



Sen. Michael W. Frerichs

Filed: 3/26/2012

09700SB3456sam003

LRB097 17702 AMC 67981 a

1 AMENDMENT TO SENATE BILL 3456

2 AMENDMENT NO. _____. Amend Senate Bill 3456 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 1-3.39, 5-1, and 5-3 as follows:

6 (235 ILCS 5/1-3.39 new)

7 Sec. 1-3.39. Manufacturer special use permit.

8 "Manufacturer special use permit" means a permit that

9 authorizes an in-state or out-of-state winemaker, brewer, or

10 distiller that produces less than 150,000 gallons of wine per

11 year, less than 465,000 gallons of beer per year, or less than

12 15,000 gallons of spirits per year to transfer some of its

13 wine, beer, or spirits inventory from its licensed premises to

14 sell at retail only at premises specified in a local authority

15 license and only for the dates and times specified.

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

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

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

10 (b) Distributor's license,

11 (c) Importing Distributor's license,

12 (d) Retailer's license,

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

14 (f) Railroad license,

15 (g) Boat license,

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

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

18 (j) Airplane license,

19 (k) Foreign importer's license,

20 (l) Broker's license,

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

22 (n) Brew Pub license,

23 (o) Auction liquor license,

24 (p) Caterer retailer license,

25 (q) Special use permit license,

26 (r) Winery shipper's license, ~~and~~

1 (s) Manufacturer special use permit.

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

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

10 Class 1. A Distiller may make sales and deliveries of
11 alcoholic liquor to distillers, rectifiers, importing
12 distributors, distributors and non-beverage users and to no
13 other licensees.

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

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

21 Class 4. A first class wine-manufacturer may make sales and
22 deliveries of up to 50,000 gallons of wine to manufacturers,
23 importing distributors and distributors, and to no other
24 licensees.

25 Class 5. A second class Wine manufacturer may make sales
26 and deliveries of more than 50,000 gallons of wine to

1 manufacturers, importing distributors and distributors and to
2 no other licensees.

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

14 Class 7. A second-class wine-maker's license shall allow
15 the manufacture of between 50,000 and 150,000 gallons of wine
16 per year, and the storage and sale of such wine to distributors
17 in this State and to persons without the State, as may be
18 permitted by law. A person who, prior to the effective date of
19 this amendatory Act of the 95th General Assembly, is a holder
20 of a second-class wine-maker's license and annually produces
21 more than 25,000 gallons of its own wine and who distributes
22 its wine to licensed retailers shall cease this practice on or
23 before July 1, 2008 in compliance with this amendatory Act of
24 the 95th General Assembly.

25 Class 8. A limited wine-manufacturer may make sales and
26 deliveries not to exceed 40,000 gallons of wine per year to

1 distributors, and to non-licensees in accordance with the
2 provisions of this Act.

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

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

16 Class 10. A craft brewer's license, which may only be
17 issued to a licensed brewer or licensed non-resident dealer,
18 shall allow the manufacture of up to 465,000 gallons of beer
19 per year. A craft brewer licensee may make sales and deliveries
20 to importing distributors and distributors and to retail
21 licensees in accordance with the conditions set forth in
22 paragraph (18) of subsection (a) of Section 3-12 of this Act.

23 (a-1) A manufacturer which is licensed in this State to
24 make sales or deliveries of alcoholic liquor and which enlists
25 agents, representatives, or individuals acting on its behalf
26 who contact licensed retailers on a regular and continual basis

1 in this State must register those agents, representatives, or
2 persons acting on its behalf with the State Commission.

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

18 (b) A distributor's license shall allow the wholesale
19 purchase and storage of alcoholic liquors and sale of alcoholic
20 liquors to licensees in this State and to persons without the
21 State, as may be permitted by law.

22 (c) An importing distributor's license may be issued to and
23 held by those only who are duly licensed distributors, upon the
24 filing of an application by a duly licensed distributor, with
25 the Commission and the Commission shall, without the payment of
26 any fee, immediately issue such importing distributor's

1 license to the applicant, which shall allow the importation of
2 alcoholic liquor by the licensee into this State from any point
3 in the United States outside this State, and the purchase of
4 alcoholic liquor in barrels, casks or other bulk containers and
5 the bottling of such alcoholic liquors before resale thereof,
6 but all bottles or containers so filled shall be sealed,
7 labeled, stamped and otherwise made to comply with all
8 provisions, rules and regulations governing manufacturers in
9 the preparation and bottling of alcoholic liquors. The
10 importing distributor's license shall permit such licensee to
11 purchase alcoholic liquor from Illinois licensed non-resident
12 dealers and foreign importers only.

