provided dram shop  
23 liability insurance with coverage and in amounts that the  
24 Committee reasonably determines are necessary.

25 Alcoholic liquors may be sold or delivered in the building  
26 located at 1200 Centerville Avenue in Belleville, Illinois and

1 occupied by either the Belleville Area Special Education  
2 District or the Belleville Area Special Services Cooperative.

3 Alcoholic liquors may be delivered to and sold at the  
4 Louis Joliet Renaissance Center, City Center Campus, located  
5 at 214 N. Ottawa Street, Joliet, and the Food  
6 Services/Culinary Arts Department facilities, Main Campus,  
7 located at 1215 Houbolt Road, Joliet, owned by or under the  
8 control of Joliet Junior College, Illinois Community College  
9 District No. 525.

10 Alcoholic liquors may be delivered to and sold at Triton  
11 College, Illinois Community College District No. 504.

12 Alcoholic liquors may be delivered to and sold at the  
13 College of DuPage, Illinois Community College District No.  
14 502.

15 Alcoholic liquors may be delivered to and sold on any  
16 property owned, operated, or controlled by Lewis and Clark  
17 Community College, Illinois Community College District No.  
18 536.

19 Alcoholic liquors may be delivered to and sold at the  
20 building located at 446 East Hickory Avenue in Apple River,  
21 Illinois, owned by the Apple River Fire Protection District,  
22 and occupied by the Apple River Community Association if the  
23 alcoholic liquor is sold or dispensed only in connection with  
24 organized functions approved by the Apple River Community  
25 Association for which the planned attendance is 20 or more  
26 persons and if the person or facility selling or dispensing

1 the alcoholic liquor has provided dram shop liability  
2 insurance in maximum limits so as to hold harmless the Apple  
3 River Fire Protection District, the Village of Apple River,  
4 and the Apple River Community Association from all financial  
5 loss, damage, and harm.

6 Alcoholic liquors may be delivered to and sold at the  
7 Sikia Restaurant, Kennedy King College Campus, located at 740  
8 West 63rd Street, Chicago, and at the Food Services in the  
9 Great Hall/Washburne Culinary Institute Department facility,  
10 Kennedy King College Campus, located at 740 West 63rd Street,  
11 Chicago, owned by or under the control of City Colleges of  
12 Chicago, Illinois Community College District No. 508.

13 (Source: P.A. 99-78, eff. 7-20-15; 99-484, eff. 10-30-15;  
14 99-550, eff. 7-15-16; 99-559, eff. 7-15-16; 99-795, eff.  
15 8-12-16; 100-120, eff. 8-18-17; 100-201, eff. 8-18-17;  
16 100-695, eff. 8-3-18.)

17 (235 ILCS 5/6-16) (from Ch. 43, par. 131)

18 Sec. 6-16. Prohibited sales and possession.

19 (a) (i) No licensee nor any officer, associate, member,  
20 representative, agent, or employee of such licensee shall  
21 sell, give, or deliver alcoholic liquor to any person under  
22 the age of 18 ~~21~~ years or to any intoxicated person, except as  
23 provided in Section 6-16.1. (ii) No express company, common  
24 carrier, or contract carrier nor any representative, agent, or  
25 employee on behalf of an express company, common carrier, or



1 contract carrier that carries or transports alcoholic liquor  
2 for delivery within this State shall knowingly give or  
3 knowingly deliver to a residential address any shipping  
4 container clearly labeled as containing alcoholic liquor and  
5 labeled as requiring signature of an adult of at least 18 ~~21~~  
6 years of age to any person in this State under the age of 18 ~~21~~  
7 years. An express company, common carrier, or contract carrier  
8 that carries or transports such alcoholic liquor for delivery  
9 within this State shall obtain a signature at the time of  
10 delivery acknowledging receipt of the alcoholic liquor by an  
11 adult who is at least 18 ~~21~~ years of age. At no time while  
12 delivering alcoholic beverages within this State may any  
13 representative, agent, or employee of an express company,  
14 common carrier, or contract carrier that carries or transports  
15 alcoholic liquor for delivery within this State deliver the  
16 alcoholic liquor to a residential address without the  
17 acknowledgment of the consignee and without first obtaining a  
18 signature at the time of the delivery by an adult who is at  
19 least 18 ~~21~~ years of age. A signature of a person on file with  
20 the express company, common carrier, or contract carrier does  
21 not constitute acknowledgement of the consignee. Any express  
22 company, common carrier, or contract carrier that transports  
23 alcoholic liquor for delivery within this State that violates  
24 this item (ii) of this subsection (a) by delivering alcoholic  
25 liquor without the acknowledgement of the consignee and  
26 without first obtaining a signature at the time of the

1 delivery by an adult who is at least 18 ~~21~~ years of age is  
2 guilty of a business offense for which the express company,  
3 common carrier, or contract carrier that transports alcoholic  
4 liquor within this State shall be fined not more than \$1,001  
5 for a first offense, not more than \$5,000 for a second offense,  
6 and not more than \$10,000 for a third or subsequent offense. An  
7 express company, common carrier, or contract carrier shall be  
8 held vicariously liable for the actions of its  
9 representatives, agents, or employees. For purposes of this  
10 Act, in addition to other methods authorized by law, an  
11 express company, common carrier, or contract carrier shall be  
12 considered served with process when a representative, agent,  
13 or employee alleged to have violated this Act is personally  
14 served. Each shipment of alcoholic liquor delivered in  
15 violation of this item (ii) of this subsection (a) constitutes  
16 a separate offense. (iii) No person, after purchasing or  
17 otherwise obtaining alcoholic liquor, shall sell, give, or  
18 deliver such alcoholic liquor to another person under the age  
19 of 18 ~~21~~ years, except in the performance of a religious  
20 ceremony or service. Except as otherwise provided in item  
21 (ii), any express company, common carrier, or contract carrier  
22 that transports alcoholic liquor within this State that  
23 violates the provisions of item (i), (ii), or (iii) of this  
24 paragraph of this subsection (a) is guilty of a Class A  
25 misdemeanor and the sentence shall include, but shall not be  
26 limited to, a fine of not less than \$500. Any person who

1 violates the provisions of item (iii) of this paragraph of  
2 this subsection (a) is guilty of a Class A misdemeanor and the  
3 sentence shall include, but shall not be limited to a fine of  
4 not less than \$500 for a first offense and not less than \$2,000  
5 for a second or subsequent offense. Any person who knowingly  
6 violates the provisions of item (iii) of this paragraph of  
7 this subsection (a) is guilty of a Class 4 felony if a death  
8 occurs as the result of the violation.

9 If a licensee or officer, associate, member,  
10 representative, agent, or employee of the licensee, or a  
11 representative, agent, or employee of an express company,  
12 common carrier, or contract carrier that carries or transports  
13 alcoholic liquor for delivery within this State, is prosecuted  
14 under this paragraph of this subsection (a) for selling,  
15 giving, or delivering alcoholic liquor to a person under the  
16 age of 18 ~~21~~ years, the person under 18 ~~21~~ years of age who  
17 attempted to buy or receive the alcoholic liquor may be  
18 prosecuted pursuant to Section 6-20 of this Act, unless the  
19 person under 18 ~~21~~ years of age was acting under the authority  
20 of a law enforcement agency, the Illinois Liquor Control  
21 Commission, or a local liquor control commissioner pursuant to  
22 a plan or action to investigate, patrol, or conduct any  
23 similar enforcement action.

