



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2860

Introduced 2/6/2025, by Rep. Robert "Bob" Rita

SYNOPSIS AS INTRODUCED:

235 ILCS 5/1-3.47 new	
235 ILCS 5/5-1	from Ch. 43, par. 115
235 ILCS 5/5-3	from Ch. 43, par. 118
235 ILCS 5/6-9.10	
235 ILCS 5/6-9.15	

Amends the Liquor Control Act of 1934. Creates a cooperative agent license. Provides that a cooperative agent license shall allow the holder to act on behalf of a cooperative purchase group. Establishes a fee for licensure as a cooperative agent. Provides that a licensee with a combined on-premises and off-premises license may make purchases for on-premises use only through an on-premises cooperative purchase group and may make purchases for off-premises use only through an off-premises cooperative purchase group. Provides that cooperative purchase groups, cooperative agents, and the cooperative agents' owners, officers, principals, employees, and their spouse may not: (1) receive cash or anything of value from a retail licensee, importing distributor, distributor, non-resident dealer, or manufacturer as part of a cooperative purchasing agreement; (2) be employed by, consult for, or have an ownership interest in any business or enterprise that provides marketing services or activities on behalf of manufacturers, non-resident dealers, foreign importers, importing distributors, or distributors; or (3) accept things of value from, or provide marketing services or activities on behalf of, manufacturers, non-resident dealers, foreign importers, importing distributors, and distributors. Makes conforming and other changes. Provides that it is the duty of every cooperative agent and cooperative purchase group to make books and records available upon reasonable notice for the purpose of investigation and control by the Illinois Liquor Control Commission or any local liquor commission having jurisdiction over a licensee member of a cooperative purchase group. Makes changes concerning the surety bond a cooperative purchase group is required to retain. Changes references from "cooperative purchasing group" to "cooperative purchase group" to conform to the defined term.

LRB104 10890 RPS 20972 b

1 AN ACT concerning liquor.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Liquor Control Act of 1934 is amended by
5 changing Section 5-1, 5-3, 6-9.10, and 6-9.15 and by adding
6 Section 1-3.47 as follows:

7 (235 ILCS 5/1-3.47 new)

8 Sec. 1-3.47. Cooperative agent. "Cooperative agent" means
9 a person or legal business entity licensed as a cooperative
10 agent who has the authority to act on behalf of a cooperative
11 purchase group.

12 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

13 Sec. 5-1. Licenses issued by the Illinois Liquor Control
14 Commission shall be of the following classes:

15 (a) Manufacturer's license - Class 1. Distiller, Class 2.
16 Rectifier, Class 3. Brewer, Class 4. First Class Wine
17 Manufacturer, Class 5. Second Class Wine Manufacturer, Class
18 6. First Class Winemaker, Class 7. Second Class Winemaker,
19 Class 8. Limited Wine Manufacturer, Class 9. Craft Distiller,
20 Class 10. Class 1 Craft Distiller, Class 11. Class 2 Craft
21 Distiller, Class 12. Class 1 Brewer, Class 13. Class 2 Brewer,
22 Class 14. Class 3 Brewer,

- 1 (b) Distributor's license,
- 2 (c) Importing Distributor's license,
- 3 (d) Retailer's license,
- 4 (e) Special Event Retailer's license (not-for-profit),
- 5 (f) Railroad license,
- 6 (g) Boat license,
- 7 (h) Non-Beverage User's license,
- 8 (i) Wine-maker's premises license,
- 9 (j) Airplane license,
- 10 (k) Foreign importer's license,
- 11 (l) Broker's license,
- 12 (m) Non-resident dealer's license,
- 13 (n) Brew Pub license,
- 14 (o) Auction liquor license,
- 15 (p) Caterer retailer license,
- 16 (q) Special use permit license,
- 17 (r) Winery shipper's license,
- 18 (s) Craft distiller tasting permit,
- 19 (t) Brewer warehouse permit,
- 20 (u) Distilling pub license,
- 21 (v) Craft distiller warehouse permit,
- 22 (w) Beer showcase permit,
- 23 (x) Cooperative agent license.

24 No person, firm, partnership, corporation, or other legal
25 business entity that is engaged in the manufacturing of wine
26 may concurrently obtain and hold a wine-maker's license and a

1 wine manufacturer's license.

2 (a) A manufacturer's license shall allow the manufacture,
3 importation in bulk, storage, distribution and sale of
4 alcoholic liquor to persons without the State, as may be
5 permitted by law and to licensees in this State as follows:

6 Class 1. A Distiller may make sales and deliveries of
7 alcoholic liquor to distillers, rectifiers, importing
8 distributors, distributors and non-beverage users and to no
9 other licensees.

10 Class 2. A Rectifier, who is not a distiller, as defined
11 herein, may make sales and deliveries of alcoholic liquor to
12 rectifiers, importing distributors, distributors, retailers
13 and non-beverage users and to no other licensees.

14 Class 3. A Brewer may make sales and deliveries of beer to
15 importing distributors and distributors and may make sales as
16 authorized under subsection (e) of Section 6-4 of this Act,
17 including any alcoholic liquor that subsection (e) of Section
18 6-4 authorizes a brewer to sell in its original package only to
19 a non-licensee for pick-up by a non-licensee either within the
20 interior of the brewery premises or at outside of the brewery
21 premises at a curb-side or parking lot adjacent to the brewery
22 premises, subject to any local ordinance.

23 Class 4. A first class wine-manufacturer may make sales
24 and deliveries of up to 50,000 gallons of wine to
25 manufacturers, importing distributors and distributors, and to
26 no other licensees. If a first-class wine-manufacturer

1 manufactures beer, it shall also obtain and shall only be
2 eligible for, in addition to any current license, a class 1
3 brewer license, shall not manufacture more than 930,000
4 gallons of beer per year, and shall not be a member of or
5 affiliated with, directly or indirectly, a manufacturer that
6 produces more than 930,000 gallons of beer per year. If the
7 first-class wine-manufacturer manufactures spirits, it shall
8 also obtain and shall only be eligible for, in addition to any
9 current license, a class 1 craft distiller license, shall not
10 manufacture more than 50,000 gallons of spirits per year, and
11 shall not be a member of or affiliated with, directly or
12 indirectly, a manufacturer that produces more than 50,000
13 gallons of spirits per year. A first-class wine-manufacturer
14 shall be permitted to sell wine manufactured at the
15 first-class wine-manufacturer premises to non-licensees.

16 Class 5. A second class Wine manufacturer may make sales
17 and deliveries of more than 50,000 gallons of wine to
18 manufacturers, importing distributors and distributors and to
19 no other licensees.

20 Class 6. A first-class wine-maker's license shall allow
21 the manufacture of up to 50,000 gallons of wine per year, and
22 the storage and sale of such wine to distributors in the State
23 and to persons without the State, as may be permitted by law. A
24 person who, prior to June 1, 2008 (the effective date of Public
25 Act 95-634), is a holder of a first-class wine-maker's license
26 and annually produces more than 25,000 gallons of its own wine

1 and who distributes its wine to licensed retailers shall cease
2 this practice on or before July 1, 2008 in compliance with
3 Public Act 95-634. If a first-class wine-maker manufactures
4 beer, it shall also obtain and shall only be eligible for, in
5 addition to any current license, a class 1 brewer license,
6 shall not manufacture more than 930,000 gallons of beer per
7 year, and shall not be a member of or affiliated with, directly
8 or indirectly, a manufacturer that produces more than 930,000
9 gallons of beer per year. If the first-class wine-maker
10 manufactures spirits, it shall also obtain and shall only be
11 eligible for, in addition to any current license, a class 1
12 craft distiller license, shall not manufacture more than
13 50,000 gallons of spirits per year, and shall not be a member
14 of or affiliated with, directly or indirectly, a manufacturer
15 that produces more than 50,000 gallons of spirits per year. A
16 first-class wine-maker holding a class 1 brewer license or a
17 class 1 craft distiller license shall not be eligible for a
18 wine-maker's premises license but shall be permitted to sell
19 wine manufactured at the first-class wine-maker premises to
20 non-licensees.

21 Class 7. A second-class wine-maker's license shall allow
22 the manufacture of up to 150,000 gallons of wine per year, and
23 the storage and sale of such wine to distributors in this State
24 and to persons without the State, as may be permitted by law. A
25 person who, prior to June 1, 2008 (the effective date of Public
26 Act 95-634), is a holder of a second-class wine-maker's

1 license and annually produces more than 25,000 gallons of its
2 own wine and who distributes its wine to licensed retailers
3 shall cease this practice on or before July 1, 2008 in
4 compliance with Public Act 95-634. If a second-class
5 wine-maker manufactures beer, it shall also obtain and shall
6 only be eligible for, in addition to any current license, a
7 class 2 brewer license, shall not manufacture more than
8 3,720,000 gallons of beer per year, and shall not be a member
9 of or affiliated with, directly or indirectly, a manufacturer
10 that produces more than 3,720,000 gallons of beer per year. If
11 a second-class wine-maker manufactures spirits, it shall also
12 obtain and shall only be eligible for, in addition to any
13 current license, a class 2 craft distiller license, shall not
14 manufacture more than 100,000 gallons of spirits per year, and
15 shall not be a member of or affiliated with, directly or
16 indirectly, a manufacturer that produces more than 100,000
17 gallons of spirits per year.

