



Rep. Lou Lang

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09700HB5288ham001

LRB097 18863 AJ0 67556 a

1 AMENDMENT TO HOUSE BILL 5288

2 AMENDMENT NO. _____. Amend House Bill 5288 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 7-1 as follows:

6 (235 ILCS 5/7-1) (from Ch. 43, par. 145)

7 Sec. 7-1. An applicant for a retail license from the State
8 Commission shall submit to the State Commission an application
9 in writing under oath stating:

- 10 (1) The applicant's name and mailing address;
- 11 (2) The name and address of the applicant's business;
- 12 (3) If applicable, the date of the filing of the
13 "assumed name" of the business with the County Clerk;
- 14 (4) In case of a copartnership, the date of the
15 formation of the partnership; in the case of an Illinois
16 corporation, the date of its incorporation; or in the case

1 of a foreign corporation, the State where it was
2 incorporated and the date of its becoming qualified under
3 the Business Corporation Act of 1983 to transact business
4 in the State of Illinois;

5 (5) The number, the date of issuance and the date of
6 expiration of the applicant's current local retail liquor
7 license;

8 (6) The name of the city, village, or county that
9 issued the local retail liquor license;

10 (7) The name and address of the landlord if the
11 premises are leased;

12 (8) The date of the applicant's first request for a
13 State liquor license and whether it was granted, denied or
14 withdrawn;

15 (9) The address of the applicant when the first
16 application for a State liquor license was made;

17 (10) The applicant's current State liquor license
18 number;

19 (11) The date the applicant began liquor sales at his
20 place of business;

21 (12) The address of the applicant's warehouse if he
22 warehouses liquor;

23 (13) The applicant's Retailer's Occupation Tax (ROT)
24 Registration Number;

25 (14) The applicant's document locator number on his
26 Federal Special Tax Stamp;

1 (15) Whether the applicant is delinquent in the payment
2 of the Retailer's Occupational Tax (Sales Tax), and if so,
3 the reasons therefor;

4 (16) Whether the applicant is delinquent under the cash
5 beer law, and if so, the reasons therefor;

6 (17) In the case of a retailer, whether he is
7 delinquent under the 30 day credit law, and if so, the
8 reasons therefor;

9 (18) In the case of a distributor, whether he is
10 delinquent under the 15 day credit law, and if so, the
11 reasons therefor;

12 (19) Whether the applicant has made an application for
13 a liquor license which has been denied, and if so, the
14 reasons therefor;

15 (20) Whether the applicant has ever had any previous
16 liquor license suspended or revoked, and if so, the reasons
17 therefor;

18 (21) Whether the applicant has ever been convicted of a
19 gambling offense or felony, and if so, the particulars
20 thereof;

21 (22) Whether the applicant possesses a current Federal
22 Wagering Stamp, and if so, the reasons therefor;

23 (23) Whether the applicant, or any other person,
24 directly in his place of business is a public official, and
25 if so, the particulars thereof;

26 (24) The applicant's name, sex, date of birth, social

1 security number, position and percentage of ownership in
2 the business; and the name, sex, date of birth, social
3 security number, position and percentage of ownership in
4 the business of every sole owner, partner, corporate
5 officer, director, manager and any person who owns 5% or
6 more of the shares of the applicant business entity or
7 parent corporations of the applicant business entity; and

8 (25) That he has not received or borrowed money or
9 anything else of value, and that he will not receive or
10 borrow money or anything else of value (other than
11 merchandising credit in the ordinary course of business for
12 a period not to exceed 30 ~~90~~ days as herein expressly
13 permitted under Section 6-5 hereof), directly or
14 indirectly, from any manufacturer, importing distributor
15 or distributor or from any representative of any such
16 manufacturer, importing distributor or distributor, nor be
17 a party in any way, directly or indirectly, to any
18 violation by a manufacturer, distributor or importing
19 distributor of Section 6-6 of this Act.

20 In addition to any other requirement of this Section, an
21 applicant for any manufacturer's license under subsection (a)
22 of Section 5-1 shall also submit information that discloses
23 whether the applicant, its subsidiary, affiliate, or any
24 officer, associate, member, or partner currently holds any
25 license, or holds more than a 5% interest in an entity that
26 holds any license, issued by the State Commission under Section

1 5-1 of this Act.

2 In addition to any other requirement of this Section, an
3 applicant for a special use permit license and a special event
4 retailer's license shall also submit (A) proof satisfactory to
5 the Commission that the applicant has a resale number issued
6 under Section 2c of the Retailer's Occupation Tax Act or that
7 the applicant is registered under Section 2a of the Retailer's
8 Occupation Tax Act, (B) proof satisfactory to the Commission
9 that the applicant has a current, valid exemption
10 identification number issued under Section 1g of the Retailers'
11 Occupation Tax Act and a certification to the Commission that
12 the purchase of alcoholic liquors will be a tax-exempt
13 purchase, or (C) a statement that the applicant is not
14 registered under Section 2a of the Retailers' Occupation Tax
15 Act, does not hold a resale number under Section 2c of the
16 Retailers' Occupation Tax Act, and does not hold an exemption
17 number under Section 1g of the Retailers' Occupation Tax Act.
18 The applicant shall also submit proof of adequate dram shop
19 insurance for the special event prior to being issued a
20 license.

21 In addition to the foregoing information, such application
22 shall contain such other and further information as the State
23 Commission and the local commission may, by rule or regulation
24 not inconsistent with law, prescribe.

25 If the applicant reports a felony conviction as required
26 under paragraph (21) of this Section, such conviction may be

1 considered by the Commission in determining qualifications for
2 licensing, ~~but shall not operate as a bar to licensing.~~

3 If said application is made in behalf of a partnership,
4 firm, association, club or corporation, then the same shall be
5 signed by one member of such partnership or the president or
6 secretary of such corporation or an authorized agent of said
7 partnership or corporation.

8 All other applications shall be on forms prescribed by the
9 State Commission, and which may exclude any of the above
10 requirements which the State Commission rules to be
11 inapplicable.

12 (Source: P.A. 90-596, eff. 6-24-98; 91-357, eff. 7-29-99.)

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