

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12 has been revoked for cause;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 person included in a license prohibition
13 provision of a local ordinance of a home rule
14 municipality with a population of more than 2 million.
15 This subdivision (14) does not apply to a home rule
16 municipality with a population of 2 million or less law
17 enforcing--public--official,--including--members-of-local
18 liquor--control--commissions,--any--mayer,--alderman,--or
19 member-of-the-city-council-or-commission,--any--president
20 of-the-village-board-of-trustees,--any-member-of-a-village
21 board-of-trustees,--or-any-president-or-member-of-a-county
22 board;--and-no-such-official-shall-be-interested-directly
23 in-the-manufacture,--sale--or--distribution--of--alcoholic
24 liquor,--except--that--license--may--be--granted--to-such
25 official-in-relation-to-premises-which--are--not--located
26 within--the-territory-subject-to-the-jurisdiction-of-that
27 official-if-the-issuance-of-such-license-is--approved--by
28 the-State-Liquor-Control-Commission;

29 (15) A person who is not a beneficial owner of the
30 business to be operated by the licensee;

31 (16) A person who has been convicted of a gambling
32 offense as proscribed by any of subsections (a) (3)
33 through (a) (11) of Section 28-1 of, or as proscribed by
34 Section 28-1.1 or 28-3 of, the Criminal Code of 1961, or

1 as proscribed by a statute replaced by any of the
2 aforesaid statutory provisions;

3 (17) A person or entity to whom a federal wagering
4 stamp has been issued by the federal government, unless
5 the person or entity is eligible to be issued a license
6 under the Raffles Act or the Illinois Pull Tabs and Jar
7 Games Act.

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

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

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."