18 Class 8. A limited wine-manufacturer may make sales and
19 deliveries not to exceed 40,000 gallons of wine per year to
20 distributors, and to non-licensees in accordance with the
21 provisions of this Act.

22 Class 9. A craft distiller license, which may only be held
23 by a class 1 craft distiller licensee or class 2 craft
24 distiller licensee but not held by both a class 1 craft
25 distiller licensee and a class 2 craft distiller licensee,
26 shall grant all rights conveyed by either: (i) a class 1 craft

1 distiller license if the craft distiller holds a class 1 craft
2 distiller license; or (ii) a class 2 craft distiller licensee
3 if the craft distiller holds a class 2 craft distiller
4 license.

5 Class 10. A class 1 craft distiller license, which may
6 only be issued to a licensed craft distiller or licensed
7 non-resident dealer, shall allow the manufacture of up to
8 50,000 gallons of spirits per year provided that the class 1
9 craft distiller licensee does not manufacture more than a
10 combined 50,000 gallons of spirits per year and is not a member
11 of or affiliated with, directly or indirectly, a manufacturer
12 that produces more than 50,000 gallons of spirits per year. If
13 a class 1 craft distiller manufactures beer, it shall also
14 obtain and shall only be eligible for, in addition to any
15 current license, a class 1 brewer license, shall not
16 manufacture more than 930,000 gallons of beer per year, and
17 shall not be a member of or affiliated with, directly or
18 indirectly, a manufacturer that produces more than 930,000
19 gallons of beer per year. If a class 1 craft distiller
20 manufactures wine, it shall also obtain and shall only be
21 eligible for, in addition to any current license, a
22 first-class wine-manufacturer license or a first-class
23 wine-maker's license, shall not manufacture more than 50,000
24 gallons of wine per year, and shall not be a member of or
25 affiliated with, directly or indirectly, a manufacturer that
26 produces more than 50,000 gallons of wine per year. A class 1

1 craft distiller licensee may make sales and deliveries to
2 importing distributors and distributors and to retail
3 licensees in accordance with the conditions set forth in
4 paragraph (19) of subsection (a) of Section 3-12 of this Act.
5 However, the aggregate amount of spirits sold to non-licensees
6 and sold or delivered to retail licensees may not exceed 5,000
7 gallons per year.

8 A class 1 craft distiller licensee may sell up to 5,000
9 gallons of such spirits to non-licensees to the extent
10 permitted by any exemption approved by the State Commission
11 pursuant to Section 6-4 of this Act. A class 1 craft distiller
12 license holder may store such spirits at a non-contiguous
13 licensed location, but at no time shall a class 1 craft
14 distiller license holder directly or indirectly produce in the
15 aggregate more than 50,000 gallons of spirits per year.

16 A class 1 craft distiller licensee may hold more than one
17 class 1 craft distiller's license. However, a class 1 craft
18 distiller that holds more than one class 1 craft distiller
19 license shall not manufacture, in the aggregate, more than
20 50,000 gallons of spirits by distillation per year and shall
21 not sell, in the aggregate, more than 5,000 gallons of such
22 spirits to non-licensees in accordance with an exemption
23 approved by the State Commission pursuant to Section 6-4 of
24 this Act.

25 Class 11. A class 2 craft distiller license, which may
26 only be issued to a licensed craft distiller or licensed

1 non-resident dealer, shall allow the manufacture of up to
2 100,000 gallons of spirits per year provided that the class 2
3 craft distiller licensee does not manufacture more than a
4 combined 100,000 gallons of spirits per year and is not a
5 member of or affiliated with, directly or indirectly, a
6 manufacturer that produces more than 100,000 gallons of
7 spirits per year. If a class 2 craft distiller manufactures
8 beer, it shall also obtain and shall only be eligible for, in
9 addition to any current license, a class 2 brewer license,
10 shall not manufacture more than 3,720,000 gallons of beer per
11 year, and shall not be a member of or affiliated with, directly
12 or indirectly, a manufacturer that produces more than
13 3,720,000 gallons of beer per year. If a class 2 craft
14 distiller manufactures wine, it shall also obtain and shall
15 only be eligible for, in addition to any current license, a
16 second-class wine-maker's license, shall not manufacture more
17 than 150,000 gallons of wine per year, and shall not be a
18 member of or affiliated with, directly or indirectly, a
19 manufacturer that produces more than 150,000 gallons of wine
20 per year. A class 2 craft distiller licensee may make sales and
21 deliveries to importing distributors and distributors, but
22 shall not make sales or deliveries to any other licensee. If
23 the State Commission provides prior approval, a class 2 craft
24 distiller licensee may annually transfer up to 100,000 gallons
25 of spirits manufactured by that class 2 craft distiller
26 licensee to the premises of a licensed class 2 craft distiller

1 wholly owned and operated by the same licensee. A class 2 craft
2 distiller may transfer spirits to a distilling pub wholly
3 owned and operated by the class 2 craft distiller subject to
4 the following limitations and restrictions: (i) the transfer
5 shall not annually exceed more than 5,000 gallons; (ii) the
6 annual amount transferred shall reduce the distilling pub's
7 annual permitted production limit; (iii) all spirits
8 transferred shall be subject to Article VIII of this Act; (iv)
9 a written record shall be maintained by the distiller and
10 distilling pub specifying the amount, date of delivery, and
11 receipt of the product by the distilling pub; and (v) the
12 distilling pub shall be located no farther than 80 miles from
13 the class 2 craft distiller's licensed location.

14 A class 2 craft distiller shall, prior to transferring
15 spirits to a distilling pub wholly owned by the class 2 craft
16 distiller, furnish a written notice to the State Commission of
17 intent to transfer spirits setting forth the name and address
18 of the distilling pub and shall annually submit to the State
19 Commission a verified report identifying the total gallons of
20 spirits transferred to the distilling pub wholly owned by the
21 class 2 craft distiller.

22 A class 2 craft distiller license holder may store such
23 spirits at a non-contiguous licensed location, but at no time
24 shall a class 2 craft distiller license holder directly or
25 indirectly produce in the aggregate more than 100,000 gallons
26 of spirits per year.

1 Class 12. A class 1 brewer license, which may only be
2 issued to a licensed brewer or licensed non-resident dealer,
3 shall allow the manufacture of up to 930,000 gallons of beer
4 per year provided that the class 1 brewer licensee does not
5 manufacture more than a combined 930,000 gallons of beer per
6 year and is not a member of or affiliated with, directly or
7 indirectly, a manufacturer that produces more than 930,000
8 gallons of beer per year. If a class 1 brewer manufactures
9 spirits, it shall also obtain and shall only be eligible for,
10 in addition to any current license, a class 1 craft distiller
11 license, shall not manufacture more than 50,000 gallons of
12 spirits per year, and shall not be a member of or affiliated
13 with, directly or indirectly, a manufacturer that produces
14 more than 50,000 gallons of spirits per year. If a class 1
15 craft brewer manufactures wine, it shall also obtain and shall
16 only be eligible for, in addition to any current license, a
17 first-class wine-manufacturer license or a first-class
18 wine-maker's license, shall not manufacture more than 50,000
19 gallons of wine per year, and shall not be a member of or
20 affiliated with, directly or indirectly, a manufacturer that
21 produces more than 50,000 gallons of wine per year. A class 1
22 brewer licensee may make sales and deliveries to importing
23 distributors and distributors and to retail licensees in
24 accordance with the conditions set forth in paragraph (18) of
25 subsection (a) of Section 3-12 of this Act. If the State
26 Commission provides prior approval, a class 1 brewer may

1 annually transfer up to 930,000 gallons of beer manufactured
2 by that class 1 brewer to the premises of a licensed class 1
3 brewer wholly owned and operated by the same licensee.

4 Class 13. A class 2 brewer license, which may only be
5 issued to a licensed brewer or licensed non-resident dealer,
6 shall allow the manufacture of up to 3,720,000 gallons of beer
7 per year provided that the class 2 brewer licensee does not
8 manufacture more than a combined 3,720,000 gallons of beer per
9 year and is not a member of or affiliated with, directly or
10 indirectly, a manufacturer that produces more than 3,720,000
11 gallons of beer per year. If a class 2 brewer manufactures
12 spirits, it shall also obtain and shall only be eligible for,
13 in addition to any current license, a class 2 craft distiller
14 license, shall not manufacture more than 100,000 gallons of
15 spirits per year, and shall not be a member of or affiliated
16 with, directly or indirectly, a manufacturer that produces
17 more than 100,000 gallons of spirits per year. If a class 2
18 craft distiller manufactures wine, it shall also obtain and
19 shall only be eligible for, in addition to any current
20 license, a second-class wine-maker's license, shall not
21 manufacture more than 150,000 gallons of wine per year, and
22 shall not be a member of or affiliated with, directly or
23 indirectly, a manufacturer that produces more than 150,000
24 gallons of wine a year. A class 2 brewer licensee may make
25 sales and deliveries to importing distributors and
26 distributors, but shall not make sales or deliveries to any

1 other licensee. If the State Commission provides prior
2 approval, a class 2 brewer licensee may annually transfer up
3 to 3,720,000 gallons of beer manufactured by that class 2
4 brewer licensee to the premises of a licensed class 2 brewer
5 wholly owned and operated by the same licensee.

