



Executive Committee

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09600SB3348ham001

LRB096 20500 ASK 40605 a

1 AMENDMENT TO SENATE BILL 3348

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3348 by replacing  
3 everything after the enacting clause with the following:

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

6 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

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

14 (b) Distributor's license,

15 (c) Importing Distributor's license,

16 (d) Retailer's license,

- 1 (e) Special Event Retailer's license (not-for-profit),
- 2 (f) Railroad license,
- 3 (g) Boat license,
- 4 (h) Non-Beverage User's license,
- 5 (i) Wine-maker's premises license,
- 6 (j) Airplane license,
- 7 (k) Foreign importer's license,
- 8 (l) Broker's license,
- 9 (m) Non-resident dealer's license,
- 10 (n) Brew Pub license,
- 11 (o) Auction liquor license,
- 12 (p) Caterer retailer license,
- 13 (q) Special use permit license,
- 14 (r) Winery shipper's license .

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

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

23 Class 1. A Distiller may make sales and deliveries of  
24 alcoholic liquor to distillers, rectifiers, importing  
25 distributors, distributors and non-beverage users and to no  
26 other licensees.

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

5           Class 3. A Brewer may make sales and deliveries of beer to  
6 importing distributors, distributors, and to non-licensees,  
7 and to retailers provided the brewer obtains an importing  
8 distributor's license or distributor's license in accordance  
9 with the provisions of this Act.

10          Class 4. A first class wine-manufacturer may make sales and  
11 deliveries of up to 50,000 gallons of wine to manufacturers,  
12 importing distributors and distributors, and to no other  
13 licensees.

14          Class 5. A second class Wine manufacturer may make sales  
15 and deliveries of more than 50,000 gallons of wine to  
16 manufacturers, importing distributors and distributors and to  
17 no other licensees.

18          Class 6. A first-class wine-maker's license shall allow the  
19 manufacture of up to 50,000 gallons of wine per year, and the  
20 storage and sale of such wine to distributors in the State and  
21 to persons without the State, as may be permitted by law. A  
22 person who, prior to the effective date of this amendatory Act  
23 of the 95th General Assembly, is a holder of a first-class  
24 wine-maker's license and annually produces more than 25,000  
25 gallons of its own wine and who distributes its wine to  
26 licensed retailers shall cease this practice on or before July

1 1, 2008 in compliance with this amendatory Act of the 95th  
2 General Assembly.

3 Class 7. A second-class wine-maker's license shall allow  
4 the manufacture of between 50,000 and 150,000 gallons of wine  
5 per year, and the storage and sale of such wine to distributors  
6 in this State and to persons without the State, as may be  
7 permitted by law. A person who, prior to the effective date of  
8 this amendatory Act of the 95th General Assembly, is a holder  
9 of a second-class wine-maker's license and annually produces  
10 more than 25,000 gallons of its own wine and who distributes  
11 its wine to licensed retailers shall cease this practice on or  
12 before July 1, 2008 in compliance with this amendatory Act of  
13 the 95th General Assembly.

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

18 Class 9. A craft distiller license shall allow the  
19 manufacture of up to 5,000 gallons of spirits by distillation  
20 per year and the storage and sale of such alcohol to  
21 distributors in this State and non-licensees to the extent  
22 permitted by any exemption approved by the Commission pursuant  
23 to Section 6-4 of this Act.

24 Any craft distiller licensed under this Act who on the  
25 effective date of this amendatory Act of the 96th General  
26 Assembly was licensed as a distiller and manufactured no more

1 spirits than permitted by this Section shall not be required to  
2 pay the initial licensing fee.

3 (a-1) A manufacturer which is licensed in this State to  
4 make sales or deliveries of alcoholic liquor and which enlists  
5 agents, representatives, or individuals acting on its behalf  
6 who contact licensed retailers on a regular and continual basis  
7 in this State must register those agents, representatives, or  
8 persons acting on its behalf with the State Commission.

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

24 (b) A distributor's license shall allow the wholesale  
25 purchase and storage of alcoholic liquors and sale of alcoholic  
26 liquors to licensees in this State and to persons without the

1 State, as may be permitted by law.

2 (c) An importing distributor's license may be issued to and  
3 held by those only who are duly licensed distributors, upon the  
4 filing of an application by a duly licensed distributor, with  
5 the Commission and the Commission shall, without the payment of  
6 any fee, immediately issue such importing distributor's  
7 license to the applicant, which shall allow the importation of  
8 alcoholic liquor by the licensee into this State from any point  
9 in the United States outside this State, and the purchase of  
10 alcoholic liquor in barrels, casks or other bulk containers and  
11 the bottling of such alcoholic liquors before resale thereof,  
12 but all bottles or containers so filled shall be sealed,  
13 labeled, stamped and otherwise made to comply with all  
14 provisions, rules and regulations governing manufacturers in  
15 the preparation and bottling of alcoholic liquors. The  
16 importing distributor's license shall permit such licensee to  
17 purchase alcoholic liquor from Illinois licensed non-resident  
18 dealers and foreign importers only.