24 For the purpose of preventing the violation of this  
25 Section, any licensee, or his agent or employee, or a  
26 representative, agent, or employee of an express company,

1 common carrier, or contract carrier that carries or transports  
2 alcoholic liquor for delivery within this State, shall refuse  
3 to sell, deliver, or serve alcoholic beverages to any person  
4 who is unable to produce adequate written evidence of identity  
5 and of the fact that he or she is over the age of 18 ~~21~~ years,  
6 if requested by the licensee, agent, employee, or  
7 representative.

8 Adequate written evidence of age and identity of the  
9 person is a document issued by a federal, state, county, or  
10 municipal government, or subdivision or agency thereof,  
11 including, but not limited to, a motor vehicle operator's  
12 license, a registration certificate issued under the Federal  
13 Selective Service Act, or an identification card issued to a  
14 member of the Armed Forces. Proof that the defendant-licensee,  
15 or his employee or agent, or the representative, agent, or  
16 employee of the express company, common carrier, or contract  
17 carrier that carries or transports alcoholic liquor for  
18 delivery within this State demanded, was shown and reasonably  
19 relied upon such written evidence in any transaction forbidden  
20 by this Section is an affirmative defense in any criminal  
21 prosecution therefor or to any proceedings for the suspension  
22 or revocation of any license based thereon. It shall not,  
23 however, be an affirmative defense if the agent or employee  
24 accepted the written evidence knowing it to be false or  
25 fraudulent. If a false or fraudulent Illinois driver's license  
26 or Illinois identification card is presented by a person less

1 than 18 ~~21~~ years of age to a licensee or the licensee's agent  
2 or employee for the purpose of ordering, purchasing,  
3 attempting to purchase, or otherwise obtaining or attempting  
4 to obtain the serving of any alcoholic beverage, the law  
5 enforcement officer or agency investigating the incident  
6 shall, upon the conviction of the person who presented the  
7 fraudulent license or identification, make a report of the  
8 matter to the Secretary of State on a form provided by the  
9 Secretary of State.

10 However, no agent or employee of the licensee or employee  
11 of an express company, common carrier, or contract carrier  
12 that carries or transports alcoholic liquor for delivery  
13 within this State shall be disciplined or discharged for  
14 selling or furnishing liquor to a person under 18 ~~21~~ years of  
15 age if the agent or employee demanded and was shown, before  
16 furnishing liquor to a person under 18 ~~21~~ years of age,  
17 adequate written evidence of age and identity of the person  
18 issued by a federal, state, county or municipal government, or  
19 subdivision or agency thereof, including but not limited to a  
20 motor vehicle operator's license, a registration certificate  
21 issued under the Federal Selective Service Act, or an  
22 identification card issued to a member of the Armed Forces.  
23 This paragraph, however, shall not apply if the agent or  
24 employee accepted the written evidence knowing it to be false  
25 or fraudulent.

26 Any person who sells, gives, or furnishes to any person

1 under the age of 18 ~~21~~ years any false or fraudulent written,  
2 printed, or photostatic evidence of the age and identity of  
3 such person or who sells, gives or furnishes to any person  
4 under the age of 18 ~~21~~ years evidence of age and identification  
5 of any other person is guilty of a Class A misdemeanor and the  
6 person's sentence shall include, but shall not be limited to,  
7 a fine of not less than \$500.

8 Any person under the age of 18 ~~21~~ years who presents or  
9 offers to any licensee, his agent or employee, any written,  
10 printed or photostatic evidence of age and identity that is  
11 false, fraudulent, or not actually his or her own for the  
12 purpose of ordering, purchasing, attempting to purchase or  
13 otherwise procuring or attempting to procure, the serving of  
14 any alcoholic beverage, who falsely states in writing that he  
15 or she is at least 18 ~~21~~ years of age when receiving alcoholic  
16 liquor from a representative, agent, or employee of an express  
17 company, common carrier, or contract carrier, or who has in  
18 his or her possession any false or fraudulent written,  
19 printed, or photostatic evidence of age and identity, is  
20 guilty of a Class A misdemeanor and the person's sentence  
21 shall include, but shall not be limited to, the following: a  
22 fine of not less than \$500 and at least 25 hours of community  
23 service. If possible, any community service shall be performed  
24 for an alcohol abuse prevention program.

25 Any person under the age of 18 ~~21~~ years who has any  
26 alcoholic beverage in his or her possession on any street or

1 highway or in any public place or in any place open to the  
2 public is guilty of a Class A misdemeanor. This Section does  
3 not apply to possession by a person under the age of 18 ~~21~~  
4 years making a delivery of an alcoholic beverage in pursuance  
5 of the order of his or her parent or in pursuance of his or her  
6 employment.

7 (a-1) It is unlawful for any parent or guardian to  
8 knowingly permit his or her residence, any other private  
9 property under his or her control, or any vehicle, conveyance,  
10 or watercraft under his or her control to be used by an invitee  
11 of the parent's child or the guardian's ward, if the invitee is  
12 under the age of 18 ~~21~~, in a manner that constitutes a  
13 violation of this Section. A parent or guardian is deemed to  
14 have knowingly permitted his or her residence, any other  
15 private property under his or her control, or any vehicle,  
16 conveyance, or watercraft under his or her control to be used  
17 in violation of this Section if he or she knowingly authorizes  
18 or permits consumption of alcoholic liquor by underage  
19 invitees. Any person who violates this subsection (a-1) is  
20 guilty of a Class A misdemeanor and the person's sentence  
21 shall include, but shall not be limited to, a fine of not less  
22 than \$500. Where a violation of this subsection (a-1) directly  
23 or indirectly results in great bodily harm or death to any  
24 person, the person violating this subsection shall be guilty  
25 of a Class 4 felony. Nothing in this subsection (a-1) shall be  
26 construed to prohibit the giving of alcoholic liquor to a

1 person under the age of 18 ~~21~~ years in the performance of a  
2 religious ceremony or service in observation of a religious  
3 holiday.

4 For the purposes of this subsection (a-1) where the  
5 residence or other property has an owner and a tenant or  
6 lessee, the trier of fact may infer that the residence or other  
7 property is occupied only by the tenant or lessee.

8 (b) Except as otherwise provided in this Section whoever  
9 violates this Section shall, in addition to other penalties  
10 provided for in this Act, be guilty of a Class A misdemeanor.

11 (c) Any person shall be guilty of a Class A misdemeanor  
12 where he or she knowingly authorizes or permits a residence  
13 which he or she occupies to be used by an invitee under 18 ~~21~~  
14 years of age and:

15 (1) the person occupying the residence knows that any  
16 such person under the age of 18 ~~21~~ is in possession of or  
17 is consuming any alcoholic beverage; and

18 (2) the possession or consumption of the alcohol by  
19 the person under 18 ~~21~~ is not otherwise permitted by this  
20 Act.

21 For the purposes of this subsection (c) where the  
22 residence has an owner and a tenant or lessee, the trier of  
23 fact may infer that the residence is occupied only by the  
24 tenant or lessee. The sentence of any person who violates this  
25 subsection (c) shall include, but shall not be limited to, a  
26 fine of not less than \$500. Where a violation of this



1 subsection (c) directly or indirectly results in great bodily  
2 harm or death to any person, the person violating this  
3 subsection (c) shall be guilty of a Class 4 felony. Nothing in  
4 this subsection (c) shall be construed to prohibit the giving  
5 of alcoholic liquor to a person under the age of 18 ~~21~~ years in  
6 the performance of a religious ceremony or service in  
7 observation of a religious holiday.