6 A class 2 brewer may transfer beer to a brew pub wholly
7 owned and operated by the class 2 brewer subject to the
8 following limitations and restrictions: (i) the transfer shall
9 not annually exceed more than 31,000 gallons; (ii) the annual
10 amount transferred shall reduce the brew pub's annual
11 permitted production limit; (iii) all beer transferred shall
12 be subject to Article VIII of this Act; (iv) a written record
13 shall be maintained by the brewer and brew pub specifying the
14 amount, date of delivery, and receipt of the product by the
15 brew pub; and (v) the brew pub shall be located no farther than
16 80 miles from the class 2 brewer's licensed location.

17 A class 2 brewer shall, prior to transferring beer to a
18 brew pub wholly owned by the class 2 brewer, furnish a written
19 notice to the State Commission of intent to transfer beer
20 setting forth the name and address of the brew pub and shall
21 annually submit to the State Commission a verified report
22 identifying the total gallons of beer transferred to the brew
23 pub wholly owned by the class 2 brewer.

24 Class 14. A class 3 brewer license, which may be issued to
25 a brewer or a non-resident dealer, shall allow the manufacture
26 of no more than 465,000 gallons of beer per year and no more

1 than 155,000 gallons at a single brewery premises, and shall
2 allow the sale of no more than 6,200 gallons of beer from each
3 in-state or out-of-state class 3 brewery premises, or 18,600
4 gallons in the aggregate, to retail licensees, class 1
5 brewers, class 2 brewers, and class 3 brewers as long as the
6 class 3 brewer licensee does not manufacture more than a
7 combined 465,000 gallons of beer per year and is not a member
8 of or affiliated with, directly or indirectly, a manufacturer
9 that produces more than 465,000 gallons of beer per year to
10 make sales to importing distributors, distributors, retail
11 licensees, brewers, class 1 brewers, class 2 brewers, and
12 class 3 brewers in accordance with the conditions set forth in
13 paragraph (20) of subsection (a) of Section 3-12. If the State
14 Commission provides prior approval, a class 3 brewer may
15 annually transfer up to 155,000 gallons of beer manufactured
16 by that class 3 brewer to the premises of a licensed class 3
17 brewer wholly owned and operated by the same licensee. A class
18 3 brewer shall manufacture beer at the brewer's class 3
19 designated licensed premises, and may sell beer as otherwise
20 provided in this Act.

21 (a-1) A manufacturer which is licensed in this State to
22 make sales or deliveries of alcoholic liquor to licensed
23 distributors or importing distributors and which enlists
24 agents, representatives, or individuals acting on its behalf
25 who contact licensed retailers on a regular and continual
26 basis in this State must register those agents,

1 representatives, or persons acting on its behalf with the
2 State Commission.

3 Registration of agents, representatives, or persons acting
4 on behalf of a manufacturer is fulfilled by submitting a form
5 to the Commission. The form shall be developed by the
6 Commission and shall include the name and address of the
7 applicant, the name and address of the manufacturer he or she
8 represents, the territory or areas assigned to sell to or
9 discuss pricing terms of alcoholic liquor, and any other
10 questions deemed appropriate and necessary. All statements in
11 the forms required to be made by law or by rule shall be deemed
12 material, and any person who knowingly misstates any material
13 fact under oath in an application is guilty of a Class B
14 misdemeanor. Fraud, misrepresentation, false statements,
15 misleading statements, evasions, or suppression of material
16 facts in the securing of a registration are grounds for
17 suspension or revocation of the registration. The State
18 Commission shall post a list of registered agents on the
19 Commission's website.

20 (b) A distributor's license shall allow (i) the wholesale
21 purchase and storage of alcoholic liquors and sale of
22 alcoholic liquors to licensees in this State and to persons
23 without the State, as may be permitted by law; (ii) the sale of
24 beer, cider, mead, or any combination thereof to brewers,
25 class 1 brewers, and class 2 brewers that, pursuant to
26 subsection (e) of Section 6-4 of this Act, sell beer, cider,

1 mead, or any combination thereof to non-licensees at their
2 breweries; (iii) the sale of vermouth to class 1 craft
3 distillers and class 2 craft distillers that, pursuant to
4 subsection (e) of Section 6-4 of this Act, sell spirits,
5 vermouth, or both spirits and vermouth to non-licensees at
6 their distilleries; or (iv) as otherwise provided in this Act.
7 No person licensed as a distributor shall be granted a
8 non-resident dealer's license.

9 (c) An importing distributor's license may be issued to
10 and held by those only who are duly licensed distributors,
11 upon the filing of an application by a duly licensed
12 distributor, with the Commission and the Commission shall,
13 without the payment of any fee, immediately issue such
14 importing distributor's license to the applicant, which shall
15 allow the importation of alcoholic liquor by the licensee into
16 this State from any point in the United States outside this
17 State, and the purchase of alcoholic liquor in barrels, casks
18 or other bulk containers and the bottling of such alcoholic
19 liquors before resale thereof, but all bottles or containers
20 so filled shall be sealed, labeled, stamped and otherwise made
21 to comply with all provisions, rules and regulations governing
22 manufacturers in the preparation and bottling of alcoholic
23 liquors. The importing distributor's license shall permit such
24 licensee to purchase alcoholic liquor from Illinois licensed
25 non-resident dealers and foreign importers only. No person
26 licensed as an importing distributor shall be granted a

1 non-resident dealer's license.

2 (d) A retailer's license shall allow the licensee to sell
3 and offer for sale at retail, only in the premises specified in
4 the license, alcoholic liquor for use or consumption, but not
5 for resale in any form. Except as provided in Section 6-16,
6 6-29, or 6-29.1, nothing in this Act shall deny, limit,
7 remove, or restrict the ability of a holder of a retailer's
8 license to transfer or ship alcoholic liquor to the purchaser
9 for use or consumption subject to any applicable local law or
10 ordinance. For the purposes of this Section, "shipping" means
11 the movement of alcoholic liquor from a licensed retailer to a
12 consumer via a common carrier. Except as provided in Section
13 6-16, 6-29, or 6-29.1, nothing in this Act shall deny, limit,
14 remove, or restrict the ability of a holder of a retailer's
15 license to deliver alcoholic liquor to the purchaser for use
16 or consumption. The delivery shall be made only within 12
17 hours from the time the alcoholic liquor leaves the licensed
18 premises of the retailer for delivery. For the purposes of
19 this Section, "delivery" means the movement of alcoholic
20 liquor purchased from a licensed retailer to a consumer
21 through the following methods:

22 (1) delivery within licensed retailer's parking lot,
23 including curbside, for pickup by the consumer;

24 (2) delivery by an owner, officer, director,
25 shareholder, or employee of the licensed retailer; or

26 (3) delivery by a third-party contractor, independent

1 contractor, or agent with whom the licensed retailer has
2 contracted to make deliveries of alcoholic liquors.

3 Under subsection (1), (2), or (3), delivery shall not
4 include the use of common carriers.

5 Any retail license issued to a manufacturer shall only
6 permit the manufacturer to sell beer at retail on the premises
7 actually occupied by the manufacturer. For the purpose of
8 further describing the type of business conducted at a retail
9 licensed premises, a retailer's licensee may be designated by
10 the State Commission as (i) an on premise consumption
11 retailer, (ii) an off premise sale retailer, or (iii) a
12 combined on premise consumption and off premise sale retailer.

13 Except for a municipality with a population of more than
14 1,000,000 inhabitants, a home rule unit may not regulate the
15 delivery of alcoholic liquor inconsistent with this
16 subsection. This paragraph is a limitation under subsection
17 (i) of Section 6 of Article VII of the Illinois Constitution on
18 the concurrent exercise by home rule units of powers and
19 functions exercised by the State. A non-home rule municipality
20 may not regulate the delivery of alcoholic liquor inconsistent
21 with this subsection.

22 Notwithstanding any other provision of this subsection
23 (d), a retail licensee may sell alcoholic liquors to a special
24 event retailer licensee for resale to the extent permitted
25 under subsection (e).

26 (e) A special event retailer's license (not-for-profit)

1 shall permit the licensee to purchase alcoholic liquors from
2 an Illinois licensed distributor (unless the licensee
3 purchases less than \$500 of alcoholic liquors for the special
4 event, in which case the licensee may purchase the alcoholic
5 liquors from a licensed retailer) and shall allow the licensee
6 to sell and offer for sale, at retail, alcoholic liquors for
7 use or consumption, but not for resale in any form and only at
8 the location and on the specific dates designated for the
9 special event in the license. An applicant for a special event
10 retailer license must (i) furnish with the application: (A) a
11 resale number issued under Section 2c of the Retailers'
12 Occupation Tax Act or evidence that the applicant is
13 registered under Section 2a of the Retailers' Occupation Tax
14 Act, (B) a current, valid exemption identification number
15 issued under Section 1g of the Retailers' Occupation Tax Act,
16 and a certification to the Commission that the purchase of
17 alcoholic liquors will be a tax-exempt purchase, or (C) a
18 statement that the applicant is not registered under Section
19 2a of the Retailers' Occupation Tax Act, does not hold a resale
20 number under Section 2c of the Retailers' Occupation Tax Act,
21 and does not hold an exemption number under Section 1g of the
22 Retailers' Occupation Tax Act, in which event the Commission
23 shall set forth on the special event retailer's license a
24 statement to that effect; (ii) submit with the application
25 proof satisfactory to the State Commission that the applicant
26 will provide dram shop liability insurance in the maximum

1 limits; and (iii) show proof satisfactory to the State
2 Commission that the applicant has obtained local authority
3 approval.

