

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 5-1 and 5-3 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, Class  
14 10. Craft Brewer,

15 (b) Distributor's license,

16 (c) Importing Distributor's license,

17 (d) Retailer's license,

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

19 (f) Railroad license,

20 (g) Boat license,

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

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

23 (j) Airplane license,

- 1 (k) Foreign importer's license,
- 2 (l) Broker's license,
- 3 (m) Non-resident dealer's license,
- 4 (n) Brew Pub license,
- 5 (o) Auction liquor license,
- 6 (p) Caterer retailer license,
- 7 (q) Special use permit license,
- 8 (r) Winery shipper's license.

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

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

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

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

25 Class 3. A Brewer may make sales and deliveries of beer to  
26 importing distributors and distributors and may make sales as

1 authorized under subsection (e) of Section 6-4 of this Act.

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

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

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

21 Class 7. A second-class wine-maker's license shall allow  
22 the manufacture of between 50,000 and 150,000 gallons of wine  
23 per year, and the storage and sale of such wine to distributors  
24 in this State and to persons without the State, as may be  
25 permitted by law. A person who, prior to the effective date of  
26 this amendatory Act of the 95th General Assembly, is a holder

1 of a second-class wine-maker's license and annually produces  
2 more than 25,000 gallons of its own wine and who distributes  
3 its wine to licensed retailers shall cease this practice on or  
4 before July 1, 2008 in compliance with this amendatory Act of  
5 the 95th General Assembly.

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

10 Class 9. A craft distiller license shall allow the  
11 manufacture of up to 15,000 gallons of spirits by distillation  
12 per year and the storage of such spirits. If a craft distiller  
13 licensee is not affiliated with any other manufacturer, then  
14 the craft distiller licensee may sell such spirits to  
15 distributors in this State and non-licensees to the extent  
16 permitted by any exemption approved by the Commission pursuant  
17 to Section 6-4 of this Act.

18 Any craft distiller licensed under this Act who on the  
19 effective date of this amendatory Act of the 96th General  
20 Assembly was licensed as a distiller and manufactured no more  
21 spirits than permitted by this Section shall not be required to  
22 pay the initial licensing fee.

23 Class 10. A craft brewer's license, which may only be  
24 issued to a licensed brewer or licensed non-resident dealer,  
25 shall allow the manufacture of up to 465,000 gallons of beer  
26 per year. A craft brewer licensee may make sales and deliveries

1 to importing distributors and distributors and to retail  
2 licensees in accordance with the conditions set forth in  
3 paragraph (18) of subsection (a) of Section 3-12 of this Act.

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

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

25 (b) A distributor's license shall allow the wholesale  
26 purchase and storage of alcoholic liquors and sale of alcoholic

1 liquors to licensees in this State and to persons without the  
2 State, as may be permitted by law.

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

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

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

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

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

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

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



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

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

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

1 alcoholic liquor as follows:

2 Class 1, not to exceed ..... 500 gallons

3 Class 2, not to exceed ..... 1,000 gallons

4 Class 3, not to exceed ..... 5,000 gallons

5 Class 4, not to exceed ..... 10,000 gallons

6 Class 5, not to exceed ..... 50,000 gallons

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

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

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

1 service is provided on board aircraft in this State. The annual  
2 fee for such license shall be as determined in Section 5-3.

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

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

1 State of Illinois.

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

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

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

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

26 This subsection (1) shall not apply to distributors,

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

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

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

24 (n) A brew pub license shall allow the licensee (i) to  
25 manufacture beer only on the premises specified in the license,  
26 (ii) to make sales of the beer manufactured on the premises or,

1 with the approval of the Commission, beer manufactured on  
2 another brew pub licensed premises that is substantially owned  
3 and operated by the same licensee to importing distributors,  
4 distributors, and to non-licensees for use and consumption,  
5 (iii) to store the beer upon the premises, and (iv) to sell and  
6 offer for sale at retail from the licensed premises, provided  
7 that a brew pub licensee shall not sell for off-premises  
8 consumption more than 50,000 gallons per year. A person who  
9 holds a brew pub license may simultaneously hold a craft brewer  
10 license if he or she otherwise qualifies for the craft brewer  
11 license and the craft brewer license is for a location separate  
12 from the brew pub's licensed premises. A brew pub license shall  
13 permit a person who has received prior approval from the  
14 Commission to annually transfer no more than a total of 50,000  
15 gallons of beer manufactured on premises to all other licensed  
16 brew pubs that are substantially owned and operated by the same  
17 person.