8 A person shall not be in violation of this subsection (c)  
9 if (A) he or she requests assistance from the police  
10 department or other law enforcement agency to either (i)  
11 remove any person who refuses to abide by the person's  
12 performance of the duties imposed by this subsection (c) or  
13 (ii) terminate the activity because the person has been unable  
14 to prevent a person under the age of 18 ~~21~~ years from consuming  
15 alcohol despite having taken all reasonable steps to do so and  
16 (B) this assistance is requested before any other person makes  
17 a formal complaint to the police department or other law  
18 enforcement agency about the activity.

19 (d) Any person who rents a hotel or motel room from the  
20 proprietor or agent thereof for the purpose of or with the  
21 knowledge that such room shall be used for the consumption of  
22 alcoholic liquor by persons under the age of 18 ~~21~~ years shall  
23 be guilty of a Class A misdemeanor.

24 (e) Except as otherwise provided in this Act, any person  
25 who has alcoholic liquor in his or her possession on public  
26 school district property on school days or at events on public

1 school district property when children are present is guilty  
2 of a petty offense, unless the alcoholic liquor (i) is in the  
3 original container with the seal unbroken and is in the  
4 possession of a person who is not otherwise legally prohibited  
5 from possessing the alcoholic liquor or (ii) is in the  
6 possession of a person in or for the performance of a religious  
7 service or ceremony authorized by the school board.

8 (Source: P.A. 97-1049, eff. 1-1-13; 98-1017, eff. 1-1-15.)

9 (235 ILCS 5/6-16.1)

10 Sec. 6-16.1. Enforcement actions.

11 (a) A licensee or an officer, associate, member,  
12 representative, agent, or employee of a licensee may sell,  
13 give, or deliver alcoholic liquor to a person under the age of  
14 18 ~~21~~ years or authorize the sale, gift, or delivery of  
15 alcoholic liquor to a person under the age of 18 ~~21~~ years  
16 pursuant to a plan or action to investigate, patrol, or  
17 otherwise conduct a "sting operation" or enforcement action  
18 against a person employed by the licensee or on any licensed  
19 premises if the licensee or officer, associate, member,  
20 representative, agent, or employee of the licensee provides  
21 written notice, at least 14 days before the "sting operation"  
22 or enforcement action, unless governing body of the  
23 municipality or county having jurisdiction sets a shorter  
24 period by ordinance, to the law enforcement agency having  
25 jurisdiction, the local liquor control commissioner, or both.

1 Notice provided under this Section shall be valid for a "sting  
2 operation" or enforcement action conducted within 60 days of  
3 the provision of that notice, unless the governing body of the  
4 municipality or county having jurisdiction sets a shorter  
5 period by ordinance.

6 (b) A local liquor control commission or unit of local  
7 government that conducts alcohol and tobacco compliance  
8 operations shall establish a policy and standards for alcohol  
9 and tobacco compliance operations to investigate whether a  
10 licensee is furnishing (1) alcoholic liquor to persons under  
11 18 ~~21~~ years of age in violation of this Act or (2) tobacco to  
12 persons in violation of the Prevention of Tobacco Use by  
13 Persons under 21 Years of Age and Sale and Distribution of  
14 Tobacco Products Act.

15 (c) The Illinois Law Enforcement Training Standards Board  
16 shall develop a model policy and guidelines for the operation  
17 of alcohol and tobacco compliance checks by local law  
18 enforcement officers. The Illinois Law Enforcement Training  
19 Standards Board shall also require the supervising officers of  
20 such compliance checks to have met a minimum training standard  
21 as determined by the Board. The Board shall have the right to  
22 waive any training based on current written policies and  
23 procedures for alcohol and tobacco compliance check operations  
24 and in-service training already administered by the local law  
25 enforcement agency, department, or office.

26 (d) The provisions of subsections (b) and (c) do not apply

1 to a home rule unit with more than 2,000,000 inhabitants.

2 (e) A home rule unit, other than a home rule unit with more  
3 than 2,000,000 inhabitants, may not regulate enforcement  
4 actions in a manner inconsistent with the regulation of  
5 enforcement actions under this Section. This subsection (e) is  
6 a limitation under subsection (i) of Section 6 of Article VII  
7 of the Illinois Constitution on the concurrent exercise by  
8 home rule units of powers and functions exercised by the  
9 State.

10 (f) A licensee who is the subject of an enforcement action  
11 or "sting operation" under this Section and is found, pursuant  
12 to the enforcement action, to be in compliance with this Act  
13 shall be notified by the enforcement agency action that no  
14 violation was found within 30 days after the finding.

15 (Source: P.A. 101-2, eff. 7-1-19.)

16 (235 ILCS 5/6-16.2)

17 Sec. 6-16.2. Prohibited entry to a licensed premises. A  
18 municipality or county may prohibit a licensee or any officer,  
19 associate, member, representative, agent, or employee of a  
20 licensee from permitting a person under the age of 18 ~~21~~ years  
21 to enter and remain in that portion of a licensed premises that  
22 sells, gives, or delivers alcoholic liquor for consumption on  
23 the premises. No prohibition under this Section, however,  
24 shall apply to any licensed premises, such as without  
25 limitation a restaurant or food shop, where selling, giving,

1 or delivering alcoholic liquor is not the principal business  
2 of the licensee at those premises.

3 In those instances where a person under the age of 18 ~~21~~  
4 years is prohibited from entering and remaining on the  
5 premises, proof that the defendant-licensee, or his employee  
6 or agent, demanded, was shown, and reasonably relied upon  
7 adequate written evidence for purposes of entering and  
8 remaining on the licensed premises is an affirmative defense  
9 in any criminal prosecution therefor or to any proceedings for  
10 the suspension or revocation of any license based thereon. It  
11 shall not, however, be an affirmative defense if the  
12 defendant-licensee, or his agent or employee, accepted the  
13 written evidence knowing it to be false or fraudulent.

14 Adequate written evidence of age and identity of the  
15 person is a document issued by a federal, state, county, or  
16 municipal government, or subdivision or agency thereof,  
17 including, but not limited to, a motor vehicle operator's  
18 license, a registration certificate issued under the Federal  
19 Selective Service Act, or an identification card issued to a  
20 member of the armed forces.

21 If a false or fraudulent Illinois driver's license or  
22 Illinois identification card is presented by a person less  
23 than 18 ~~21~~ years of age to a licensee or the licensee's agent  
24 or employee for the purpose of obtaining entry and remaining  
25 on a licensed premises, the law enforcement officer or agency  
26 investigating the incident shall, upon the conviction of the

1 person who presented the fraudulent license or identification,  
2 make a report of the matter to the Secretary of State on a form  
3 provided by the Secretary of State.

4 (Source: P.A. 95-331, eff. 8-21-07.)

5 (235 ILCS 5/6-20) (from Ch. 43, par. 134a)

6 Sec. 6-20. Transfer, possession, and consumption of  
7 alcoholic liquor; restrictions.

8 (a) Any person to whom the sale, gift or delivery of any  
9 alcoholic liquor is prohibited because of age shall not  
10 purchase, or accept a gift of such alcoholic liquor or have  
11 such alcoholic liquor in his possession.