4 Nothing in this Act prohibits an Illinois licensed
5 distributor from offering credit or a refund for unused,
6 salable alcoholic liquors to a holder of a special event
7 retailer's license or the special event retailer's licensee
8 from accepting the credit or refund of alcoholic liquors at
9 the conclusion of the event specified in the license.

10 (f) A railroad license shall permit the licensee to import
11 alcoholic liquors into this State from any point in the United
12 States outside this State and to store such alcoholic liquors
13 in this State; to make wholesale purchases of alcoholic
14 liquors directly from manufacturers, foreign importers,
15 distributors and importing distributors from within or outside
16 this State; and to store such alcoholic liquors in this State;
17 provided that the above powers may be exercised only in
18 connection with the importation, purchase or storage of
19 alcoholic liquors to be sold or dispensed on a club, buffet,
20 lounge or dining car operated on an electric, gas or steam
21 railway in this State; and provided further, that railroad
22 licensees exercising the above powers shall be subject to all
23 provisions of Article VIII of this Act as applied to importing
24 distributors. A railroad license shall also permit the
25 licensee to sell or dispense alcoholic liquors on any club,
26 buffet, lounge or dining car operated on an electric, gas or

1 steam railway regularly operated by a common carrier in this
 2 State, but shall not permit the sale for resale of any
 3 alcoholic liquors to any licensee within this State. A license
 4 shall be obtained for each car in which such sales are made.

5 (g) A boat license shall allow the sale of alcoholic
 6 liquor in individual drinks, on any passenger boat regularly
 7 operated as a common carrier on navigable waters in this State
 8 or on any riverboat operated under the Illinois Gambling Act,
 9 which boat or riverboat maintains a public dining room or
 10 restaurant thereon.

11 (h) A non-beverage user's license shall allow the licensee
 12 to purchase alcoholic liquor from a licensed manufacturer or
 13 importing distributor, without the imposition of any tax upon
 14 the business of such licensed manufacturer or importing
 15 distributor as to such alcoholic liquor to be used by such
 16 licensee solely for the non-beverage purposes set forth in
 17 subsection (a) of Section 8-1 of this Act, and such licenses
 18 shall be divided and classified and shall permit the purchase,
 19 possession and use of limited and stated quantities of
 20 alcoholic liquor as follows:

- 21 Class 1, not to exceed 500 gallons
- 22 Class 2, not to exceed 1,000 gallons
- 23 Class 3, not to exceed 5,000 gallons
- 24 Class 4, not to exceed 10,000 gallons
- 25 Class 5, not to exceed 50,000 gallons

26 (i) A wine-maker's premises license shall allow a licensee

1 that concurrently holds a first-class wine-maker's license to
2 sell and offer for sale at retail in the premises specified in
3 such license not more than 50,000 gallons of the first-class
4 wine-maker's wine that is made at the first-class wine-maker's
5 licensed premises per year for use or consumption, but not for
6 resale in any form. A wine-maker's premises license shall
7 allow a licensee who concurrently holds a second-class
8 wine-maker's license to sell and offer for sale at retail in
9 the premises specified in such license up to 100,000 gallons
10 of the second-class wine-maker's wine that is made at the
11 second-class wine-maker's licensed premises per year for use
12 or consumption but not for resale in any form. A first-class
13 wine-maker that concurrently holds a class 1 brewer license or
14 a class 1 craft distiller license shall not be eligible to hold
15 a wine-maker's premises license. A wine-maker's premises
16 license shall allow a licensee that concurrently holds a
17 first-class wine-maker's license or a second-class
18 wine-maker's license to sell and offer for sale at retail at
19 the premises specified in the wine-maker's premises license,
20 for use or consumption but not for resale in any form, any
21 beer, wine, and spirits purchased from a licensed distributor.
22 Upon approval from the State Commission, a wine-maker's
23 premises license shall allow the licensee to sell and offer
24 for sale at (i) the wine-maker's licensed premises and (ii) at
25 up to 2 additional locations for use and consumption and not
26 for resale. Each location shall require additional licensing

1 per location as specified in Section 5-3 of this Act. A
2 wine-maker's premises licensee shall secure liquor liability
3 insurance coverage in an amount at least equal to the maximum
4 liability amounts set forth in subsection (a) of Section 6-21
5 of this Act.

6 (j) An airplane license shall permit the licensee to
7 import alcoholic liquors into this State from any point in the
8 United States outside this State and to store such alcoholic
9 liquors in this State; to make wholesale purchases of
10 alcoholic liquors directly from manufacturers, foreign
11 importers, distributors and importing distributors from within
12 or outside this State; and to store such alcoholic liquors in
13 this State; provided that the above powers may be exercised
14 only in connection with the importation, purchase or storage
15 of alcoholic liquors to be sold or dispensed on an airplane;
16 and provided further, that airplane licensees exercising the
17 above powers shall be subject to all provisions of Article
18 VIII of this Act as applied to importing distributors. An
19 airplane licensee shall also permit the sale or dispensing of
20 alcoholic liquors on any passenger airplane regularly operated
21 by a common carrier in this State, but shall not permit the
22 sale for resale of any alcoholic liquors to any licensee
23 within this State. A single airplane license shall be required
24 of an airline company if liquor service is provided on board
25 aircraft in this State. The annual fee for such license shall
26 be as determined in Section 5-3.

1 (k) A foreign importer's license shall permit such
2 licensee to purchase alcoholic liquor from Illinois licensed
3 non-resident dealers only, and to import alcoholic liquor
4 other than in bulk from any point outside the United States and
5 to sell such alcoholic liquor to Illinois licensed importing
6 distributors and to no one else in Illinois; provided that (i)
7 the foreign importer registers with the State Commission every
8 brand of alcoholic liquor that it proposes to sell to Illinois
9 licensees during the license period, (ii) the foreign importer
10 complies with all of the provisions of Section 6-9 of this Act
11 with respect to registration of such Illinois licensees as may
12 be granted the right to sell such brands at wholesale, and
13 (iii) the foreign importer complies with the provisions of
14 Sections 6-5 and 6-6 of this Act to the same extent that these
15 provisions apply to manufacturers.

16 (1) (i) A broker's license shall be required of all
17 persons who solicit orders for, offer to sell or offer to
18 supply alcoholic liquor to retailers in the State of Illinois,
19 or who offer to retailers to ship or cause to be shipped or to
20 make contact with distillers, craft distillers, rectifiers,
21 brewers or manufacturers or any other party within or without
22 the State of Illinois in order that alcoholic liquors be
23 shipped to a distributor, importing distributor or foreign
24 importer, whether such solicitation or offer is consummated
25 within or without the State of Illinois.

26 No holder of a retailer's license issued by the Illinois

1 Liquor Control Commission shall purchase or receive any
2 alcoholic liquor, the order for which was solicited or offered
3 for sale to such retailer by a broker unless the broker is the
4 holder of a valid broker's license.

5 The broker shall, upon the acceptance by a retailer of the
6 broker's solicitation of an order or offer to sell or supply or
7 deliver or have delivered alcoholic liquors, promptly forward
8 to the Illinois Liquor Control Commission a notification of
9 said transaction in such form as the Commission may by
10 regulations prescribe.

11 (ii) A broker's license shall be required of a person
12 within this State, other than a retail licensee, who, for a fee
13 or commission, promotes, solicits, or accepts orders for
14 alcoholic liquor, for use or consumption and not for resale,
15 to be shipped from this State and delivered to residents
16 outside of this State by an express company, common carrier,
17 or contract carrier. This Section does not apply to any person
18 who promotes, solicits, or accepts orders for wine as
19 specifically authorized in Section 6-29 of this Act.

20 A broker's license under this subsection (1) shall not
21 entitle the holder to buy or sell any alcoholic liquors for his
22 own account or to take or deliver title to such alcoholic
23 liquors.

24 This subsection (1) shall not apply to distributors,
25 employees of distributors, or employees of a manufacturer who
26 has registered the trademark, brand or name of the alcoholic

1 liquor pursuant to Section 6-9 of this Act, and who regularly
2 sells such alcoholic liquor in the State of Illinois only to
3 its registrants thereunder.

4 Any agent, representative, or person subject to
5 registration pursuant to subsection (a-1) of this Section
6 shall not be eligible to receive a broker's license.

