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- AMENDMENT TO SENATE BILL 413 1
- 2 AMENDMENT NO. \_\_\_\_. Amend Senate Bill 413 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 6-16.1 as follows:
- (235 ILCS 5/6-16.1) б
- 7 Sec. 6-16.1. Enforcement actions.
- (a) A licensee or an officer, associate, member,
- representative, agent, or employee of a licensee may sell, 9
- 10 give, or deliver alcoholic liquor to a person under the age
- of 21 years or authorize the sale, gift, or delivery of 11
- alcoholic liquor to a person under the age of 21 years 12
- pursuant to a plan or action to investigate, patrol, or 13
- 14 otherwise conduct a "sting operation" or enforcement action
- against a person employed by the licensee or on any licensed 15

premises if the licensee or officer, associate, member,

written notice, at least 14 days before the "sting operation"

- representative, agent, or employee of the licensee provides
- 19 enforcement action, unless governing body of the
- municipality or county having jurisdiction sets a shorter 20
- 21 period by ordinance, to the law enforcement agency having
- 22 jurisdiction, the local liquor control commissioner, or both.

- 1 Notice provided under this Section shall be valid for a
- 2 "sting operation" or enforcement action conducted within 60
- 3 days of the provision of that notice, unless the governing
- 4 body of the municipality or county having jurisdiction sets a
- 5 shorter period by ordinance.
- 6 (b) A local liquor control commission or unit of local
- 7 government that conducts alcohol and tobacco compliance
- 8 operations shall establish a policy and standards for alcohol
- 9 and tobacco compliance operations to investigate whether a
- 10 licensee is furnishing (1) alcoholic liquor to persons under
- 21 years of age in violation of this Act or (2) tobacco to
- 12 persons in violation of the Sale of Tobacco to Minors Act.
- 13 (c) The Illinois Law Enforcement Training Standards
- 14 Board shall develop a model policy and guidelines for the
- operation of alcohol and tobacco compliance checks by local
- 16 law enforcement officers. The Illinois Law Enforcement
- 17 Training Standards Board shall also require the supervising
- 18 officers of such compliance checks to have met a minimum
- 19 training standard as determined by the Board. The Board
- 20 shall have the right to waive any training based on current
- 21 written policies and procedures for alcohol and tobacco
- 22 compliance check operations and in-service training already
- 23 administered by the local law enforcement agency, department,
- 24 or office.
- 25 (d) The provisions of subsections (b) and (c) do not
- 26 apply to a home rule unit with more than 2,000,000
- 27 inhabitants.
- (e) A home rule unit, other than a home rule unit with
- more than 2,000,000 inhabitants, may not regulate enforcement
- 30 actions in a manner inconsistent with the regulation of
- 31 enforcement actions under this Section. This subsection (e)
- is a limitation under subsection (i) of Section 6 of Article
- 33 VII of the Illinois Constitution on the concurrent exercise
- 34 by home rule units of powers and functions exercised by the

- 1 State.
- 2 (f) A licensee who is the subject of an enforcement
- 3 <u>action or "sting operation" under this Section and is found,</u>
- 4 pursuant to the enforcement action, to be in compliance with
- 5 this Act shall be notified within 30 days of the enforcement
- 6 <u>action that no violation was found.</u>
- 7 (Source: P.A. 92-503, eff. 1-1-02.)".