12 (b) If a licensee or his or her agents or employees  
13 believes or has reason to believe that a sale or delivery of  
14 any alcoholic liquor is prohibited because of the non-age of  
15 the prospective recipient, he or she shall, before making such  
16 sale or delivery demand presentation of some form of positive  
17 identification, containing proof of age, issued by a public  
18 officer in the performance of his or her official duties.

19 (c) No person shall transfer, alter, or deface such an  
20 identification card; use the identification card of another;  
21 carry or use a false or forged identification card; or obtain  
22 an identification card by means of false information.

23 (d) No person shall purchase, accept delivery or have  
24 possession of alcoholic liquor in violation of this Section.

25 (e) The consumption of alcoholic liquor by any person

1 under 18 ~~21~~ years of age is forbidden.

2 (f) Whoever violates any provisions of this Section shall  
3 be guilty of a Class A misdemeanor.

4 (g) The possession and dispensing, or consumption by a  
5 person under 18 ~~21~~ years of age of alcoholic liquor in the  
6 performance of a religious service or ceremony, or the  
7 consumption by a person under 18 ~~21~~ years of age under the  
8 direct supervision and approval of the parents or parent or  
9 those persons standing in loco parentis of such person under  
10 18 ~~21~~ years of age in the privacy of a home, is not prohibited  
11 by this Act.

12 (h) (Blank). ~~The provisions of this Act prohibiting the~~  
13 ~~possession of alcoholic liquor by a person under 21 years of~~  
14 ~~age and dispensing of alcoholic liquor to a person under 21~~  
15 ~~years of age do not apply in the case of a student under 21~~  
16 ~~years of age, but 18 years of age or older, who:~~

17 ~~(1) tastes, but does not imbibe, alcoholic liquor only~~  
18 ~~during times of a regularly scheduled course while under~~  
19 ~~the direct supervision of an instructor who is at least 21~~  
20 ~~years of age and employed by an educational institution~~  
21 ~~described in subdivision (2);~~

22 ~~(2) is enrolled as a student in a college, university,~~  
23 ~~or post-secondary educational institution that is~~  
24 ~~accredited or certified by an agency recognized by the~~  
25 ~~United States Department of Education or a nationally~~  
26 ~~recognized accrediting agency or association, or that has~~

1 ~~a permit of approval issued by the Board of Higher~~  
2 ~~Education pursuant to the Private Business and Vocational~~  
3 ~~Schools Act of 2012;~~

4 ~~(3) is participating in a culinary arts, fermentation~~  
5 ~~science, food service, or restaurant management degree~~  
6 ~~program of which a portion of the program includes~~  
7 ~~instruction on responsible alcoholic beverage serving~~  
8 ~~methods modeled after the Beverage Alcohol Sellers and~~  
9 ~~Server Education and Training (BASSET) curriculum; and~~

10 ~~(4) tastes, but does not imbibe, alcoholic liquor for~~  
11 ~~instructional purposes up to, but not exceeding, 6 times~~  
12 ~~per class as a part of a required course in which the~~  
13 ~~student temporarily possesses alcoholic liquor for~~  
14 ~~tasting, not imbibing, purposes only in a class setting on~~  
15 ~~the campus and, thereafter, the alcoholic liquor is~~  
16 ~~possessed and remains under the control of the instructor.~~

17 (i) A law enforcement officer may not charge or otherwise  
18 take a person into custody based solely on the commission of an  
19 offense that involves alcohol and violates subsection (d) or  
20 (e) of this Section if the law enforcement officer, after  
21 making a reasonable determination and considering the facts  
22 and surrounding circumstances, reasonably believes that all of  
23 the following apply:

24 (1) The law enforcement officer has contact with the  
25 person because that person either:

26 (A) requested emergency medical assistance for an



1 individual who reasonably appeared to be in need of  
2 medical assistance due to alcohol consumption; or

3 (B) acted in concert with another person who  
4 requested emergency medical assistance for an  
5 individual who reasonably appeared to be in need of  
6 medical assistance due to alcohol consumption;  
7 however, the provisions of this subparagraph (B) shall  
8 not apply to more than 3 persons acting in concert for  
9 any one occurrence.

10 (2) The person described in subparagraph (A) or (B) of  
11 paragraph (1) of this subsection (i):

12 (A) provided his or her full name and any other  
13 relevant information requested by the law enforcement  
14 officer;

15 (B) remained at the scene with the individual who  
16 reasonably appeared to be in need of medical  
17 assistance due to alcohol consumption until emergency  
18 medical assistance personnel arrived; and

19 (C) cooperated with emergency medical assistance  
20 personnel and law enforcement officers at the scene.

21 (i-5) (1) In this subsection (i-5):

22 "Medical forensic services" has the meaning defined in  
23 Section 1a of the Sexual Assault Survivors Emergency Treatment  
24 Act.

25 "Sexual assault" means an act of sexual conduct or sexual  
26 penetration, defined in Section 11-0.1 of the Criminal Code of

1 2012, including, without limitation, acts prohibited under  
2 Sections 11-1.20 through 11-1.60 of the Criminal Code of 2012.

3 (2) A law enforcement officer may not charge or otherwise  
4 take a person into custody based solely on the commission of an  
5 offense that involves alcohol and violates subsection (d) or  
6 (e) of this Section if the law enforcement officer, after  
7 making a reasonable determination and considering the facts  
8 and surrounding circumstances, reasonably believes that all of  
9 the following apply:

10 (A) The law enforcement officer has contact with the  
11 person because the person:

12 (i) reported that he or she was sexually  
13 assaulted;

14 (ii) reported a sexual assault of another person  
15 or requested emergency medical assistance or medical  
16 forensic services for another person who had been  
17 sexually assaulted; or

18 (iii) acted in concert with another person who  
19 reported a sexual assault of another person or  
20 requested emergency medical assistance or medical  
21 forensic services for another person who had been  
22 sexually assaulted; however, the provisions of this  
23 item (iii) shall not apply to more than 3 persons  
24 acting in concert for any one occurrence.

25 The report of a sexual assault may have been made to a  
26 health care provider, to law enforcement, including the

1 campus police or security department of an institution of  
2 higher education, or to the Title IX coordinator of an  
3 institution of higher education or another employee of the  
4 institution responsible for responding to reports of  
5 sexual assault under State or federal law.

6 (B) The person who reports the sexual assault:

7 (i) provided his or her full name;

8 (ii) remained at the scene until emergency medical  
9 assistance personnel arrived, if emergency medical  
10 assistance was summoned for the person who was  
11 sexually assaulted and he or she cooperated with  
12 emergency medical assistance personnel; and

13 (iii) cooperated with the agency or person to whom  
14 the sexual assault was reported if he or she witnessed  
15 or reported the sexual assault of another person.

16 (j) A person who meets the criteria of paragraphs (1) and  
17 (2) of subsection (i) of this Section or a person who meets the  
18 criteria of paragraph (2) of subsection (i-5) of this Section  
19 shall be immune from criminal liability for an offense under  
20 subsection (d) or (e) of this Section.

21 (k) A person may not initiate an action against a law  
22 enforcement officer based on the officer's compliance or  
23 failure to comply with subsection (i) or (i-5) of this  
24 Section, except for willful or wanton misconduct.