7 (m) A non-resident dealer's license shall permit such
8 licensee to ship into and warehouse alcoholic liquor into this
9 State from any point outside of this State, and to sell such
10 alcoholic liquor to Illinois licensed foreign importers and
11 importing distributors and to no one else in this State;
12 provided that (i) said non-resident dealer shall register with
13 the Illinois Liquor Control Commission each and every brand of
14 alcoholic liquor which it proposes to sell to Illinois
15 licensees during the license period, (ii) it shall comply with
16 all of the provisions of Section 6-9 hereof with respect to
17 registration of such Illinois licensees as may be granted the
18 right to sell such brands at wholesale by duly filing such
19 registration statement, thereby authorizing the non-resident
20 dealer to proceed to sell such brands at wholesale, and (iii)
21 the non-resident dealer shall comply with the provisions of
22 Sections 6-5 and 6-6 of this Act to the same extent that these
23 provisions apply to manufacturers. No person licensed as a
24 non-resident dealer shall be granted a distributor's or
25 importing distributor's license.

26 (n) A brew pub license shall allow the licensee to only (i)

1 manufacture up to 155,000 gallons of beer per year only on the
2 premises specified in the license, (ii) make sales of the beer
3 manufactured on the premises or, with the approval of the
4 Commission, beer manufactured on another brew pub licensed
5 premises that is wholly owned and operated by the same
6 licensee to importing distributors, distributors, and to
7 non-licensees for use and consumption, (iii) store the beer
8 upon the premises, (iv) sell and offer for sale at retail from
9 the licensed premises for off-premises consumption no more
10 than 155,000 gallons per year so long as such sales are only
11 made in-person, (v) sell and offer for sale at retail for use
12 and consumption on the premises specified in the license any
13 form of alcoholic liquor purchased from a licensed distributor
14 or importing distributor, (vi) with the prior approval of the
15 Commission, annually transfer no more than 155,000 gallons of
16 beer manufactured on the premises to a licensed brew pub
17 wholly owned and operated by the same licensee, and (vii)
18 notwithstanding item (i) of this subsection, brew pubs wholly
19 owned and operated by the same licensee may combine each
20 location's production limit of 155,000 gallons of beer per
21 year and allocate the aggregate total between the wholly
22 owned, operated, and licensed locations.

23 A brew pub licensee shall not under any circumstance sell
24 or offer for sale beer manufactured by the brew pub licensee to
25 retail licensees.

26 A person who holds a class 2 brewer license may

1 simultaneously hold a brew pub license if the class 2 brewer
2 (i) does not, under any circumstance, sell or offer for sale
3 beer manufactured by the class 2 brewer to retail licensees;
4 (ii) does not hold more than 3 brew pub licenses in this State;
5 (iii) does not manufacture more than a combined 3,720,000
6 gallons of beer per year, including the beer manufactured at
7 the brew pub; and (iv) is not a member of or affiliated with,
8 directly or indirectly, a manufacturer that produces more than
9 3,720,000 gallons of beer per year or any other alcoholic
10 liquor.

11 Notwithstanding any other provision of this Act, a
12 licensed brewer, class 2 brewer, or non-resident dealer who
13 before July 1, 2015 manufactured less than 3,720,000 gallons
14 of beer per year and held a brew pub license on or before July
15 1, 2015 may (i) continue to qualify for and hold that brew pub
16 license for the licensed premises and (ii) manufacture more
17 than 3,720,000 gallons of beer per year and continue to
18 qualify for and hold that brew pub license if that brewer,
19 class 2 brewer, or non-resident dealer does not simultaneously
20 hold a class 1 brewer license and is not a member of or
21 affiliated with, directly or indirectly, a manufacturer that
22 produces more than 3,720,000 gallons of beer per year or that
23 produces any other alcoholic liquor.

24 A brew pub licensee may apply for a class 3 brewer license
25 and, upon meeting all applicable qualifications of this Act
26 and relinquishing all commonly owned brew pub or retail

1 licenses, shall be issued a class 3 brewer license. Nothing in
2 this Act shall prohibit the issuance of a class 3 brewer
3 license if the applicant:

4 (1) has a valid retail license on or before May 1,
5 2021;

6 (2) has an ownership interest in at least two brew
7 pubs licenses on or before May 1, 2021;

8 (3) the brew pub licensee applies for a class 3 brewer
9 license on or before October 1, 2022 and relinquishes all
10 commonly owned brew pub licenses; and

11 (4) relinquishes all commonly owned retail licenses on
12 or before December 31, 2022.

13 If a brew pub licensee is issued a class 3 brewer license,
14 the class 3 brewer license shall expire on the same date as the
15 existing brew pub license and the State Commission shall not
16 require a class 3 brewer licensee to obtain a brewer license,
17 or in the alternative to pay a fee for a brewer license, until
18 the date the brew pub license of the applicant would have
19 expired.

20 (o) A caterer retailer license shall allow the holder to
21 serve alcoholic liquors as an incidental part of a food
22 service that serves prepared meals which excludes the serving
23 of snacks as the primary meal, either on or off-site whether
24 licensed or unlicensed. A caterer retailer license shall allow
25 the holder, a distributor, or an importing distributor to
26 transfer any inventory to and from the holder's retail

1 premises and shall allow the holder to purchase alcoholic
2 liquor from a distributor or importing distributor to be
3 delivered directly to an off-site event.

4 Nothing in this Act prohibits a distributor or importing
5 distributor from offering credit or a refund for unused,
6 salable beer to a holder of a caterer retailer license or a
7 caterer retailer licensee from accepting a credit or refund
8 for unused, salable beer, in the event an act of God is the
9 sole reason an off-site event is cancelled and if: (i) the
10 holder of a caterer retailer license has not transferred
11 alcoholic liquor from its caterer retailer premises to an
12 off-site location; (ii) the distributor or importing
13 distributor offers the credit or refund for the unused,
14 salable beer that it delivered to the off-site premises and
15 not for any unused, salable beer that the distributor or
16 importing distributor delivered to the caterer retailer's
17 premises; and (iii) the unused, salable beer would likely
18 spoil if transferred to the caterer retailer's premises. A
19 caterer retailer license shall allow the holder to transfer
20 any inventory from any off-site location to its caterer
21 retailer premises at the conclusion of an off-site event or
22 engage a distributor or importing distributor to transfer any
23 inventory from any off-site location to its caterer retailer
24 premises at the conclusion of an off-site event, provided that
25 the distributor or importing distributor issues bona fide
26 charges to the caterer retailer licensee for fuel, labor, and

1 delivery and the distributor or importing distributor collects
2 payment from the caterer retailer licensee prior to the
3 distributor or importing distributor transferring inventory to
4 the caterer retailer premises.

5 For purposes of this subsection (o), an "act of God" means
6 an unforeseeable event, such as a rain or snow storm, hail, a
7 flood, or a similar event, that is the sole cause of the
8 cancellation of an off-site, outdoor event.

9 (p) An auction liquor license shall allow the licensee to
10 sell and offer for sale at auction wine and spirits for use or
11 consumption, or for resale by an Illinois liquor licensee in
12 accordance with provisions of this Act. An auction liquor
13 license will be issued to a person and it will permit the
14 auction liquor licensee to hold the auction anywhere in the
15 State. An auction liquor license must be obtained for each
16 auction at least 14 days in advance of the auction date.

17 (q) A special use permit license shall allow an Illinois
18 licensed retailer to transfer a portion of its alcoholic
19 liquor inventory from its retail licensed premises to the
20 premises specified in the license hereby created; to purchase
21 alcoholic liquor from a distributor or importing distributor
22 to be delivered directly to the location specified in the
23 license hereby created; and to sell or offer for sale at
24 retail, only in the premises specified in the license hereby
25 created, the transferred or delivered alcoholic liquor for use
26 or consumption, but not for resale in any form. A special use

1 permit license may be granted for the following time periods:
2 one day or less; 2 or more days to a maximum of 15 days per
3 location in any 12-month period. An applicant for the special
4 use permit license must also submit with the application proof
5 satisfactory to the State Commission that the applicant will
6 provide dram shop liability insurance to the maximum limits
7 and have local authority approval.

8 A special use permit license shall allow the holder to
9 transfer any inventory from the holder's special use premises
10 to its retail premises at the conclusion of the special use
11 event or engage a distributor or importing distributor to
12 transfer any inventory from the holder's special use premises
13 to its retail premises at the conclusion of an off-site event,
14 provided that the distributor or importing distributor issues
15 bona fide charges to the special use permit licensee for fuel,
16 labor, and delivery and the distributor or importing
17 distributor collects payment from the retail licensee prior to
18 the distributor or importing distributor transferring
19 inventory to the retail premises.

20 Nothing in this Act prohibits a distributor or importing
21 distributor from offering credit or a refund for unused,
22 salable beer to a special use permit licensee or a special use
23 permit licensee from accepting a credit or refund for unused,
24 salable beer at the conclusion of the event specified in the
25 license if: (i) the holder of the special use permit license
26 has not transferred alcoholic liquor from its retail licensed

1 premises to the premises specified in the special use permit
2 license; (ii) the distributor or importing distributor offers
3 the credit or refund for the unused, salable beer that it
4 delivered to the premises specified in the special use permit
5 license and not for any unused, salable beer that the
6 distributor or importing distributor delivered to the
7 retailer's premises; and (iii) the unused, salable beer would
8 likely spoil if transferred to the retailer premises.

