



Sen. Pat McGuire

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09900SB2824sam001

LRB099 18813 RPS 47284 a

1 AMENDMENT TO SENATE BILL 2824

2 AMENDMENT NO. _____. Amend Senate Bill 2824 as follows:

3 on page 1, line 5, by replacing "Section 6-15" with "Sections
4 6-15 and 6-20"; and

5 on page 28, immediately below line 1, by inserting the
6 following:

7 "(235 ILCS 5/6-20) (from Ch. 43, par. 134a)

8 (Text of Section before amendment by P.A. 99-447)

9 Sec. 6-20. Transfer, possession, and consumption of
10 alcoholic liquor; restrictions.

11 (a) Any person to whom the sale, gift or delivery of any
12 alcoholic liquor is prohibited because of age shall not
13 purchase, or accept a gift of such alcoholic liquor or have
14 such alcoholic liquor in his possession.

15 (b) If a licensee or his or her agents or employees

1 believes or has reason to believe that a sale or delivery of
2 any alcoholic liquor is prohibited because of the non-age of
3 the prospective recipient, he or she shall, before making such
4 sale or delivery demand presentation of some form of positive
5 identification, containing proof of age, issued by a public
6 officer in the performance of his or her official duties.

7 (c) No person shall transfer, alter, or deface such an
8 identification card; use the identification card of another;
9 carry or use a false or forged identification card; or obtain
10 an identification card by means of false information.

11 (d) No person shall purchase, accept delivery or have
12 possession of alcoholic liquor in violation of this Section.

13 (e) The consumption of alcoholic liquor by any person under
14 21 years of age is forbidden.

15 (f) Whoever violates any provisions of this Section shall
16 be guilty of a Class A misdemeanor.

17 (g) The possession and dispensing, or consumption by a
18 person under 21 years of age of alcoholic liquor in the
19 performance of a religious service or ceremony, or the
20 consumption by a person under 21 years of age under the direct
21 supervision and approval of the parents or parent or those
22 persons standing in loco parentis of such person under 21 years
23 of age in the privacy of a home, is not prohibited by this Act.

24 (h) The provisions of this Act prohibiting the possession
25 of alcoholic liquor by a person under 21 years of age and
26 dispensing of alcoholic liquor to a person under 21 years of

1 age do not apply in the case of a student under 21 years of age,
2 but 18 years of age or older, who:

3 (1) tastes, but does not imbibe, alcoholic liquor only
4 during times of a regularly scheduled course while under
5 the direct supervision of an instructor who is at least 21
6 years of age and employed by an educational institution
7 described in subdivision (2);

8 (2) is enrolled as a student in a college, university,
9 or post-secondary educational institution that is
10 accredited or certified by an agency recognized by the
11 United States Department of Education or a nationally
12 recognized accrediting agency or association, or that has a
13 permit of approval issued by the Board of Higher Education
14 pursuant to the Private Business and Vocational Schools Act
15 of 2012;

16 (3) is participating in a culinary arts, fermentation
17 science, food service, or restaurant management degree
18 program of which a portion of the program includes
19 instruction on responsible alcoholic beverage serving
20 methods modeled after the Beverage Alcohol Sellers and
21 Server Education and Training (BASSET) curriculum; and

22 (4) tastes, but does not imbibe, alcoholic liquor for
23 instructional purposes up to, but not exceeding, 6 times
24 per class as a part of a required course in which the
25 student temporarily possesses alcoholic liquor for
26 tasting, not imbibing, purposes only in a class setting on

1 the campus and, thereafter, the alcoholic liquor is
2 possessed and remains under the control of the instructor.
3 (Source: P.A. 97-1058, eff. 8-24-12.)

4 (Text of Section after amendment by P.A. 99-447)

5 Sec. 6-20. Transfer, possession, and consumption of
6 alcoholic liquor; restrictions.

7 (a) Any person to whom the sale, gift or delivery of any
8 alcoholic liquor is prohibited because of age shall not
9 purchase, or accept a gift of such alcoholic liquor or have
10 such alcoholic liquor in his possession.

11 (b) If a licensee or his or her agents or employees
12 believes or has reason to believe that a sale or delivery of
13 any alcoholic liquor is prohibited because of the non-age of
14 the prospective recipient, he or she shall, before making such
15 sale or delivery demand presentation of some form of positive
16 identification, containing proof of age, issued by a public
17 officer in the performance of his or her official duties.