13 (d) A retailer's license shall allow the licensee to sell
14 and offer for sale at retail, only in the premises specified in
15 the license, alcoholic liquor for use or consumption, but not
16 for resale in any form. Nothing in this amendatory Act of the
17 95th General Assembly shall deny, limit, remove, or restrict
18 the ability of a holder of a retailer's license to transfer,
19 deliver, or ship alcoholic liquor to the purchaser for use or
20 consumption subject to any applicable local law or ordinance.
21 Any retail license issued to a manufacturer shall only permit
22 the manufacturer to sell beer at retail on the premises
23 actually occupied by the manufacturer. For the purpose of
24 further describing the type of business conducted at a retail
25 licensed premises, a retailer's licensee may be designated by
26 the State Commission as (i) an on premise consumption retailer,

1 (ii) an off premise sale retailer, or (iii) a combined on
2 premise consumption and off premise sale retailer.

3 Notwithstanding any other provision of this subsection
4 (d), a retail licensee may sell alcoholic liquors to a special
5 event retailer licensee for resale to the extent permitted
6 under subsection (e).

7 (e) A special event retailer's license (not-for-profit)
8 shall permit the licensee to purchase alcoholic liquors from an
9 Illinois licensed distributor (unless the licensee purchases
10 less than \$500 of alcoholic liquors for the special event, in
11 which case the licensee may purchase the alcoholic liquors from
12 a licensed retailer) and shall allow the licensee to sell and
13 offer for sale, at retail, alcoholic liquors for use or
14 consumption, but not for resale in any form and only at the
15 location and on the specific dates designated for the special
16 event in the license. An applicant for a special event retailer
17 license must (i) furnish with the application: (A) a resale
18 number issued under Section 2c of the Retailers' Occupation Tax
19 Act or evidence that the applicant is registered under Section
20 2a of the Retailers' Occupation Tax Act, (B) a current, valid
21 exemption identification number issued under Section 1g of the
22 Retailers' Occupation Tax Act, and a certification to the
23 Commission that the purchase of alcoholic liquors will be a
24 tax-exempt purchase, or (C) a statement that the applicant is
25 not registered under Section 2a of the Retailers' Occupation
26 Tax Act, does not hold a resale number under Section 2c of the

1 Retailers' Occupation Tax Act, and does not hold an exemption
2 number under Section 1g of the Retailers' Occupation Tax Act,
3 in which event the Commission shall set forth on the special
4 event retailer's license a statement to that effect; (ii)
5 submit with the application proof satisfactory to the State
6 Commission that the applicant will provide dram shop liability
7 insurance in the maximum limits; and (iii) show proof
8 satisfactory to the State Commission that the applicant has
9 obtained local authority approval.

10 (f) A railroad license shall permit the licensee to import
11 alcoholic liquors into this State from any point in the United
12 States outside this State and to store such alcoholic liquors
13 in this State; to make wholesale purchases of alcoholic liquors
14 directly from manufacturers, foreign importers, distributors
15 and importing distributors from within or outside this State;
16 and to store such alcoholic liquors in this State; provided
17 that the above powers may be exercised only in connection with
18 the importation, purchase or storage of alcoholic liquors to be
19 sold or dispensed on a club, buffet, lounge or dining car
20 operated on an electric, gas or steam railway in this State;
21 and provided further, that railroad licensees exercising the
22 above powers shall be subject to all provisions of Article VIII
23 of this Act as applied to importing distributors. A railroad
24 license shall also permit the licensee to sell or dispense
25 alcoholic liquors on any club, buffet, lounge or dining car
26 operated on an electric, gas or steam railway regularly

1 operated by a common carrier in this State, but shall not
 2 permit the sale for resale of any alcoholic liquors to any
 3 licensee within this State. A license shall be obtained for
 4 each car in which such sales are made.

5 (g) A boat license shall allow the sale of alcoholic liquor
 6 in individual drinks, on any passenger boat regularly operated
 7 as a common carrier on navigable waters in this State or on any
 8 riverboat operated under the Riverboat Gambling Act, which boat
 9 or riverboat maintains a public dining room or restaurant
 10 thereon.

