



Rep. Sara Feigenholtz

Filed: 5/23/2014

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LRB098 04421 RPS 60148 a

1 AMENDMENT TO SENATE BILL 636

2 AMENDMENT NO. _____. Amend Senate Bill 636, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Liquor Control Act of 1934 is amended by
6 changing Section 6-28 as follows:

7 (235 ILCS 5/6-28) (from Ch. 43, par. 144d)

8 Sec. 6-28. Happy hours prohibited.

9 (a) All retail licensees shall maintain a schedule of the
10 prices charged for all drinks of alcoholic liquor to be served
11 and consumed on the licensed premises or in any room or part
12 thereof. Whenever a hotel or multi-use establishment which
13 holds a valid retailer's license operates on its premises more
14 than one establishment at which drinks of alcoholic liquor are
15 sold at retail, the hotel or multi-use establishment shall
16 maintain at each such establishment a separate schedule of the

1 prices charged for such drinks at that establishment.

2 (b) No retail licensee or employee or agent of such
3 licensee shall:

4 (1) serve 2 or more drinks of alcoholic liquor at one
5 time to one person for consumption by that one person,
6 except conducting product sampling pursuant to Section
7 6-31 or selling or delivering wine by the bottle or carafe;

8 (2) sell, offer to sell or serve to any person an
9 unlimited number of drinks of alcoholic liquor during any
10 set period of time for a fixed price, except at private
11 functions not open to the general public and except as
12 authorized in paragraphs (2) and (2.5) of subsection (c) of
13 this Section;

14 (3) sell, offer to sell or serve any drink of alcoholic
15 liquor to any person on any one date at a reduced price
16 other than that charged other purchasers of drinks on that
17 day where such reduced price is a promotion to encourage
18 consumption of alcoholic liquor, except as authorized in
19 paragraph (7) of subsection (c);

20 (4) increase the volume of alcoholic liquor contained
21 in a drink, or the size of a drink of alcoholic liquor,
22 without increasing proportionately the price regularly
23 charged for the drink on that day;

24 (5) encourage or permit, on the licensed premises, any
25 game or contest which involves drinking alcoholic liquor or
26 the awarding of drinks of alcoholic liquor as prizes for

1 such game or contest on the licensed premises; or

2 (6) advertise or promote in any way, whether on or off
3 the licensed premises, any of the practices prohibited
4 under paragraphs (1) through (5).

5 (c) Nothing in subsection (b) shall be construed to
6 prohibit a licensee from:

7 (1) offering free food or entertainment at any time;

8 (2) including drinks of alcoholic liquor as part of a
9 fixed-price meal package if: (A) the meal package includes
10 substantial prepared food; (B) the licensee restricts the
11 service of the meal package to not less than 2 hours and
12 not more than 5 hours; (C) the licensee is separately
13 licensed for the on premise sale and consumption of
14 alcoholic liquor; and (D) the licensee's employees or
15 agents serve alcoholic liquor provided as part of the meal
16 package only in single servings to individual patrons in
17 the manner such alcoholic liquor is customarily sold for on
18 premise consumption. For the purposes of this paragraph
19 (2), snacks, hors d'oeuvres, or appetizers alone do not
20 constitute substantial prepared food;

21 (2.5) including drinks of alcoholic liquor as part of a
22 fixed-price culinary entertainment package if: (A) the
23 entertainment is of a culinary nature, including, but not
24 limited to, a meal, tour, tasting, or any combination
25 thereof at a restaurant, winery, brewery, or distillery;
26 (B) the culinary entertainment package requires a ticket

1 for admission to the event; (C) tickets must be purchased
2 no later than 24 hours before the event; (D) the licensee
3 is separately licensed for the on premise sale and
4 consumption of alcoholic liquor; and (E) the licensee's
5 employees or agents serve alcoholic liquor provided as part
6 of the culinary entertainment package only in single
7 servings to individual patrons in the manner such alcoholic
8 liquor is customarily sold for on premise consumption;

9 (3) including drinks of alcoholic liquor as part of a
10 hotel package;

11 (4) negotiating drinks of alcoholic liquor as part of a
12 contract between a hotel or multi-use establishment and
13 another group for the holding of any function, meeting,
14 convention or trade show;

15 (5) providing room service to persons renting rooms at
16 a hotel;

17 (6) selling pitchers (or the equivalent, including but
18 not limited to buckets), carafes, or bottles of alcoholic
19 liquor which are customarily sold in such manner, or
20 selling bottles of spirits, and delivered to 2 or more
21 persons at one time;

22 (7) increasing prices of drinks of alcoholic liquor in
23 lieu of, in whole or in part, a cover charge to offset the
24 cost of special entertainment not regularly scheduled; or

25 (8) including drinks of alcoholic liquor as part of an
26 entertainment package where the licensee is separately

1 licensed by a municipal ordinance that (A) restricts dates
2 of operation to dates during which there is an event at an
3 adjacent stadium, (B) restricts hours of serving alcoholic
4 liquor to 2 hours before the event and one hour after the
5 event, (C) restricts alcoholic liquor sales to beer and
6 wine, (D) requires tickets for admission to the
7 establishment, and (E) prohibits sale of admission tickets
8 on the day of an event and permits the sale of admission
9 tickets for single events only.

10 (d) A violation of this Act shall be grounds for suspension
11 or revocation of the retailer's license as provided by this
12 Act.

13 (Source: P.A. 98-571, eff. 8-27-13.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law."