



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB5179

Introduced 2/9/2024, by Rep. Kam Buckner

SYNOPSIS AS INTRODUCED:

235 ILCS 5/3-5	from Ch. 43, par. 101
235 ILCS 5/3-6	from Ch. 43, par. 102
235 ILCS 5/3-9	from Ch. 43, par. 105
235 ILCS 5/3-8 rep.	

Amends the Liquor Control Act of 1934. Provides that no commissioner, secretary, Executive Director, inspector, clerk, or other employee shall solicit or accept any gift, gratuity, emolument, or employment from any person subject to the Act. Removes language requiring the secretary, Executive Director, and each inspector, clerk, or other employee to devote his or her entire time to the duties of his or her office. Removes language requiring each person appointed by the State Commission to take and subscribe to the constitutional oath of office. Provides that no person shall be appointed as an employee of the State Commission who is not a citizen of the United States. Prohibits the secretary of the State Commission from having any interest in the manufacture, sale, or distribution of alcoholic liquor. Provides that all clerks, inspectors, and employees of the State Commission shall receive reasonable compensation in the manner similar to other State employees (instead of in an amount fixed by the State Commission). Repeals a provision requiring commissioners of the State Commission and the secretary of the State Commission to give a bond.

LRB103 39436 RPS 69627 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 Liquor Control Act of 1934 is amended by
5 changing Sections 3-5, 3-6, and 3-9 as follows:

6 (235 ILCS 5/3-5) (from Ch. 43, par. 101)

7 Sec. 3-5. Each commissioner, the secretary, and the
8 Executive Director, ~~and each person appointed by the~~
9 ~~commission~~ shall, before entering upon the duties of his or
10 her office, take and subscribe to the constitutional oath of
11 office. No commissioner, ~~The~~ secretary, ~~the~~ Executive
12 Director, ~~and each~~ inspector, clerk, or ~~and~~ other employee
13 shall solicit or accept any gift, gratuity, emolument, or
14 employment from any person subject to the provisions of this
15 Act ~~devote his or her entire time to the duties of his or her~~
16 ~~office.~~

17 (Source: P.A. 100-1050, eff. 7-1-19.)

18 (235 ILCS 5/3-6) (from Ch. 43, par. 102)

19 Sec. 3-6. No person shall be appointed a commissioner,
20 secretary, Executive Director, ~~or~~ inspector, or other employee
21 of the State Commission ~~for the commission~~ who is not a citizen
22 of the United States. No commissioner, secretary, Executive

1 Director, inspector, or other employee shall be appointed who
2 has been convicted of any violation of any Federal or State law
3 concerning the manufacture or sale of alcoholic liquor prior
4 or subsequent to the passage of this Act or who has paid a fine
5 or penalty in settlement of any prosecution against him or her
6 for any violation of such laws or shall have forfeited his or
7 her bond to appear in court to answer charges for any such
8 violation, nor shall any person be appointed who has been
9 convicted of a felony. No commissioner, secretary, Executive
10 Director, inspector, or other employee, may, directly or
11 indirectly, individually or as a member of a partnership, or
12 as a shareholder of a corporation, have any interest
13 whatsoever in the manufacture, sale or distribution of
14 alcoholic liquor, nor receive any compensation or profit
15 therefrom, nor have any interest whatsoever in the purchases
16 or sales made by the persons authorized by this Act, or to
17 purchase or to sell alcoholic liquor. No provision of this
18 section shall prevent any such commissioner, secretary,
19 Executive Director, inspector, or other employee from
20 purchasing and keeping in his or her possession for the use of
21 himself or herself or members of his or her family or guests
22 any alcoholic liquor which may be purchased or kept by any
23 person by virtue of this Act.

24 (Source: P.A. 100-1050, eff. 7-1-19.)

25 (235 ILCS 5/3-9) (from Ch. 43, par. 105)

1 Sec. 3-9. Compensation of commissioners, secretary, and
2 employees. The chairman of the Commission shall receive an
3 annual salary of \$32,000 or such greater amount as may be set
4 by the Compensation Review Board. The other commissioners
5 shall receive an annual salary of \$28,000 or such greater
6 amount as may be set by the Compensation Review Board. The
7 secretary of the Commission shall receive an annual salary as
8 set by the Compensation Review Board. All clerks, inspectors,
9 and employees of the Commission shall receive reasonable
10 compensation in the manner similar to other State employees ~~in~~
11 ~~an amount fixed by the Commission,~~ subject to the approval in
12 writing of the Governor.

13 (Source: P.A. 91-798, eff. 7-9-00.)

14 (235 ILCS 5/3-8 rep.)

15 Section 10. The Liquor Control Act of 1934 is amended by
16 repealing Section 3-8.