

1 AMENDMENT TO HOUSE BILL 640

2 AMENDMENT NO. _____. Amend House Bill 640 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 Section 6-2 as follows:

6 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

7 Sec. 6-2. Issuance of licenses to certain persons
8 prohibited.

9 (a) Except as otherwise provided in subsection (b), no
10 license of any kind issued by the State Commission or any
11 local commission shall be issued to:

12 (1) A person who is not a resident of any city,
13 village or county in which the premises covered by the
14 license are located; except in case of railroad or boat
15 licenses.†

16 (2) A person who is not of good character and
17 reputation in the community in which he resides.†

18 (3) A person who is not a citizen of the United
19 States.†

20 (4) A person who has been convicted of a felony
21 under any Federal or State law, unless the Commission
22 determines that such person has been sufficiently

1 rehabilitated to warrant the public trust after
2 considering matters set forth in such person's
3 application and the Commission's investigation. The
4 burden of proof of sufficient rehabilitation shall be on
5 the applicant.†

6 (5) A person who has been convicted of being the
7 keeper or is keeping a house of ill fame.†

8 (6) A person who has been convicted of pandering or
9 other crime or misdemeanor opposed to decency and
10 morality.†

11 (7) A person whose license issued under this Act
12 has been revoked for cause.†

13 (8) A person who at the time of application for
14 renewal of any license issued hereunder would not be
15 eligible for such license upon a first application.†

16 (9) A copartnership, if any general partnership
17 thereof, or any limited partnership thereof, owning more
18 than 5% of the aggregate limited partner interest in such
19 copartnership would not be eligible to receive a license
20 hereunder for any reason other than residence within the
21 political subdivision, unless residency is required by
22 local ordinance.†

23 (10) A corporation, if any officer, manager or
24 director thereof, or any stockholder or stockholders
25 owning in the aggregate more than 5% of the stock of such
26 corporation, would not be eligible to receive a license
27 hereunder for any reason other than citizenship and
28 residence within the political subdivision.†

29 (10a) A corporation unless it is incorporated in
30 Illinois, or unless it is a foreign corporation which is
31 qualified under the Business Corporation Act of 1983 to
32 transact business in Illinois.†

33 (11) A person whose place of business is conducted
34 by a manager or agent unless the manager or agent

1 possesses the same qualifications required by the
2 licensee.†

3 (12) A person who has been convicted of a violation
4 of any Federal or State law concerning the manufacture,
5 possession or sale of alcoholic liquor, subsequent to the
6 passage of this Act or has forfeited his bond to appear
7 in court to answer charges for any such violation.†

8 (13) A person who does not beneficially own the
9 premises for which a license is sought, or does not have
10 a lease thereon for the full period for which the license
11 is to be issued.†

12 (14) Any law enforcing public official, including
13 members of local liquor control commissions, any mayor,
14 alderman, or member of the city council or commission,
15 any president of the village board of trustees, any
16 member of a village board of trustees, or any president
17 or member of a county board; and no such official shall
18 be interested directly in the manufacture, sale, or
19 distribution of alcoholic liquor, except that a license
20 may be granted to such official in relation to premises
21 that which are not located within the territory subject
22 to the jurisdiction of that official if the issuance of
23 such license is approved by the State Liquor Control
24 Commission and except that, if the premises are located
25 in the township of Niles, a license may be granted to
26 such an official in relation to premises that are
27 located within the territory subject to the jurisdiction
28 of that official, if (i) the sale of alcoholic liquor
29 pursuant to the license is incidental to the selling of
30 food, (ii) the issuance of the license is approved by the
31 State Commission, and (iii) the issuance of the license
32 is in accordance with all applicable local ordinances in
33 effect where the premises are located.†

34 (15) A person who is not a beneficial owner of the

1 business to be operated by the licensee.†

2 (16) A person who has been convicted of a gambling
3 offense as proscribed by any of subsections (a) (3)
4 through (a) (11) of Section 28-1 of, or as proscribed by
5 Section 28-1.1 or 28-3 of, the Criminal Code of 1961, or
6 as proscribed by a statute replaced by any of the
7 aforesaid statutory provisions.†

8 (17) A person or entity to whom a federal wagering
9 stamp has been issued by the federal government, unless
10 the person or entity is eligible to be issued a license
11 under the Raffles Act or the Illinois Pull Tabs and Jar
12 Games Act.

13 (b) A criminal conviction of a corporation is not
14 grounds for the denial, suspension, or revocation of a
15 license applied for or held by the corporation if the
16 criminal conviction was not the result of a violation of any
17 federal or State law concerning the manufacture, possession
18 or sale of alcoholic liquor, the offense that led to the
19 conviction did not result in any financial gain to the
20 corporation and the corporation has terminated its
21 relationship with each director, officer, employee, or
22 controlling shareholder whose actions directly contributed to
23 the conviction of the corporation. The Commission shall
24 determine if all provisions of this subsection (b) have been
25 met before any action on the corporation's license is
26 initiated.

27 (Source: P.A. 88-652, eff. 9-16-94; 89-250, eff. 1-1-96.)".