9 (r) A winery shipper's license shall allow a person with a
10 first-class or second-class wine manufacturer's license, a
11 first-class or second-class wine-maker's license, or a limited
12 wine manufacturer's license or who is licensed to make wine
13 under the laws of another state to ship wine made by that
14 licensee directly to a resident of this State who is 21 years
15 of age or older for that resident's personal use and not for
16 resale. Prior to receiving a winery shipper's license, an
17 applicant for the license must provide the Commission with a
18 true copy of its current license in any state in which it is
19 licensed as a manufacturer of wine. An applicant for a winery
20 shipper's license must also complete an application form that
21 provides any other information the Commission deems necessary.
22 The application form shall include all addresses from which
23 the applicant for a winery shipper's license intends to ship
24 wine, including the name and address of any third party,
25 except for a common carrier, authorized to ship wine on behalf
26 of the manufacturer. The application form shall include an

1 acknowledgement consenting to the jurisdiction of the
2 Commission, the Illinois Department of Revenue, and the courts
3 of this State concerning the enforcement of this Act and any
4 related laws, rules, and regulations, including authorizing
5 the Department of Revenue and the Commission to conduct audits
6 for the purpose of ensuring compliance with Public Act 95-634,
7 and an acknowledgement that the wine manufacturer is in
8 compliance with Section 6-2 of this Act. Any third party,
9 except for a common carrier, authorized to ship wine on behalf
10 of a first-class or second-class wine manufacturer's licensee,
11 a first-class or second-class wine-maker's licensee, a limited
12 wine manufacturer's licensee, or a person who is licensed to
13 make wine under the laws of another state shall also be
14 disclosed by the winery shipper's licensee, and a copy of the
15 written appointment of the third-party wine provider, except
16 for a common carrier, to the wine manufacturer shall be filed
17 with the State Commission as a supplement to the winery
18 shipper's license application or any renewal thereof. The
19 winery shipper's license holder shall affirm under penalty of
20 perjury, as part of the winery shipper's license application
21 or renewal, that he or she only ships wine, either directly or
22 indirectly through a third-party provider, from the licensee's
23 own production.

24 Except for a common carrier, a third-party provider
25 shipping wine on behalf of a winery shipper's license holder
26 is the agent of the winery shipper's license holder and, as

1 such, a winery shipper's license holder is responsible for the
2 acts and omissions of the third-party provider acting on
3 behalf of the license holder. A third-party provider, except
4 for a common carrier, that engages in shipping wine into
5 Illinois on behalf of a winery shipper's license holder shall
6 consent to the jurisdiction of the State Commission and the
7 State. Any third-party, except for a common carrier, holding
8 such an appointment shall, by February 1 of each calendar year
9 and upon request by the State Commission or the Department of
10 Revenue, file with the State Commission a statement detailing
11 each shipment made to an Illinois resident. The statement
12 shall include the name and address of the third-party provider
13 filing the statement, the time period covered by the
14 statement, and the following information:

15 (1) the name, address, and license number of the
16 winery shipper on whose behalf the shipment was made;

17 (2) the quantity of the products delivered; and

18 (3) the date and address of the shipment.

19 If the Department of Revenue or the State Commission requests
20 a statement under this paragraph, the third-party provider
21 must provide that statement no later than 30 days after the
22 request is made. Any books, records, supporting papers, and
23 documents containing information and data relating to a
24 statement under this paragraph shall be kept and preserved for
25 a period of 3 years, unless their destruction sooner is
26 authorized, in writing, by the Director of Revenue, and shall

1 be open and available to inspection by the Director of Revenue
2 or the State Commission or any duly authorized officer, agent,
3 or employee of the State Commission or the Department of
4 Revenue, at all times during business hours of the day. Any
5 person who violates any provision of this paragraph or any
6 rule of the State Commission for the administration and
7 enforcement of the provisions of this paragraph is guilty of a
8 Class C misdemeanor. In case of a continuing violation, each
9 day's continuance thereof shall be a separate and distinct
10 offense.

11 The State Commission shall adopt rules as soon as
12 practicable to implement the requirements of Public Act 99-904
13 and shall adopt rules prohibiting any such third-party
14 appointment of a third-party provider, except for a common
15 carrier, that has been deemed by the State Commission to have
16 violated the provisions of this Act with regard to any winery
17 shipper licensee.

18 A winery shipper licensee must pay to the Department of
19 Revenue the State liquor gallonage tax under Section 8-1 for
20 all wine that is sold by the licensee and shipped to a person
21 in this State. For the purposes of Section 8-1, a winery
22 shipper licensee shall be taxed in the same manner as a
23 manufacturer of wine. A licensee who is not otherwise required
24 to register under the Retailers' Occupation Tax Act must
25 register under the Use Tax Act to collect and remit use tax to
26 the Department of Revenue for all gallons of wine that are sold

1 by the licensee and shipped to persons in this State. If a
2 licensee fails to remit the tax imposed under this Act in
3 accordance with the provisions of Article VIII of this Act,
4 the winery shipper's license shall be revoked in accordance
5 with the provisions of Article VII of this Act. If a licensee
6 fails to properly register and remit tax under the Use Tax Act
7 or the Retailers' Occupation Tax Act for all wine that is sold
8 by the winery shipper and shipped to persons in this State, the
9 winery shipper's license shall be revoked in accordance with
10 the provisions of Article VII of this Act.

11 A winery shipper licensee must collect, maintain, and
12 submit to the Commission on a semi-annual basis the total
13 number of cases per resident of wine shipped to residents of
14 this State. A winery shipper licensed under this subsection
15 (r) must comply with the requirements of Section 6-29 of this
16 Act.

17 Pursuant to paragraph (5.1) or (5.3) of subsection (a) of
18 Section 3-12, the State Commission may receive, respond to,
19 and investigate any complaint and impose any of the remedies
20 specified in paragraph (1) of subsection (a) of Section 3-12.

21 As used in this subsection, "third-party provider" means
22 any entity that provides fulfillment house services, including
23 warehousing, packaging, distribution, order processing, or
24 shipment of wine, but not the sale of wine, on behalf of a
25 licensed winery shipper.

26 (s) A craft distiller tasting permit license shall allow

1 an Illinois licensed class 1 craft distiller or class 2 craft
2 distiller to transfer a portion of its alcoholic liquor
3 inventory from its class 1 craft distiller or class 2 craft
4 distiller licensed premises to the premises specified in the
5 license hereby created and to conduct a sampling, only in the
6 premises specified in the license hereby created, of the
7 transferred alcoholic liquor in accordance with subsection (c)
8 of Section 6-31 of this Act. The transferred alcoholic liquor
9 may not be sold or resold in any form. An applicant for the
10 craft distiller tasting permit license must also submit with
11 the application proof satisfactory to the State Commission
12 that the applicant will provide dram shop liability insurance
13 to the maximum limits and have local authority approval.

14 (t) A brewer warehouse permit may be issued to the holder
15 of a class 1 brewer license or a class 2 brewer license. If the
16 holder of the permit is a class 1 brewer licensee, the brewer
17 warehouse permit shall allow the holder to store or warehouse
18 up to 930,000 gallons of tax-determined beer manufactured by
19 the holder of the permit at the premises specified on the
20 permit. If the holder of the permit is a class 2 brewer
21 licensee, the brewer warehouse permit shall allow the holder
22 to store or warehouse up to 3,720,000 gallons of
23 tax-determined beer manufactured by the holder of the permit
24 at the premises specified on the permit. Sales to
25 non-licensees are prohibited at the premises specified in the
26 brewer warehouse permit.

1 (u) A distilling pub license shall allow the licensee to
2 only (i) manufacture up to 5,000 gallons of spirits per year
3 only on the premises specified in the license, (ii) make sales
4 of the spirits manufactured on the premises or, with the
5 approval of the State Commission, spirits manufactured on
6 another distilling pub licensed premises that is wholly owned
7 and operated by the same licensee to importing distributors
8 and distributors and to non-licensees for use and consumption,
9 (iii) store the spirits upon the premises, (iv) sell and offer
10 for sale at retail from the licensed premises for off-premises
11 consumption no more than 5,000 gallons per year so long as such
12 sales are only made in-person, (v) sell and offer for sale at
13 retail for use and consumption on the premises specified in
14 the license any form of alcoholic liquor purchased from a
15 licensed distributor or importing distributor, and (vi) with
16 the prior approval of the State Commission, annually transfer
17 no more than 5,000 gallons of spirits manufactured on the
18 premises to a licensed distilling pub wholly owned and
19 operated by the same licensee.

20 A distilling pub licensee shall not under any circumstance
21 sell or offer for sale spirits manufactured by the distilling
22 pub licensee to retail licensees.

23 A person who holds a class 2 craft distiller license may
24 simultaneously hold a distilling pub license if the class 2
25 craft distiller (i) does not, under any circumstance, sell or
26 offer for sale spirits manufactured by the class 2 craft

1 distiller to retail licensees; (ii) does not hold more than 3
2 distilling pub licenses in this State; (iii) does not
3 manufacture more than a combined 100,000 gallons of spirits
4 per year, including the spirits manufactured at the distilling
5 pub; and (iv) is not a member of or affiliated with, directly
6 or indirectly, a manufacturer that produces more than 100,000
7 gallons of spirits per year or any other alcoholic liquor.