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

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

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

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

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

16 (f) A railroad license shall permit the licensee to import  
17 alcoholic liquors into this State from any point in the United  
18 States outside this State and to store such alcoholic liquors  
19 in this State; to make wholesale purchases of alcoholic liquors  
20 directly from manufacturers, foreign importers, distributors  
21 and importing distributors from within or outside this State;  
22 and to store such alcoholic liquors in this State; provided  
23 that the above powers may be exercised only in connection with  
24 the importation, purchase or storage of alcoholic liquors to be  
25 sold or dispensed on a club, buffet, lounge or dining car  
26 operated on an electric, gas or steam railway in this State;



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

11 (g) A boat license shall allow the sale of alcoholic liquor  
12 in individual drinks, on any passenger boat regularly operated  
13 as a common carrier on navigable waters in this State or on any  
14 riverboat operated under the Riverboat Gambling Act, which boat  
15 or riverboat maintains a public dining room or restaurant  
16 thereon.

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

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

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

1 licensed premises and (ii) at up to 2 additional locations for  
2 use and consumption and not for resale. Each location shall  
3 require additional licensing per location as specified in  
4 Section 5-3 of this Act. A wine-maker's premises licensee shall  
5 secure liquor liability insurance coverage in an amount at  
6 least equal to the maximum liability amounts set forth in  
7 subsection (a) of Section 6-21 of this Act.

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

1 fee for such license shall be as determined in Section 5-3.

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

17 (l) (i) A broker's license shall be required of all persons  
18 who solicit orders for, offer to sell or offer to supply  
19 alcoholic liquor to retailers in the State of Illinois, or who  
20 offer to retailers to ship or cause to be shipped or to make  
21 contact with distillers, rectifiers, brewers or manufacturers  
22 or any other party within or without the State of Illinois in  
23 order that alcoholic liquors be shipped to a distributor,  
24 importing distributor or foreign importer, whether such  
25 solicitation or offer is consummated within or without the  
26 State of Illinois.

1           No holder of a retailer's license issued by the Illinois  
2 Liquor Control Commission shall purchase or receive any  
3 alcoholic liquor, the order for which was solicited or offered  
4 for sale to such retailer by a broker unless the broker is the  
5 holder of a valid broker's license.

6           The broker shall, upon the acceptance by a retailer of the  
7 broker's solicitation of an order or offer to sell or supply or  
8 deliver or have delivered alcoholic liquors, promptly forward  
9 to the Illinois Liquor Control Commission a notification of  
10 said transaction in such form as the Commission may by  
11 regulations prescribe.

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

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

25           This subsection (1) shall not apply to distributors,  
26 employees of distributors, or employees of a manufacturer who

1 has registered the trademark, brand or name of the alcoholic  
2 liquor pursuant to Section 6-9 of this Act, and who regularly  
3 sells such alcoholic liquor in the State of Illinois only to  
4 its registrants thereunder.

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

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

23 (n) A brew pub license shall allow the licensee to  
24 manufacture beer only on the premises specified in the license,  
25 to make sales of the beer manufactured on the premises to  
26 importing distributors, distributors, and to non-licensees for

1 use and consumption, to store the beer upon the premises, and  
2 to sell and offer for sale at retail from the licensed  
3 premises, provided that a brew pub licensee shall not sell for  
4 off-premises consumption more than 50,000 gallons per year.

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

10 (p) An auction liquor license shall allow the licensee to  
11 sell and offer for sale at auction wine and spirits for use or  
12 consumption, or for resale by an Illinois liquor licensee in  
13 accordance with provisions of this Act. An auction liquor  
14 license will be issued to a person and it will permit the  
15 auction liquor licensee to hold the auction anywhere in the  
16 State. An auction liquor license must be obtained for each  
17 auction at least 14 days in advance of the auction date.

18 (q) A special use permit license shall allow an Illinois  
19 licensed retailer to transfer a portion of its alcoholic liquor  
20 inventory from its retail licensed premises to the premises  
21 specified in the license hereby created, and to sell or offer  
22 for sale at retail, only in the premises specified in the  
23 license hereby created, the transferred alcoholic liquor for  
24 use or consumption, but not for resale in any form. A special  
25 use permit license may be granted for the following time  
26 periods: one day or less; 2 or more days to a maximum of 15 days

1 per location in any 12 month period. An applicant for the  
2 special use permit license must also submit with the  
3 application proof satisfactory to the State Commission that the  
4 applicant will provide dram shop liability insurance to the  
5 maximum limits and have local authority approval.