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

- 21 Class 1, not to exceed 500 gallons
- 22 Class 2, not to exceed 1,000 gallons
- 23 Class 3, not to exceed 5,000 gallons
- 24 Class 4, not to exceed 10,000 gallons
- 25 Class 5, not to exceed 50,000 gallons

26 (i) A wine-maker's premises license shall allow a licensee

1 that concurrently holds a first-class wine-maker's license to
2 sell and offer for sale at retail in the premises specified in
3 such license not more than 50,000 gallons of the first-class
4 wine-maker's wine that is made at the first-class wine-maker's
5 licensed premises per year for use or consumption, but not for
6 resale in any form. A wine-maker's premises license shall allow
7 a licensee who concurrently holds a second-class wine-maker's
8 license to sell and offer for sale at retail in the premises
9 specified in such license up to 100,000 gallons of the
10 second-class wine-maker's wine that is made at the second-class
11 wine-maker's licensed premises per year for use or consumption
12 but not for resale in any form. A wine-maker's premises license
13 shall allow a licensee that concurrently holds a first-class
14 wine-maker's license or a second-class wine-maker's license to
15 sell and offer for sale at retail at the premises specified in
16 the wine-maker's premises license, for use or consumption but
17 not for resale in any form, any beer, wine, and spirits
18 purchased from a licensed distributor. Upon approval from the
19 State Commission, a wine-maker's premises license shall allow
20 the licensee to sell and offer for sale at (i) the wine-maker's
21 licensed premises and (ii) at up to 2 additional locations for
22 use and consumption and not for resale. Each location shall
23 require additional licensing per location as specified in
24 Section 5-3 of this Act. A wine-maker's premises licensee shall
25 secure liquor liability insurance coverage in an amount at
26 least equal to the maximum liability amounts set forth in

1 subsection (a) of Section 6-21 of this Act.

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

22 (k) A foreign importer's license shall permit such licensee
23 to purchase alcoholic liquor from Illinois licensed
24 non-resident dealers only, and to import alcoholic liquor other
25 than in bulk from any point outside the United States and to
26 sell such alcoholic liquor to Illinois licensed importing

1 distributors and to no one else in Illinois; provided that (i)
2 the foreign importer registers with the State Commission every
3 brand of alcoholic liquor that it proposes to sell to Illinois
4 licensees during the license period, (ii) the foreign importer
5 complies with all of the provisions of Section 6-9 of this Act
6 with respect to registration of such Illinois licensees as may
7 be granted the right to sell such brands at wholesale, and
8 (iii) the foreign importer complies with the provisions of
9 Sections 6-5 and 6-6 of this Act to the same extent that these
10 provisions apply to manufacturers.

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

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

26 The broker shall, upon the acceptance by a retailer of the

1 broker's solicitation of an order or offer to sell or supply or
2 deliver or have delivered alcoholic liquors, promptly forward
3 to the Illinois Liquor Control Commission a notification of
4 said transaction in such form as the Commission may by
5 regulations prescribe.

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

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

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

25 Any agent, representative, or person subject to
26 registration pursuant to subsection (a-1) of this Section shall

1 not be eligible to receive a broker's license.

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

17 (n) A brew pub license shall allow the licensee (i) to
18 manufacture beer only on the premises specified in the license,
19 (ii) to make sales of the beer manufactured on the premises or,
20 with the approval of the Commission, beer manufactured on
21 another brew pub licensed premises that is substantially owned
22 and operated by the same licensee to importing distributors,
23 distributors, and to non-licensees for use and consumption,
24 (iii) to store the beer upon the premises, and (iv) to sell and
25 offer for sale at retail from the licensed premises, provided
26 that a brew pub licensee shall not sell for off-premises

1 consumption more than 50,000 gallons per year. A person who
2 holds a brew pub license may simultaneously hold a craft brewer
3 license if he or she otherwise qualifies for the craft brewer
4 license and the craft brewer license is for a location separate
5 from the brew pub's licensed premises. A brew pub license shall
6 permit a person who has received prior approval from the
7 Commission to annually transfer no more than a total of 50,000
8 gallons of beer manufactured on premises to all other licensed
9 brew pubs that are substantially owned and operated by the same
10 person.

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

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

24 (q) A special use permit license shall allow an Illinois
25 licensed retailer to transfer a portion of its alcoholic liquor
26 inventory from its retail licensed premises to the premises

1 specified in the license hereby created, and to sell or offer
2 for sale at retail, only in the premises specified in the
3 license hereby created, the transferred alcoholic liquor for
4 use or consumption, but not for resale in any form. A special
5 use permit license may be granted for the following time
6 periods: one day or less; 2 or more days to a maximum of 15 days
7 per location in any 12 month period. An applicant for the
8 special use permit license must also submit with the
9 application proof satisfactory to the State Commission that the
10 applicant will provide dram shop liability insurance to the
11 maximum limits and have local authority approval.