8 (v) A craft distiller warehouse permit may be issued to
9 the holder of a class 1 craft distiller or class 2 craft
10 distiller license. The craft distiller warehouse permit shall
11 allow the holder to store or warehouse up to 500,000 gallons of
12 spirits manufactured by the holder of the permit at the
13 premises specified on the permit. Sales to non-licensees are
14 prohibited at the premises specified in the craft distiller
15 warehouse permit.

16 (w) A beer showcase permit license shall allow an
17 Illinois-licensed distributor to transfer a portion of its
18 beer inventory from its licensed premises to the premises
19 specified in the beer showcase permit license, and, in the
20 case of a class 3 brewer, transfer only beer the class 3 brewer
21 manufactures from its licensed premises to the premises
22 specified in the beer showcase permit license; and to sell or
23 offer for sale at retail, only in the premises specified in the
24 beer showcase permit license, the transferred or delivered
25 beer for on or off premise consumption, but not for resale in
26 any form and to sell to non-licensees not more than 96 fluid

1 ounces of beer per person. A beer showcase permit license may
2 be granted for the following time periods: one day or less; or
3 2 or more days to a maximum of 15 days per location in any
4 12-month period. An applicant for a beer showcase permit
5 license must also submit with the application proof
6 satisfactory to the State Commission that the applicant will
7 provide dram shop liability insurance to the maximum limits
8 and have local authority approval. The State Commission shall
9 require the beer showcase applicant to comply with Section
10 6-27.1.

11 (x) A cooperative agent license shall allow the holder to
12 act on behalf of a cooperative purchase group in accordance
13 with Sections 6-9.10 and 6-9.15.

14 (Source: P.A. 101-16, eff. 6-14-19; 101-31, eff. 6-28-19;
15 101-81, eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff.
16 8-23-19; 101-615, eff. 12-20-19; 101-668, eff. 1-1-22;
17 102-442, eff. 8-20-21; 102-1142, eff. 2-17-23.)

18 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

19 Sec. 5-3. License fees. Except as otherwise provided
20 herein, at the time application is made to the State
21 Commission for a license of any class, the applicant shall pay
22 to the State Commission the fee hereinafter provided for the
23 kind of license applied for.

24 The fee for licenses issued by the State Commission shall
25 be as follows:

	Online renewal	Initial license or non-online renewal
1		
2		
3		
4		
5		
6	For a manufacturer's license:	
7	Class 1. Distiller	\$4,000 \$5,000
8	Class 2. Rectifier	4,000 5,000
9	Class 3. Brewer	1,200 1,500
10	Class 4. First-class Wine	
11	Manufacturer	750 900
12	Class 5. Second-class	
13	Wine Manufacturer.....	1,500 1,750
14	Class 6. First-class wine-maker....	750 900
15	Class 7. Second-class wine-maker ..	1,500 1,750
16	Class 8. Limited Wine	
17	Manufacturer	250 350
18	Class 9. Craft Distiller	2,000 2,500
19	Class 10. Class 1 Craft Distiller ..	50 75
20	Class 11. Class 2 Craft Distiller ..	75 100
21	Class 12. Class 1 Brewer	50 75
22	Class 13. Class 2 Brewer	75 100
23	Class 14. Class 3 Brewer	25 50
24	For a Brew Pub License	1,200 1,500
25	For a Distilling Pub License	1,200 1,500
26	For a caterer retailer's license ..	350 500

1	For a foreign importer's license ..	25	25
2	For an importing distributor's		
3	license.....	25	25
4	For a distributor's license		
5	(11,250,000 gallons		
6	or over)	1,450	2,200
7	For a distributor's license		
8	(over 4,500,000 gallons, but		
9	under 11,250,000 gallons)	950	1,450
10	For a distributor's license		
11	(4,500,000 gallons or under) ..	300	450
12	For a non-resident dealer's license		
13	(500,000 gallons or over)		
14	or with self-distribution		
15	privileges	1,200	1,500
16	For a non-resident dealer's license		
17	(under 500,000 gallons)	250	350
18	For a wine-maker's premises		
19	license.....	250	500
20	For a winery shipper's license		
21	(under 250,000 gallons)	200	350
22	For a winery shipper's license		
23	(250,000 or over, but		
24	under 500,000 gallons)	750	1,000
25	For a winery shipper's license		
26	(500,000 gallons or over)	1,200	1,500

1	For a wine-maker's premises		
2	license, second location	500	1,000
3	For a wine-maker's premises		
4	license, third location.....	500	1,000
5	For a retailer's license	600	750
6	For a special event retailer's		
7	license, (not-for-profit).....	25	25
8	For a beer showcase permit,		
9	one day only	100	150
10	2 days or more	150	250
11	For a special use permit license,		
12	one day only	100	150
13	2 days or more	150	250
14	For a railroad license	100	150
15	For a boat license	500	1,000
16	For an airplane license, times the		
17	licensee's maximum number of		
18	aircraft in flight, serving		
19	liquor over the State at any		
20	given time, which either		
21	originate, terminate, or make		
22	an intermediate stop in		
23	the State.....	100	150
24	For a non-beverage user's license:		
25	Class 1.....	24	24
26	Class 2.....	60	60

1	Class 3	120	120
2	Class 4	240	240
3	Class 5	600	600
4	For a broker's license	750	1,000
5	For an auction liquor license	100	150
6	For a homebrewer special		
7	event permit	25	25
8	For a craft distiller		
9	tasting permit	25	25
10	For a BASSET trainer license	300	350
11	For a tasting representative		
12	license.....	200	300
13	For a brewer warehouse permit	25	25
14	For a craft distiller		
15	warehouse permit	25	25
16	<u>For a cooperative agent license</u>	<u>650</u>	<u>750</u>

17 Fees collected under this Section shall be paid into the
 18 Dram Shop Fund. The State Commission shall waive license
 19 renewal fees for those retailers' licenses that are designated
 20 as "1A" by the State Commission and expire on or after July 1,
 21 2022, and on or before June 30, 2023. One-half of the funds
 22 received for a retailer's license shall be paid into the Dram
 23 Shop Fund and one-half of the funds received for a retailer's
 24 license shall be paid into the General Revenue Fund.

25 No fee shall be paid for licenses issued by the State
 26 Commission to the following non-beverage users:

1 (a) Hospitals, sanitariums, or clinics when their use
2 of alcoholic liquor is exclusively medicinal, mechanical,
3 or scientific.

4 (b) Universities, colleges of learning, or schools
5 when their use of alcoholic liquor is exclusively
6 medicinal, mechanical, or scientific.

7 (c) Laboratories when their use is exclusively for the
8 purpose of scientific research.

9 (Source: P.A. 102-442, eff. 8-20-21; 102-558, eff. 8-20-21;
10 102-699, eff. 4-19-22; 102-1142, eff. 2-17-23; 103-154, eff.
11 6-30-23; 103-605, eff. 7-1-24.)

12 (235 ILCS 5/6-9.10)

13 Sec. 6-9.10. Cooperative purchasing agreements.

14 (a) A cooperative purchasing agreement shall only be valid
15 if the following conditions are met:

16 (1) the agreement is in writing and signed by all
17 parties to the agreement;

18 (2) the agreement contains the complete license
19 information for all parties to the agreement, including
20 State and local license numbers and expiration dates as
21 well as the date on which the retail member joined the
22 cooperative purchase group;

23 (3) a retail licensee that is a party to the agreement
24 must not be a party to any other related cooperative
25 purchasing agreement;

1 (4) the agreement identifies and designates the name
2 and address of the agent or agents with the authority to
3 contract for the purchase and delivery of wine or spirits
4 on behalf of the cooperative purchase group;

5 (5) a copy of the executed agreement, including any
6 amendments, deletions, or additions, is kept on the
7 premises of each party to the agreement for a period of 3
8 years;

9 (6) a copy of the executed agreement, including any
10 amendments, deletions, or additions, is delivered to the
11 relevant licensee with distribution privileges and to the
12 State Commission before making any purchases under the
13 agreement; any amendments, deletions, or additions must be
14 submitted to the State Commission within 7 business days
15 after the amendment, deletion, or addition is executed;
16 and

17 (7) the agreement must designate whether the
18 cooperative purchase ~~purchasing~~ group is comprised of
19 retail licenses engaged in the sale of wine or spirits on
20 or off the premises.

21 (b) A retail licensee may, pursuant to a cooperative
22 purchasing agreement, make purchases as a member of a
23 cooperative purchase group or independently of any such group.
24 Nothing in this Section or any other Section of this Act shall
25 be construed to prohibit commonly or not commonly owned retail
26 licensees from making purchases separate and apart from any

1 membership in a cooperative purchase group.

2 (c) A retailer may only be a member of one cooperative
3 purchase group at a time. A retail licensee may change to a
4 different cooperative purchase group no more than twice in a
5 12-month period. However, if an existing cooperative purchase
6 group member purchases a retail location from a member of
7 another cooperative purchase group, the new owner of the
8 retail location may move the membership of the retail licensee
9 to a different cooperative purchase ~~purchasing~~ group.