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

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

1 license will be issued to a person and it will permit the  
2 auction liquor licensee to hold the auction anywhere in the  
3 State. An auction liquor license must be obtained for each  
4 auction at least 14 days in advance of the auction date.

5 (q) A special use permit license shall allow an Illinois  
6 licensed retailer to transfer a portion of its alcoholic liquor  
7 inventory from its retail licensed premises to the premises  
8 specified in the license hereby created, and to sell or offer  
9 for sale at retail, only in the premises specified in the  
10 license hereby created, the transferred alcoholic liquor for  
11 use or consumption, but not for resale in any form. A special  
12 use permit license may be granted for a period not to exceed 12  
13 months for a maximum of either 15 consecutive days or 50  
14 non-consecutive days at a single location ~~the following time~~  
15 ~~periods: one day or less; 2 or more days to a maximum of 15 days~~  
16 ~~per location in any 12 month period. An applicant for the~~  
17 ~~special use permit license must also submit with the~~  
18 ~~application proof satisfactory to the State Commission that the~~  
19 ~~applicant will provide dram shop liability insurance to the~~  
20 ~~maximum limits and have local authority approval.~~

21 An applicant for a special use permit license must also  
22 submit with the application to the State Commission a list of  
23 dates and locations of all events to be scheduled during the  
24 12-month license period and proof satisfactory to the State  
25 Commission that the applicant will provide dram shop liability  
26 insurance to the maximum limits. If the date and location of an



1 event is undetermined at the time of application, then the  
2 special use permit license holder shall submit to the State  
3 Commission the date and location of the additional event in a  
4 manner acceptable to the State Commission at least 7 days prior  
5 to the event, at which time the permit holder shall obtain an  
6 amended special use permit license.

7 The special use permit license holder shall obtain local  
8 authority approval for each use of the license. The special use  
9 permit license shall state: "THIS SPECIAL USE PERMIT LICENSE  
10 SHALL BE VOID IF THE NAMED HOLDER IS UNABLE TO OBTAIN AND  
11 PRODUCE ADEQUATE WRITTEN PROOF THAT ALCOHOLIC BEVERAGE SALES BY  
12 THE PERMIT HOLDER HAVE BEEN AUTHORIZED BY THE LOCAL LIQUOR  
13 LICENSING AUTHORITY.". The State Commission may issue a special  
14 use permit license prior to local authority approval. State  
15 Commission approval of the special use permit license does not  
16 mandate local approval of alcoholic beverage sales at the  
17 event. A special use permit license shall allow the applicant  
18 to sell only its own alcoholic liquor.

19 (r) A winery shipper's license shall allow a person with a  
20 first-class or second-class wine manufacturer's license, a  
21 first-class or second-class wine-maker's license, or a limited  
22 wine manufacturer's license or who is licensed to make wine  
23 under the laws of another state to ship wine made by that  
24 licensee directly to a resident of this State who is 21 years  
25 of age or older for that resident's personal use and not for  
26 resale. Prior to receiving a winery shipper's license, an

1 applicant for the license must provide the Commission with a  
2 true copy of its current license in any state in which it is  
3 licensed as a manufacturer of wine. An applicant for a winery  
4 shipper's license must also complete an application form that  
5 provides any other information the Commission deems necessary.  
6 The application form shall include an acknowledgement  
7 consenting to the jurisdiction of the Commission, the Illinois  
8 Department of Revenue, and the courts of this State concerning  
9 the enforcement of this Act and any related laws, rules, and  
10 regulations, including authorizing the Department of Revenue  
11 and the Commission to conduct audits for the purpose of  
12 ensuring compliance with this amendatory Act.