25 (Source: P.A. 99-447, eff. 6-1-16; 99-795, eff. 8-12-16;  
26 100-1087, eff. 1-1-19.)

1 (235 ILCS 5/6-21) (from Ch. 43, par. 135)

2 Sec. 6-21. (a) Every person who is injured within this  
3 State, in person or property, by any intoxicated person has a  
4 right of action in his or her own name, severally or jointly,  
5 against any person, licensed under the laws of this State or of  
6 any other state to sell alcoholic liquor, who, by selling or  
7 giving alcoholic liquor, within or without the territorial  
8 limits of this State, causes the intoxication of such person.  
9 Any person at least 18 ~~21~~ years of age who pays for a hotel or  
10 motel room or facility knowing that the room or facility is to  
11 be used by any person under 18 ~~21~~ years of age for the unlawful  
12 consumption of alcoholic liquors and such consumption causes  
13 the intoxication of the person under 18 ~~21~~ years of age, shall  
14 be liable to any person who is injured in person or property by  
15 the intoxicated person under 18 ~~21~~ years of age. Any person  
16 owning, renting, leasing or permitting the occupation of any  
17 building or premises with knowledge that alcoholic liquors are  
18 to be sold therein, or who having leased the same for other  
19 purposes, shall knowingly permit therein the sale of any  
20 alcoholic liquors that have caused the intoxication of any  
21 person, shall be liable, severally or jointly, with the person  
22 selling or giving the liquors. However, if such building or  
23 premises belong to a minor or other person under guardianship  
24 the guardian of such person shall be held liable instead of the  
25 ward. A married woman has the same right to bring the action

1 and to control it and the amount recovered as an unmarried  
2 woman. All damages recovered by a minor under this Act shall be  
3 paid either to the minor, or to his or her parent, guardian or  
4 next friend as the court shall direct. The unlawful sale or  
5 gift of alcoholic liquor works a forfeiture of all rights of  
6 the lessee or tenant under any lease or contract of rent upon  
7 the premises where the unlawful sale or gift takes place. All  
8 actions for damages under this Act may be by any appropriate  
9 action in the circuit court. An action shall lie for injuries  
10 to either means of support or loss of society, but not both,  
11 caused by an intoxicated person or in consequence of the  
12 intoxication of any person resulting as hereinabove set out.  
13 "Loss of society" means the mutual benefits that each family  
14 member receives from the other's continued existence,  
15 including love, affection, care, attention, companionship,  
16 comfort, guidance, and protection. "Family" includes spouse,  
17 children, parents, brothers, and sisters. The action, if the  
18 person from whom support or society was furnished is living,  
19 shall be brought by any person injured in means of support or  
20 society in his or her name for his or her benefit and the  
21 benefit of all other persons injured in means of support or  
22 society. However, any person claiming to be injured in means  
23 of support or society and not included in any action brought  
24 hereunder may join by motion made within the times herein  
25 provided for bringing such action or the personal  
26 representative of the deceased person from whom such support

1 or society was furnished may so join. In every such action the  
2 jury shall determine the amount of damages to be recovered  
3 without regard to and with no special instructions as to the  
4 dollar limits on recovery imposed by this Section. The amount  
5 recovered in every such action is for the exclusive benefit of  
6 the person injured in loss of support or society and shall be  
7 distributed to such persons in the proportions determined by  
8 the verdict rendered or judgment entered in the action. If the  
9 right of action is settled by agreement with the personal  
10 representative of a deceased person from whom support or  
11 society was furnished, the court having jurisdiction of the  
12 estate of the deceased person shall distribute the amount of  
13 the settlement to the person injured in loss of support or  
14 society in the proportion, as determined by the court, that  
15 the percentage of dependency of each such person upon the  
16 deceased person bears to the sum of the percentages of  
17 dependency of all such persons upon the deceased person. For  
18 all causes of action involving persons injured, killed, or  
19 incurring property damage before September 12, 1985, in no  
20 event shall the judgment or recovery under this Act for injury  
21 to the person or to the property of any person as hereinabove  
22 set out exceed \$15,000, and recovery under this Act for loss of  
23 means of support resulting from the death or injury of any  
24 person, as hereinabove set out, shall not exceed \$20,000. For  
25 all causes of action involving persons injured, killed, or  
26 incurring property damage after September 12, 1985 but before

1 July 1, 1998, in no event shall the judgment or recovery for  
2 injury to the person or property of any person exceed \$30,000  
3 for each person incurring damages, and recovery under this Act  
4 for loss of means of support resulting from the death or injury  
5 of any person shall not exceed \$40,000. For all causes of  
6 action involving persons injured, killed, or incurring  
7 property damage on or after July 1, 1998, in no event shall the  
8 judgment or recovery for injury to the person or property of  
9 any person exceed \$45,000 for each person incurring damages,  
10 and recovery under this Act for either loss of means of support  
11 or loss of society resulting from the death or injury of any  
12 person shall not exceed \$55,000. Beginning in 1999, every  
13 January 20, these liability limits shall automatically be  
14 increased or decreased, as applicable, by a percentage equal  
15 to the percentage change in the consumer price index-u during  
16 the preceding 12-month calendar year. "Consumer price index-u"  
17 means the index published by the Bureau of Labor Statistics of  
18 the United States Department of Labor that measures the  
19 average change in prices of goods and services purchased by  
20 all urban consumers, United States city average, all items,  
21 1982-84 = 100. The new amount resulting from each annual  
22 adjustment shall be determined by the Comptroller and made  
23 available via the Comptroller's official website by January 31  
24 of every year and to the chief judge of each judicial circuit.  
25 The liability limits at the time at which damages subject to  
26 such limits are awarded by final judgment or settlement shall

1 be utilized by the courts. Nothing in this Section bars any  
2 person from making separate claims which, in the aggregate,  
3 exceed any one limit where such person incurs more than one  
4 type of compensable damage, including personal injury,  
5 property damage, and loss to means of support or society.  
6 However, all persons claiming loss to means of support or  
7 society shall be limited to an aggregate recovery not to  
8 exceed the single limitation set forth herein for the death or  
9 injury of each person from whom support or society is claimed.

10 Nothing in this Act shall be construed to confer a cause of  
11 action for injuries to the person or property of the  
12 intoxicated person himself, nor shall anything in this Act be  
13 construed to confer a cause of action for loss of means of  
14 support or society on the intoxicated person himself or on any  
15 person claiming to be supported by such intoxicated person or  
16 claiming the society of such person. In conformance with the  
17 rule of statutory construction enunciated in the general  
18 Illinois saving provision in Section 4 of "An Act to revise the  
19 law in relation to the construction of the statutes", approved  
20 March 5, 1874, as amended, no amendment of this Section  
21 purporting to abolish or having the effect of abolishing a  
22 cause of action shall be applied to invalidate a cause of  
23 action accruing before its effective date, irrespective of  
24 whether the amendment was passed before or after the effective  
25 date of this amendatory Act of 1986.

26 Each action hereunder shall be barred unless commenced



1 within one year next after the cause of action accrued.

2 However, a licensed distributor or brewer whose only  
3 connection with the furnishing of alcoholic liquor which is  
4 alleged to have caused intoxication was the furnishing or  
5 maintaining of any apparatus for the dispensing or cooling of  
6 beer is not liable under this Section, and if such licensee is  
7 named as a defendant, a proper motion to dismiss shall be  
8 granted.