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

26 A winery shipper licensee must pay to the Department of



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

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

25 (Source: P.A. 95-331, eff. 8-21-07; 95-634, eff. 6-1-08;  
26 95-769, eff. 7-29-08.)

1 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

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

7 The fee for licenses issued by the State Commission shall  
8 be as follows:

9 For a manufacturer's license:

10	Class 1. Distiller .....	\$3,600
11	Class 2. Rectifier .....	3,600
12	Class 3. Brewer .....	900
13	Class 4. First-class Wine Manufacturer .....	600
14	Class 5. Second-class	
15	Wine Manufacturer .....	1,200
16	Class 6. First-class wine-maker .....	600
17	Class 7. Second-class wine-maker .....	1200
18	Class 8. Limited Wine Manufacturer .....	120
19	<u>Class 9. Craft Distiller .....</u>	<u>1,800</u>
20	For a Brew Pub License .....	1,050
21	For a caterer retailer's license .....	200
22	For a foreign importer's license .....	25
23	For an importing distributor's license .....	25
24	For a distributor's license .....	270
25	For a non-resident dealer's license	

1	(500,000 gallons or over) .....	270
2	For a non-resident dealer's license	
3	(under 500,000 gallons) .....	90
4	For a wine-maker's premises license .....	100
5	For a winery shipper's license	
6	(under 250,000 gallons) .....	150
7	For a winery shipper's license	
8	(250,000 or over, but under 500,000 gallons)	500
9	For a winery shipper's license	
10	(500,000 gallons or over) .....	1,000
11	For a wine-maker's premises license,	
12	second location .....	350
13	For a wine-maker's premises license,	
14	third location .....	350
15	For a retailer's license .....	500
16	For a special event retailer's license,	
17	(not-for-profit) .....	25
18	For a special use permit license,	
19	one day only .....	50
20	2 days or more .....	100
21	For a railroad license .....	60
22	For a boat license .....	180
23	For an airplane license, times the	
24	licensee's maximum number of aircraft	
25	in flight, serving liquor over the	
26	State at any given time, which either	

1	originate, terminate, or make	
2	an intermediate stop in the State .....	60
3	For a non-beverage user's license:	
4	Class 1 .....	24
5	Class 2 .....	60
6	Class 3 .....	120
7	Class 4 .....	240
8	Class 5 .....	600
9	For a broker's license .....	600
10	For an auction liquor license .....	50

11 Fees collected under this Section shall be paid into the  
 12 Dram Shop Fund. On and after July 1, 2003, of the funds  
 13 received for a retailer's license, in addition to the first  
 14 \$175, an additional \$75 shall be paid into the Dram Shop Fund,  
 15 and \$250 shall be paid into the General Revenue Fund. Beginning  
 16 June 30, 1990 and on June 30 of each subsequent year through  
 17 June 29, 2003, any balance over \$5,000,000 remaining in the  
 18 Dram Shop Fund shall be credited to State liquor licensees and  
 19 applied against their fees for State liquor licenses for the  
 20 following year. The amount credited to each licensee shall be a  
 21 proportion of the balance in the Dram Fund that is the same as  
 22 the proportion of the license fee paid by the licensee under  
 23 this Section for the period in which the balance was  
 24 accumulated to the aggregate fees paid by all licensees during  
 25 that period.

26 No fee shall be paid for licenses issued by the State

1 Commission to the following non-beverage users:

2 (a) Hospitals, sanitariums, or clinics when their use  
3 of alcoholic liquor is exclusively medicinal, mechanical  
4 or scientific.

5 (b) Universities, colleges of learning or schools when  
6 their use of alcoholic liquor is exclusively medicinal,  
7 mechanical or scientific.

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

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

11 (235 ILCS 5/6-4) (from Ch. 43, par. 121)

12 Sec. 6-4. (a) No person licensed by any licensing authority  
13 as a distiller, or a wine manufacturer, or any subsidiary or  
14 affiliate thereof, or any officer, associate, member, partner,  
15 representative, employee, agent or shareholder owning more  
16 than 5% of the outstanding shares of such person shall be  
17 issued an importing distributor's or distributor's license,  
18 nor shall any person licensed by any licensing authority as an  
19 importing distributor, distributor or retailer, or any  
20 subsidiary or affiliate thereof, or any officer or associate,  
21 member, partner, representative, employee, agent or  
22 shareholder owning more than 5% of the outstanding shares of  
23 such person be issued a distiller's license or a wine  
24 manufacturer's license; and no person or persons licensed as a  
25 distiller by any licensing authority shall have any interest,

1 directly or indirectly, with such distributor or importing  
2 distributor.