18 (c) No person shall transfer, alter, or deface such an
19 identification card; use the identification card of another;
20 carry or use a false or forged identification card; or obtain
21 an identification card by means of false information.

22 (d) No person shall purchase, accept delivery or have
23 possession of alcoholic liquor in violation of this Section.

24 (e) The consumption of alcoholic liquor by any person under
25 21 years of age is forbidden.

1 (f) Whoever violates any provisions of this Section shall
2 be guilty of a Class A misdemeanor.

3 (g) The possession and dispensing, or consumption by a
4 person under 21 years of age of alcoholic liquor in the
5 performance of a religious service or ceremony, or the
6 consumption by a person under 21 years of age under the direct
7 supervision and approval of the parents or parent or those
8 persons standing in loco parentis of such person under 21 years
9 of age in the privacy of a home, is not prohibited by this Act.

10 (h) The provisions of this Act prohibiting the possession
11 of alcoholic liquor by a person under 21 years of age and
12 dispensing of alcoholic liquor to a person under 21 years of
13 age do not apply in the case of a student under 21 years of age,
14 but 18 years of age or older, who:

15 (1) tastes, but does not imbibe, alcoholic liquor only
16 during times of a regularly scheduled course while under
17 the direct supervision of an instructor who is at least 21
18 years of age and employed by an educational institution
19 described in subdivision (2);

20 (2) is enrolled as a student in a college, university,
21 or post-secondary educational institution that is
22 accredited or certified by an agency recognized by the
23 United States Department of Education or a nationally
24 recognized accrediting agency or association, or that has a
25 permit of approval issued by the Board of Higher Education
26 pursuant to the Private Business and Vocational Schools Act

1 of 2012;

2 (3) is participating in a culinary arts, fermentation
3 science, food service, or restaurant management degree
4 program of which a portion of the program includes
5 instruction on responsible alcoholic beverage serving
6 methods modeled after the Beverage Alcohol Sellers and
7 Server Education and Training (BASSET) curriculum; and

8 (4) tastes, but does not imbibe, alcoholic liquor for
9 instructional purposes up to, but not exceeding, 6 times
10 per class as a part of a required course in which the
11 student temporarily possesses alcoholic liquor for
12 tasting, not imbibing, purposes only in a class setting on
13 the campus and, thereafter, the alcoholic liquor is
14 possessed and remains under the control of the instructor.

15 (i) A law enforcement officer may not charge or otherwise
16 take a person into custody based solely on the commission of an
17 offense that involves alcohol and violates subsection (d) or
18 (e) of this Section if the law enforcement officer, after
19 making a reasonable determination and considering the facts and
20 surrounding circumstances, reasonably believes that all of the
21 following apply:

22 (1) The law enforcement officer has contact with the
23 person because that person either:

24 (A) requested emergency medical assistance for an
25 individual who reasonably appeared to be in need of
26 medical assistance due to alcohol consumption; or

1 (B) acted in concert with another person who
2 requested emergency medical assistance for an
3 individual who reasonably appeared to be in need of
4 medical assistance due to alcohol consumption;
5 however, the provisions of this subparagraph (B) shall
6 not apply to more than 3 persons acting in concert for
7 any one occurrence.

8 (2) The person described in subparagraph (A) or (B) of
9 paragraph (1) of this subsection (i):

10 (A) provided his or her full name and any other
11 relevant information requested by the law enforcement
12 officer;

13 (B) remained at the scene with the individual who
14 reasonably appeared to be in need of medical assistance
15 due to alcohol consumption until emergency medical
16 assistance personnel arrived; and

17 (C) cooperated with emergency medical assistance
18 personnel and law enforcement officers at the scene.

19 (j) A person who meets the criteria of paragraphs (1) and
20 (2) of subsection (i) of this Section shall be immune from
21 criminal liability for an offense under subsection (d) or (e)
22 of this Section.

23 (k) A person may not initiate an action against a law
24 enforcement officer based on the officer's compliance or
25 failure to comply with subsection (i) of this Section, except
26 for willful or wanton misconduct.

1 (Source: P.A. 99-447, eff. 6-1-16.)

2 Section 95. No acceleration or delay. Where this Act makes
3 changes in a statute that is represented in this Act by text
4 that is not yet or no longer in effect (for example, a Section
5 represented by multiple versions), the use of that text does
6 not accelerate or delay the taking effect of (i) the changes
7 made by this Act or (ii) provisions derived from any other
8 Public Act."