9 (b) Any person licensed under any state or local law to  
10 sell alcoholic liquor, whether or not a citizen or resident of  
11 this State, who in person or through an agent causes the  
12 intoxication, by the sale or gift of alcoholic liquor, of any  
13 person who, while intoxicated, causes injury to any person or  
14 property in the State of Illinois thereby submits such  
15 licensed person, and, if an individual, his or her personal  
16 representative, to the jurisdiction of the courts of this  
17 State for a cause of action arising under subsection (a)  
18 above.

19 Service of process upon any person who is subject to the  
20 jurisdiction of the courts of this State, as provided in this  
21 subsection, may be made by personally serving the summons upon  
22 the defendant outside this State, as provided in the Code of  
23 Civil Procedure, as now or hereafter amended, with the same  
24 force and effect as though summons had been personally served  
25 within this State.

26 Only causes of action arising under subsection (a) above

1 may be asserted against a defendant in an action in which  
2 jurisdiction over him or her is based upon this subsection.

3 Nothing herein contained limits or affects the right to  
4 serve any process in any other manner now or hereafter  
5 provided by law.

6 (Source: P.A. 94-982, eff. 6-30-06.)

7 (235 ILCS 5/6-28.8)

8 (Section scheduled to be repealed on January 3, 2024)

9 Sec. 6-28.8. Delivery and carry out of mixed drinks  
10 permitted.

11 (a) In this Section:

12 "Cocktail" or "mixed drink" means any beverage obtained by  
13 combining ingredients alcoholic in nature, whether brewed,  
14 fermented, or distilled, with ingredients non-alcoholic in  
15 nature, such as fruit juice, lemonade, cream, or a carbonated  
16 beverage.

17 "Original container" means, for the purposes of this  
18 Section only, a container that is (i) filled, sealed, and  
19 secured by a retail licensee's employee at the retail  
20 licensee's location with a tamper-evident lid or cap or (ii)  
21 filled and labeled by the manufacturer and secured by the  
22 manufacturer's original unbroken seal.

23 "Sealed container" means a rigid container that contains a  
24 mixed drink or a single serving of wine, is new, has never been  
25 used, has a secured lid or cap designed to prevent consumption

1 without removal of the lid or cap, and is tamper-evident.  
2 "Sealed container" includes a manufacturer's original  
3 container as defined in this subsection. "Sealed container"  
4 does not include a container with a lid with sipping holes or  
5 openings for straws or a container made of plastic, paper, or  
6 polystyrene foam.

7 "Tamper-evident" means a lid or cap that has been sealed  
8 with tamper-evident covers, including, but not limited to, wax  
9 dip or heat shrink wrap.

10 (b) A cocktail, mixed drink, or single serving of wine  
11 placed in a sealed container by a retail licensee at the retail  
12 licensee's location or a manufacturer's original container may  
13 be transferred and sold for off-premises consumption if the  
14 following requirements are met:

15 (1) the cocktail, mixed drink, or single serving of  
16 wine is transferred within the licensed premises, by a  
17 curbside pickup, or by delivery by an employee of the  
18 retail licensee who:

19 (A) has been trained in accordance with Section  
20 6-27.1 at the time of the sale;

21 (B) is at least 18 ~~21~~ years of age; and

22 (C) upon delivery, verifies the age of the person  
23 to whom the cocktail, mixed drink, or single serving  
24 of wine is being delivered;

25 (2) if the employee delivering the cocktail, mixed  
26 drink, or single serving of wine is not able to safely

1       verify a person's age or level of intoxication upon  
2       delivery, the employee shall cancel the sale of alcohol  
3       and return the product to the retail license holder;

4             (3) the sealed container is placed in the trunk of the  
5       vehicle or if there is no trunk, in the vehicle's rear  
6       compartment that is not readily accessible to the  
7       passenger area;

8             (4) except for a manufacturer's original container, a  
9       container filled and sealed at a retail licensee's  
10      location shall be affixed with a label or tag that  
11      contains the following information:

12            (A) the cocktail or mixed drink ingredients, type,  
13            and name of the alcohol;

14            (B) the name, license number, and address of the  
15            retail licensee that filled the original container and  
16            sold the product;

17            (C) the volume of the cocktail, mixed drink, or  
18            single serving of wine in the sealed container; and

19            (D) the sealed container was filled less than 7  
20            days before the date of sale; and

21            (5) a manufacturer's original container shall be  
22            affixed with a label or tag that contains the name,  
23            license number, and address of the retail licensee that  
24            sold the product.

25            (c) Third-party delivery services are not permitted to  
26      deliver cocktails and mixed drinks under this Section.

1 (d) If there is an executive order of the Governor in  
2 effect during a disaster, the employee delivering the mixed  
3 drink, cocktail, or single serving of wine must comply with  
4 any requirements of that executive order, including, but not  
5 limited to, wearing gloves and a mask and maintaining  
6 distancing requirements when interacting with the public.

7 (e) Delivery or carry out of a cocktail, mixed drink, or  
8 single serving of wine is prohibited if:

9 (1) a third party delivers the cocktail or mixed  
10 drink;

11 (2) a container of a mixed drink, cocktail, or single  
12 serving of wine is not tamper-evident and sealed;

13 (3) a container of a mixed drink, cocktail, or single  
14 serving of wine is transported in the passenger area of a  
15 vehicle;

16 (4) a mixed drink, cocktail, or single serving of wine  
17 is delivered by a person or to a person who is under the  
18 age of 18 ~~21~~; or

19 (5) the person delivering a mixed drink, cocktail, or  
20 single serving of wine fails to verify the age of the  
21 person to whom the mixed drink or cocktail is being  
22 delivered.

23 (f) Violations of this Section shall be subject to any  
24 applicable penalties, including, but not limited to, the  
25 penalties specified under Section 11-502 of the Illinois  
26 Vehicle Code.

1 (f-5) This Section is not intended to prohibit or preempt  
2 the ability of a brew pub, tap room, or distilling pub to  
3 continue to temporarily deliver alcoholic liquor pursuant to  
4 guidance issued by the State Commission on March 19, 2020  
5 entitled "Illinois Liquor Control Commission, COVID-19 Related  
6 Actions, Guidance on Temporary Delivery of Alcoholic Liquor".  
7 This Section shall only grant authorization to holders of  
8 State of Illinois retail liquor licenses but not to licensees  
9 that simultaneously hold any licensure or privilege to  
10 manufacture alcoholic liquors within or outside of the State  
11 of Illinois.

12 (g) This Section is not a denial or limitation of home rule  
13 powers and functions under Section 6 of Article VII of the  
14 Illinois Constitution.

15 (h) This Section is repealed on January 3, 2024.

16 (Source: P.A. 101-631, eff. 6-2-20; 102-8, eff. 6-2-21.)

17 (235 ILCS 5/6-29) (from Ch. 43, par. 144e)

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

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

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

1 and in conformance with the United States Supreme Court  
2 decision decided on May 16, 2005 in Granholm v. Heald.

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

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

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

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

1 earliest general session shall conduct hearings and study  
2 methods to conform to any directive or order of the court  
3 consistent with the temperance and revenue collection  
4 purposes of this Act.

5 (b) Notwithstanding any other provision of law, a wine  
6 shipper licensee may ship, for personal use and not for  
7 resale, not more than 12 cases of wine per year to any resident  
8 of this State who is 18 ~~21~~ years of age or older.