10 (d) When a retail licensee joins an existing cooperative
11 purchase ~~purchasing~~ group, the new member must be a member for
12 a period of 7 days before being able to participate in any
13 quantity discount programs.

14 (e) Cooperative purchase ~~purchasing~~ group members must be
15 either all on-premises retail licensees or all off-premises
16 retail licensees. A licensee with a combined on-premises and
17 off-premises license may make purchases for on-premises use
18 only through an on-premises cooperative purchase group and may
19 make purchases for off-premises use only through an
20 off-premises cooperative purchase group.

21 (f) Any individual retail licensee that is a member of a
22 cooperative purchase group that fails to comply with the terms
23 and conditions of this Section may be deemed to be in violation
24 of Section 6-5. Any distributor or importing distributor that
25 fails to comply with this Section may be deemed to be in
26 violation of Section 6-5.

1 (g) The State Commission shall keep a list of the members
2 of each cooperative purchase group and shall make that list
3 available on its website.

4 (h) A retail licensee that is a member of a cooperative
5 purchase group shall not have an ownership interest, directly
6 or indirectly, in any entity licensed by this Act other than a
7 retailer.

8 (i) It is unlawful for a distributor or importing
9 distributor to furnish, give, or lend money or anything of
10 value to a cooperative agent.

11 (j) It is the duty of each retail licensee of the
12 cooperative purchase group to make books and records available
13 upon reasonable notice for the purpose of investigation and
14 control by the State Commission or any local liquor control
15 commission having jurisdiction over the retail licensee of the
16 cooperative purchase group.

17 (k) A cooperative agent shall not have an ownership
18 interest, directly or indirectly, in an entity licensed under
19 any other license category under this Act.

20 (l) A retailer, manufacturer, importing distributor,
21 distributor, cooperative purchase group, or cooperative agent
22 shall remain in compliance with federal law pursuant to the
23 prohibitions and exceptions provided in 27 CFR Part 6 and any
24 promulgated rules thereof. Cooperative purchase groups,
25 cooperative agents, and the cooperative agents' owners,
26 officers, principals, employees, and their spouse may not A

1 ~~cooperative agent that is compliant with Sections 6-5 and 6-6~~
2 ~~shall not~~ receive cash or anything of value from a both the
3 retail licensee, and an importing distributor, or distributor,
4 non-resident dealer, or manufacturer manufacturers as part of
5 a cooperative purchasing ~~group~~ agreement. Cooperative purchase
6 groups, cooperative agents, and the cooperative agents'
7 owners, officers, principals, and employees, and their
8 respective spouses may not be employed by, consult for,
9 provide services to, or have an ownership interest, whether
10 direct or indirect, in any business or enterprise that
11 provides marketing services or activities on behalf of
12 manufacturers, non-resident dealers, foreign importers,
13 importing distributors, or distributors. Cooperative purchase
14 groups, cooperative agents, and the cooperative agents'
15 owners, principals, employees, and their respective spouses
16 are strictly prohibited from, directly or indirectly,
17 accepting things of value from, or providing marketing
18 services or activities on behalf of, manufacturers,
19 non-resident dealers, foreign importers, importing
20 distributors, and distributors. Cooperative agents and
21 cooperative purchase groups, as agents of retail licensees,
22 are subject to the obligations and restrictions of retail
23 licensees, including, but not limited to, Section 6-5, Section
24 6-6, Section 10-3, and 11 Ill. Adm. Code 100.500.

25 (m) It is the duty of every cooperative agent and
26 cooperative purchase group to make books and records available

1 upon reasonable notice for the purpose of investigation and
2 control by the State Commission or any local liquor commission
3 having jurisdiction over a licensee member of a cooperative
4 purchase group.

5 (Source: P.A. 102-442, eff. 8-20-21.)

6 (235 ILCS 5/6-9.15)

7 Sec. 6-9.15. Quantity discounting terms for wine or
8 spirits cooperative purchase agreements.

9 (a) All wine or spirits quantity discount programs offered
10 to consumption off the premises retailers must be offered to
11 all consumption off the premises cooperative groups and
12 cooperative agents, and all quantity discount programs offered
13 to consumption on the premises retailers shall be offered to
14 all consumption on the premises cooperative groups and
15 cooperative agents. Quantity discount programs shall:

16 (1) be open and available for acceptance for 7
17 business days;

18 (2) be designed and implemented to produce product
19 volume growth with retail licensees;

20 (3) be based on the volume of product purchased;
21 however, discounts may include price reductions, cash, and
22 credits, and no-charge wine or spirits products may be
23 given instead of a discount;

24 (4) be documented on related sales invoices or credit
25 memoranda;

1 (5) not require a retail licensee to take and dispose
2 of any quota of wine or spirits; however, bona fide
3 quantity discounts shall not be deemed to be quota sales;
4 and

5 (6) not require a retail licensee to purchase one
6 product in order to purchase another; this includes
7 combination sales if one or more products may be purchased
8 only in combination with other products and not
9 individually.

10 (b) A distributor or importing distributor that makes
11 quantity discount sales to participating members of a
12 cooperative purchase group shall issue customary invoices to
13 each participating retail licensee itemizing the wine or
14 spirit sold and delivered as part of a quantity discount
15 program to each participating retail licensee.

16 (c) If a distributor or importing distributor offers a
17 quantity discount for wine or spirits, excluding any product
18 fermented with malt or any substitute for malt, cooperative
19 purchase groups shall purchase a minimum of 250 cases in each
20 quantity discount program. Each individual participating
21 member of a cooperative purchase group purchasing product
22 through a quantity discount program may be required to
23 purchase the following minimum amounts:

24 (1) 2% of cases of any quantity discount program of
25 500 or fewer cases.

26 (2) 1.5% of cases of any quantity discount program of

1 at least 501 and not more than 2,000 cases.

2 (3) 1% of cases of any quantity discount program of
3 2,001 or more cases.

4 (d) The cooperative agent shall place each cooperative
5 purchase order under the name of the cooperative purchase
6 group and shall identify each participating retail member
7 involved with the purchase, the quantity of product purchased,
8 the price attributable to each retailer member's purchase, and
9 a requested delivery date. A retail licensee may make
10 purchases through a cooperative purchase ~~purchasing~~ group or
11 independently of such group. Nothing in this Section shall be
12 construed to prohibit retail licensees from making purchases
13 separate and apart from any cooperative purchase ~~purchasing~~
14 group.

15 (e) Each distributor or importing distributor shall
16 separately invoice each participating cooperative purchase
17 group member for the purchase made on behalf of such
18 participating member.

19 (f) A cooperative purchase ~~purchasing~~ group shall maintain
20 the records of each cooperative purchase order placed for 90
21 days. The records shall include:

22 (1) the date the cooperative purchase ~~purchasing~~ group
23 order was placed and the date of any amendments to the
24 order;

25 (2) the distributor or importing distributor with
26 which the cooperative purchase ~~purchasing~~ group placed the

1 order;

2 (3) the names and license numbers of each cooperative
3 purchase ~~purchasing~~ group member participating in the
4 order;

5 (4) the price discounts and net price of all wine or
6 spirits ordered by each cooperative purchase group member;
7 and

8 (5) the requested delivery date for the order.

9 (g) A cooperative purchase group is subject to the books
10 and records requirements of Section 6-10 and subsection (e) of
11 11 Ill. Adm. Code 100.130.

12 (h) A cooperative purchase ~~purchasing~~ group shall retain a
13 surety bond in favor of each distributor with which it
14 conducts business at all times for no less than \$250,000. The
15 bond shall provide a street address at which bond claims may be
16 submitted. If a cooperative purchase ~~purchasing~~ group member
17 is delinquent in payment pursuant to Section 6-5 on a purchase
18 made through a cooperative purchase group or directly between
19 the cooperative member and a distributor, the surety shall
20 ~~immediately pay the importing distributor or~~ distributor the
21 delinquent amount, unless the delinquent member submits a bona
22 fide dispute to the State Commission within 5 business days.
23 The surety bond required by this Section may be acquired from a
24 company, agent, or broker of the cooperative purchase group's
25 choice. If the surety bond does not cure the indebtedness
26 within 5 business days after receipt of the demand and if the

1 delinquent member has not submitted a bona fide dispute to the
2 State Commission, the 30-day merchandising credit requirements
3 of Section 6-5 shall apply jointly to each cooperative
4 purchase ~~purchasing~~ group until the indebtedness is cured. The
5 cooperative purchase ~~purchasing~~ group is responsible for all
6 costs and fees related to the surety bond.

7 (i) Any licensee that fails to comply with the terms and
8 conditions of this Section may be deemed to be in violation of
9 this Act.

10 (j) Nothing in this Section shall apply to quantity
11 discount programs offered for any product fermented with malt
12 or any substitute for malt. Nothing in this Section shall be
13 construed to prohibit, limit, or interfere with quantity
14 discount, credit, or rebate programs offered for any product
15 fermented with malt or any substitute for malt.

16 (Source: P.A. 102-442, eff. 8-20-21; 103-154, eff. 6-30-23.)