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

1 Department of Revenue, and the courts of this State concerning
2 the enforcement of this Act and any related laws, rules, and
3 regulations, including authorizing the Department of Revenue
4 and the Commission to conduct audits for the purpose of
5 ensuring compliance with this amendatory Act.

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

25 A winery shipper licensee must collect, maintain, and
26 submit to the Commission on a semi-annual basis the total

1 number of cases per resident of wine shipped to residents of
2 this State. A winery shipper licensed under this subsection (r)
3 must comply with the requirements of Section 6-29 of this
4 amendatory Act.

5 (s) A manufacturer special use permit shall allow an
6 in-state or out-of-state winemaker, brewer, or distiller that
7 produces less than 150,000 gallons of wine per year, less than
8 465,000 gallons of beer per year, or less than 15,000 gallons
9 of spirits per year to transfer some of its wine, beer, or
10 spirits inventory from its licensed premises to the premises
11 specified in the local liquor authority license and to sell or
12 offer for sale at retail only at the premises specified in the
13 local authority license and only for the dates and times
14 specified in the local authority license. An out-of-state
15 winemaker, brewer, or distiller must hold an Illinois
16 non-resident dealer license. A manufacturer special use permit
17 may be granted for a period not to exceed 12 months for a
18 maximum of 15 consecutive days or 50 non-consecutive days at a
19 single location. An applicant for a manufacturer special use
20 permit must also submit with the application to the State
21 Commission a list of dates and locations of all events to be
22 scheduled during the 12-month license period and proof
23 satisfactory to the State Commission that the applicant will
24 provide dram shop liability insurance to the maximum limits. If
25 the date and location of an event is undetermined at the time
26 of application, then the manufacturer special use permit holder

1 shall submit to the State Commission the date and time of the
2 additional event in a manner acceptable to the State Commission
3 at least 7 days prior to the event, at which time the permit
4 holder shall obtain an amended manufacturer special use permit.
5 The manufacturer special use permit holder shall obtain local
6 authority approval for each use of the permit and the
7 manufacturer special use permit shall state "THIS MANUFACTURER
8 SPECIAL USE PERMIT SHALL BE VOID IF THE NAMED HOLDER IS UNABLE
9 TO OBTAIN AND PRODUCE ADEQUATE WRITTEN PROOF THAT SALES AT THIS
10 EVENT BY THE PERMIT HOLDER HAVE BEEN AUTHORIZED BY THE LOCAL
11 LIQUOR LICENSING AUTHORITY." Notwithstanding the conditions
12 of State license issuance in Section 3-14 of this Act, the
13 State Commission may issue a manufacturer special use permit
14 prior to local authority approval. State Commission approval of
15 the manufacturer special permit does not mandate local approval
16 of sales at the event. A manufacturer special use permit shall
17 allow the applicant to sell only its own manufactured wine,
18 spirits, or beer.

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

21 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

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

1 license applied for.

2 The fee for licenses issued by the State Commission shall
3 be as follows:

4 For a manufacturer's license:

5	Class 1. Distiller	\$3,600
6	Class 2. Rectifier	3,600
7	Class 3. Brewer	900
8	Class 4. First-class Wine Manufacturer	600
9	Class 5. Second-class	
10	Wine Manufacturer	1,200
11	Class 6. First-class wine-maker	600
12	Class 7. Second-class wine-maker	1200
13	Class 8. Limited Wine Manufacturer	120
14	Class 9. Craft Distiller	1,800
15	Class 10. Craft Brewer	25
16	For a Brew Pub License	1,050
17	For a caterer retailer's license	200
18	For a foreign importer's license	25
19	For an importing distributor's license	25
20	For a distributor's license	270
21	For a non-resident dealer's license	
22	(500,000 gallons or over)	270
23	For a non-resident dealer's license	
24	(under 500,000 gallons)	90
25	For a wine-maker's premises license	100
26	For a winery shipper's license	

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

1	Class 2	60
2	Class 3	120
3	Class 4	240
4	Class 5	600
5	For a broker's license	600
6	For an auction liquor license	50

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

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

- 24 (a) Hospitals, sanitariums, or clinics when their use
- 25 of alcoholic liquor is exclusively medicinal, mechanical
- 26 or scientific.

1 (b) Universities, colleges of learning or schools when
2 their use of alcoholic liquor is exclusively medicinal,
3 mechanical or scientific.

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

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