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

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



1 affixed to the shipping container by the licensee.

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

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

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

9 (235 ILCS 5/6-36)

10 Sec. 6-36. Homemade brewed beverages.

11 (a) No license or permit is required under this Act for the  
12 making of homemade brewed beverages or for the possession,  
13 transportation, or storage of homemade brewed beverages by any  
14 person 18 ~~21~~ years of age or older, if all of the following  
15 apply:

16 (1) the person who makes the homemade brewed beverages  
17 receives no compensation;

18 (2) the homemade brewed beverages are not sold or  
19 offered for sale; and

20 (3) the total quantity of homemade brewed beverages  
21 made, in a calendar year, by the person does not exceed 100  
22 gallons if the household has only one person 18 ~~21~~ years of  
23 age or older or 200 gallons if the household has 2 or more  
24 persons 18 ~~21~~ years of age or older.

25 (b) A person who makes, possesses, transports, or stores

1 homemade brewed beverages in compliance with the limitations  
2 specified in subsection (a) is not a brewer, class 1 brewer,  
3 class 2 brewer, wholesaler, retailer, or a manufacturer of  
4 beer for the purposes of this Act.

5 (c) Homemade brewed beverages made in compliance with the  
6 limitations specified in subsection (a) may be consumed by the  
7 person who made it and his or her family, neighbors, and  
8 friends at any private residence or other private location  
9 where the possession and consumption of alcohol are  
10 permissible under this Act, local ordinances, and other  
11 applicable law, provided that the homemade brewed beverages  
12 are not made available for consumption by the general public.

13 (d) Homemade brewed beverages made in compliance with the  
14 limitations specified in subsection (a) may be used for  
15 purposes of a public exhibition, demonstration, tasting, or  
16 sampling with sampling sizes as authorized by Section 6-31, if  
17 the event is held at a private residence or at a location other  
18 than a retail licensed premises. If the public event is not  
19 held at a private residence, the event organizer shall obtain  
20 a homebrewer special event permit for each location, and is  
21 subject to the provisions in subsection (a) of Section 6-21.  
22 Homemade brewed beverages used for purposes described in this  
23 subsection (d), including the submission or consumption of the  
24 homemade brewed beverages, are not considered sold or offered  
25 for sale under this Act. A public exhibition, demonstration,  
26 tasting, or sampling with sampling sizes as authorized by

1 Section 6-31 held by a licensee on a location other than a  
2 retail licensed premises may require an admission charge to  
3 the event, but no separate or additional fee may be charged for  
4 the consumption of a person's homemade brewed beverages at the  
5 public exhibition, demonstration, tasting, or sampling with  
6 sampling sizes as authorized by Section 6-31. Event admission  
7 charges that are collected may be partially used to provide  
8 prizes to makers of homemade brewed beverages, but the  
9 admission charges may not be divided in any fashion among the  
10 makers of the homemade brewed beverages who participate in the  
11 event. Homemade brewed beverages used for purposes described  
12 in this subsection (d) are not considered sold or offered for  
13 sale under this Act if a maker of homemade brewed beverages  
14 receives free event admission or discounted event admission in  
15 return for the maker's donation of the homemade brewed  
16 beverages to an event specified in this subsection (d) that  
17 collects event admission charges; free admission or discounted  
18 admission to the event is not considered compensation under  
19 this Act. No admission fee and no charge for the consumption of  
20 a person's homemade brewed beverage may be collected if the  
21 public exhibition, demonstration, tasting, or sampling with  
22 sampling sizes as authorized by Section 6-31 is held at a  
23 private residence.

24 (e) A person who is not a licensee under this Act may at a  
25 private residence, and a person who is a licensee under this  
26 Act may on the licensed premises, conduct, sponsor, or host a

1 contest, competition, or other event for the exhibition,  
2 demonstration, judging, tasting, or sampling of homemade  
3 brewed beverages made in compliance with the limitations  
4 specified in subsection (a), if the person does not sell the  
5 homemade brewed beverages and, unless the person is the brewer  
6 of the homemade brewed beverages, does not acquire any  
7 ownership interest in the homemade brewed beverages. If the  
8 contest, competition, exhibition, demonstration, or judging is  
9 not held at a private residence, the consumption of the  
10 homemade brewed beverages is limited to qualified judges and  
11 stewards as defined by a national or international beer  
12 judging program, who are identified by the event organizer in  
13 advance of the contest, competition, exhibition,  
14 demonstration, or judging. Homemade brewed beverages used for  
15 the purposes described in this subsection (e), including the  
16 submission or consumption of the homemade brewed beverages,  
17 are not considered sold or offered for sale under this Act and  
18 any prize awarded at a contest or competition or as a result of  
19 an exhibition, demonstration, or judging is not considered  
20 compensation under this Act. An exhibition, demonstration,  
21 judging, contest, or competition held by a licensee on a  
22 licensed premises may require an admission charge to the  
23 event, but no separate or additional fee may be charged for the  
24 consumption of a person's homemade brewed beverage at the  
25 exhibition, demonstration, judging, contest, or competition. A  
26 portion of event admission charges that are collected may be

1 used to provide prizes to makers of homemade brewed beverages,  
2 but the admission charges may not be divided in any fashion  
3 among the makers of the homemade brewed beverages who  
4 participate in the event. Homemade brewed beverages used for  
5 purposes described in this subsection (e) are not considered  
6 sold or offered for sale under this Act if a maker of homemade  
7 brewed beverages receives free event admission or discounted  
8 event admission in return for the maker's donation of the  
9 homemade brewed beverages to an event specified in this  
10 subsection (e) that collects event admission charges; free  
11 admission or discounted admission to the event is not  
12 considered compensation under this Act. No admission fee and  
13 no charge for the consumption of a person's homemade brewed  
14 beverage may be charged if the exhibition, demonstration,  
15 judging, contest, or competition is held at a private  
16 residence. The fact that a person is acting in a manner  
17 authorized by this Section is not, by itself, sufficient to  
18 constitute a public nuisance under Section 10-7 of this Act.  
19 If the contest, competition, or other event is held on  
20 licensed premises, the licensee may allow the homemade brewed  
21 beverages to be stored on the premises if the homemade brewed  
22 beverages are clearly identified and kept separate from any  
23 alcohol beverages owned by the licensee. If the contest,  
24 competition, or other event is held on licensed premises,  
25 other provisions of this Act not inconsistent with this  
26 Section apply.

1 (f) A commercial enterprise engaged primarily in selling  
2 supplies and equipment to the public for use by homebrewers  
3 may manufacture homemade brewed beverages for the purpose of  
4 tasting the homemade brewed beverages at the location of the  
5 commercial enterprise, provided that the homemade brewed  
6 beverages are not sold or offered for sale. Homemade brewed  
7 beverages provided at a commercial enterprise for tasting  
8 under this subsection (f) shall be in compliance with Sections  
9 6-16, 6-21, and 6-31 of this Act. A commercial enterprise  
10 engaged solely in selling supplies and equipment for use by  
11 homebrewers shall not be required to secure a license under  
12 this Act, however, such commercial enterprise shall secure  
13 liquor liability insurance coverage in an amount at least  
14 equal to the maximum liability amounts set forth in subsection  
15 (a) of Section 6-21 of this Act.

16 (g) Homemade brewed beverages are not subject to Section  
17 8-1 of this Act.