3       However, an importing distributor or distributor, which on  
4 January 1, 1985 is owned by a brewer, or any subsidiary or  
5 affiliate thereof or any officer, associate, member, partner,  
6 representative, employee, agent or shareholder owning more  
7 than 5% of the outstanding shares of the importing distributor  
8 or distributor referred to in this paragraph, may own or  
9 acquire an ownership interest of more than 5% of the  
10 outstanding shares of a wine manufacturer and be issued a wine  
11 manufacturer's license by any licensing authority.

12       (b) The foregoing provisions shall not apply to any person  
13 licensed by any licensing authority as a distiller or wine  
14 manufacturer, or to any subsidiary or affiliate of any  
15 distiller or wine manufacturer who shall have been heretofore  
16 licensed by the State Commission as either an importing  
17 distributor or distributor during the annual licensing period  
18 expiring June 30, 1947, and shall actually have made sales  
19 regularly to retailers.

20       (c) Provided, however, that in such instances where a  
21 distributor's or importing distributor's license has been  
22 issued to any distiller or wine manufacturer or to any  
23 subsidiary or affiliate of any distiller or wine manufacturer  
24 who has, during the licensing period ending June 30, 1947, sold  
25 or distributed as such licensed distributor or importing  
26 distributor alcoholic liquors and wines to retailers, such

1 distiller or wine manufacturer or any subsidiary or affiliate  
2 of any distiller or wine manufacturer holding such  
3 distributor's or importing distributor's license may continue  
4 to sell or distribute to retailers such alcoholic liquors and  
5 wines which are manufactured, distilled, processed or marketed  
6 by distillers and wine manufacturers whose products it sold or  
7 distributed to retailers during the whole or any part of its  
8 licensing periods; and such additional brands and additional  
9 products may be added to the line of such distributor or  
10 importing distributor, provided, that such brands and such  
11 products were not sold or distributed by any distributor or  
12 importing distributor licensed by the State Commission during  
13 the licensing period ending June 30, 1947, but can not sell or  
14 distribute to retailers any other alcoholic liquors or wines.

15 (d) It shall be unlawful for any distiller licensed  
16 anywhere to have any stock ownership or interest in any  
17 distributor's or importing distributor's license wherein any  
18 other person has an interest therein who is not a distiller and  
19 does not own more than 5% of any stock in any distillery.  
20 Nothing herein contained shall apply to such distillers or  
21 their subsidiaries or affiliates, who had a distributor's or  
22 importing distributor's license during the licensing period  
23 ending June 30, 1947, which license was owned in whole by such  
24 distiller, or subsidiaries or affiliates of such distiller.

25 (e) Any person having been licensed as a manufacturer shall  
26 be permitted to receive one retailer's license for the premises

1 in which he or she actually conducts such business, permitting  
2 the sale of beer only on such premises, but no such person  
3 shall be entitled to more than one retailer's license in any  
4 event, and, other than a manufacturer of beer as stated above,  
5 no manufacturer or distributor or importing distributor,  
6 excluding airplane licensees exercising powers provided in  
7 paragraph (i) of Section 5-1 of this Act, or any subsidiary or  
8 affiliate thereof, or any officer, associate, member, partner,  
9 representative, employee or agent, or shareholder shall be  
10 issued a retailer's license, nor shall any person having a  
11 retailer's license, excluding airplane licensees exercising  
12 powers provided in paragraph (i) of Section 5-1 of this Act, or  
13 any subsidiary or affiliate thereof, or any officer, associate,  
14 member, partner, representative or agent, or shareholder be  
15 issued a manufacturer's license or 7 importing distributor's  
16 license.

17 A person licensed as a craft distiller not affiliated with  
18 any other person manufacturing spirits may be permitted to  
19 receive one retailer's license for the premises in which he or  
20 she actually conducts business permitting only the retail sale  
21 of spirits manufactured at such premises. Such sales shall be  
22 limited to on-premises, in-person sales only, for lawful  
23 consumption on or off premises. A craft distiller licensed for  
24 retail sale shall secure liquor liability insurance coverage in  
25 an amount at least equal to the maximum liability amounts set  
26 forth in subsection (a) of Section 6-21 of this Act.



1 (f) However, the foregoing prohibitions against any person  
2 licensed as a distiller or wine manufacturer being issued a  
3 retailer's license shall not apply:

4 (i) to any hotel, motel or restaurant whose principal  
5 business is not the sale of alcoholic liquors if said  
6 retailer's sales of any alcoholic liquors manufactured, sold,  
7 distributed or controlled, directly or indirectly, by any  
8 affiliate, subsidiary, officer, associate, member, partner,  
9 representative, employee, agent or shareholder owning more  
10 than 5% of the outstanding shares of such person does not  
11 exceed 10% of the total alcoholic liquor sales of said retail  
12 licensee; and

13 (ii) where the Commission determines, having considered  
14 the public welfare, the economic impact upon the State and the  
15 entirety of the facts and circumstances involved, that the  
16 purpose and intent of this Section would not be violated by  
17 granting an exemption.

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

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

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.".