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

1 to properly register and remit tax under the Use Tax Act or the  
 2 Retailers' Occupation Tax Act for all wine that is sold by the  
 3 winery shipper and shipped to persons in this State, the winery  
 4 shipper's license shall be revoked in accordance with the  
 5 provisions of Article VII of this Act.

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

12 (Source: P.A. 96-1367, eff. 7-28-10; 97-5, eff. 6-1-11; 97-455,  
 13 eff. 8-19-11; revised 9-16-11.)

14 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

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

20 The fee for licenses issued by the State Commission shall  
 21 be as follows:

22 For a manufacturer's license:

23	Class 1. Distiller .....	\$3,600
24	Class 2. Rectifier .....	3,600
25	Class 3. Brewer .....	900

1	Class 4. First-class Wine Manufacturer .....	600
2	Class 5. Second-class	
3	Wine Manufacturer .....	1,200
4	Class 6. First-class wine-maker .....	600
5	Class 7. Second-class wine-maker .....	1200
6	Class 8. Limited Wine Manufacturer .....	120
7	Class 9. Craft Distiller .....	1,800
8	Class 10. Craft Brewer .....	25
9	For a Brew Pub License .....	1,050
10	For a caterer retailer's license .....	200
11	For a foreign importer's license .....	25
12	For an importing distributor's license .....	25
13	For a distributor's license .....	270
14	For a non-resident dealer's license	
15	(500,000 gallons or over) .....	270
16	For a non-resident dealer's license	
17	(under 500,000 gallons) .....	90
18	For a wine-maker's premises license .....	100
19	For a winery shipper's license	
20	(under 250,000 gallons) .....	150
21	For a winery shipper's license	
22	(250,000 or over, but under 500,000 gallons)	500
23	For a winery shipper's license	
24	(500,000 gallons or over) .....	1,000
25	For a wine-maker's premises license,	
26	second location .....	350

1	For a wine-maker's premises license,	
2	third location .....	350
3	For a retailer's license .....	500
4	For a special event retailer's license,	
5	(not-for-profit) .....	25
6	For a special use permit license .....	<u>100</u> <del>7</del>
7	<del>one day only .....</del>	<del>50</del>
8	<del>2 days or more .....</del>	<del>100</del>
9	For a railroad license .....	60
10	For a boat license .....	180
11	For an airplane license, times the	
12	licensee's maximum number of aircraft	
13	in flight, serving liquor over the	
14	State at any given time, which either	
15	originate, terminate, or make	
16	an intermediate stop in the State .....	60
17	For a non-beverage user's license:	
18	Class 1 .....	24
19	Class 2 .....	60
20	Class 3 .....	120
21	Class 4 .....	240
22	Class 5 .....	600
23	For a broker's license .....	600
24	For an auction liquor license .....	50
25	Fees collected under this Section shall be paid into the	
26	Dram Shop Fund. On and after July 1, 2003, of the funds	

1 received for a retailer's license, in addition to the first  
2 \$175, an additional \$75 shall be paid into the Dram Shop Fund,  
3 and \$250 shall be paid into the General Revenue Fund. Beginning  
4 June 30, 1990 and on June 30 of each subsequent year through  
5 June 29, 2003, any balance over \$5,000,000 remaining in the  
6 Dram Shop Fund shall be credited to State liquor licensees and  
7 applied against their fees for State liquor licenses for the  
8 following year. The amount credited to each licensee shall be a  
9 proportion of the balance in the Dram Fund that is the same as  
10 the proportion of the license fee paid by the licensee under  
11 this Section for the period in which the balance was  
12 accumulated to the aggregate fees paid by all licensees during  
13 that period.

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

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

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

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

24 (Source: P.A. 96-1367, eff. 7-28-10; 97-5, eff. 6-1-11.)