18 (Source: P.A. 98-55, eff. 7-5-13; 99-78, eff. 7-20-15; 99-448,  
19 eff. 8-24-15.)

20 (235 ILCS 5/10-1) (from Ch. 43, par. 183)

21 Sec. 10-1. Violations; penalties. Whereas a substantial  
22 threat to the sound and careful control, regulation, and  
23 taxation of the manufacture, sale, and distribution of  
24 alcoholic liquors exists by virtue of individuals who  
25 manufacture, import, distribute, or sell alcoholic liquors

1 within the State without having first obtained a valid license  
2 to do so, and whereas such threat is especially serious along  
3 the borders of this State, and whereas such threat requires  
4 immediate correction by this Act, by active investigation and  
5 prosecution by the State Commission, law enforcement  
6 officials, and prosecutors, and by prompt and strict  
7 enforcement through the courts of this State to punish  
8 violators and to deter such conduct in the future:

9 (a) Any person who manufactures, imports for distribution  
10 or use, transports from outside this State into this State, or  
11 distributes or sells 108 liters (28.53 gallons) or more of  
12 wine, 45 liters (11.88 gallons) or more of distilled spirits,  
13 or 118 liters (31.17 gallons) or more of beer at any place  
14 within the State without having first obtained a valid license  
15 to do so under the provisions of this Act shall be guilty of a  
16 Class 4 felony for each offense. However, any person who was  
17 duly licensed under this Act and whose license expired within  
18 30 days prior to a violation shall be guilty of a business  
19 offense and fined not more than \$1,000 for the first such  
20 offense and shall be guilty of a Class 4 felony for each  
21 subsequent offense.

22 Any person who manufactures, imports for distribution,  
23 transports from outside this State into this State for sale or  
24 resale in this State, or distributes or sells less than 108  
25 liters (28.53 gallons) of wine, less than 45 liters (11.88  
26 gallons) of distilled spirits, or less than 118 liters (31.17

1 gallons) of beer at any place within the State without having  
2 first obtained a valid license to do so under the provisions of  
3 this Act shall be guilty of a business offense and fined not  
4 more than \$1,000 for the first such offense and shall be guilty  
5 of a Class 4 felony for each subsequent offense. This  
6 subsection does not apply to a motor carrier or freight  
7 forwarder, as defined in Section 13102 of Title 49 of the  
8 United States Code, an air carrier, as defined in Section  
9 40102 of Title 49 of the United States Code, or a rail carrier,  
10 as defined in Section 10102 of Title 49 of the United States  
11 Code.

12 Any person who: (1) has been issued an initial cease and  
13 desist notice from the State Commission; and (2) for  
14 compensation, does any of the following: (i) ships alcoholic  
15 liquor into this State without a license authorized by Section  
16 5-1 issued by the State Commission or in violation of that  
17 license; or (ii) manufactures, imports for distribution,  
18 transports from outside this State into this State for sale or  
19 resale in this State, or distributes or sells alcoholic  
20 liquors at any place without having first obtained a valid  
21 license to do so is guilty of a Class 4 felony for each  
22 offense.

23 (b) (1) Any retailer, caterer retailer, brew pub, special  
24 event retailer, special use permit holder, homebrewer special  
25 event permit holder, or craft distiller tasting permit holder  
26 who knowingly causes alcoholic liquors to be imported directly



1 into the State of Illinois from outside of the State for the  
2 purpose of furnishing, giving, or selling to another, except  
3 when having received the product from a duly licensed  
4 distributor or importing distributor, shall have his license  
5 suspended for 30 days for the first offense and for the second  
6 offense, shall have his license revoked by the Commission.

7 (2) In the event the State Commission receives a certified  
8 copy of a final order from a foreign jurisdiction that an  
9 Illinois retail licensee has been found to have violated that  
10 foreign jurisdiction's laws, rules, or regulations concerning  
11 the importation of alcoholic liquor into that foreign  
12 jurisdiction, the violation may be grounds for the State  
13 Commission to revoke, suspend, or refuse to issue or renew a  
14 license, to impose a fine, or to take any additional action  
15 provided by this Act with respect to the Illinois retail  
16 license or licensee. Any such action on the part of the State  
17 Commission shall be in accordance with this Act and  
18 implementing rules.

19 For the purposes of paragraph (2): (i) "foreign  
20 jurisdiction" means a state, territory, or possession of the  
21 United States, the District of Columbia, or the Commonwealth  
22 of Puerto Rico, and (ii) "final order" means an order or  
23 judgment of a court or administrative body that determines the  
24 rights of the parties respecting the subject matter of the  
25 proceeding, that remains in full force and effect, and from  
26 which no appeal can be taken.

1 (c) Any person who shall make any false statement or  
2 otherwise violates any of the provisions of this Act in  
3 obtaining any license hereunder, or who having obtained a  
4 license hereunder shall violate any of the provisions of this  
5 Act with respect to the manufacture, possession, distribution  
6 or sale of alcoholic liquor, or with respect to the  
7 maintenance of the licensed premises, or shall violate any  
8 other provision of this Act, shall for a first offense be  
9 guilty of a petty offense and fined not more than \$500, and for  
10 a second or subsequent offense shall be guilty of a Class B  
11 misdemeanor.

12 (c-5) Any owner of an establishment that serves alcohol on  
13 its premises, if more than 50% of the establishment's gross  
14 receipts within the prior 3 months is from the sale of alcohol,  
15 who knowingly fails to prohibit concealed firearms on its  
16 premises or who knowingly makes a false statement or record to  
17 avoid the prohibition of concealed firearms on its premises  
18 under the Firearm Concealed Carry Act shall be guilty of a  
19 business offense with a fine up to \$5,000.

20 (d) Each day any person engages in business as a  
21 manufacturer, foreign importer, importing distributor,  
22 distributor or retailer in violation of the provisions of this  
23 Act shall constitute a separate offense.

24 (e) Any person, under the age of 18 ~~21~~ years who, for the  
25 purpose of buying, accepting or receiving alcoholic liquor  
26 from a licensee, represents that he is 18 ~~21~~ years of age or

1 over shall be guilty of a Class A misdemeanor.

2 (f) In addition to the penalties herein provided, any  
3 person licensed as a wine-maker in either class who  
4 manufactures more wine than authorized by his license shall be  
5 guilty of a business offense and shall be fined \$1 for each  
6 gallon so manufactured.

7 (g) A person shall be exempt from prosecution for a  
8 violation of this Act if he is a peace officer in the  
9 enforcement of the criminal laws and such activity is approved  
10 in writing by one of the following:

11 (1) In all counties, the respective State's Attorney;

12 (2) The Director of the Illinois State Police under  
13 Section 2605-10, 2605-15, 2605-51, 2605-52, 2605-75,  
14 2605-190, 2605-200, 2605-205, 2605-210, 2605-215,  
15 2605-250, 2605-275, 2605-305, 2605-315, 2605-325,  
16 2605-335, 2605-340, 2605-350, 2605-355, 2605-360,  
17 2605-365, 2605-375, 2605-400, 2605-405, 2605-420,  
18 2605-430, 2605-435, 2605-525, or 2605-550 of the Illinois  
19 State Police Law; or

20 (3) In cities over 1,000,000, the Superintendent of  
21 Police.

22 (Source: P.A. 101-37, eff. 7-3-19; 102-538, eff. 8-20-21.)