



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB1618

Introduced 2/4/2025, by Sen. Celina Villanueva

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Liquor Control Act of 1934. Creates a distillery shipper's license, a class 3 craft distiller license, and a spirits showcase permit. Provides that a class 3 craft distiller license, which may be issued to a distiller or a non-resident dealer, shall allow the manufacture of no more than 100,000 gallons of spirits per year and shall allow the sale of spirits from the class 3 craft distiller's in-state or out-of-state class 3 craft distillery premises to retail licensees, class 3 brewers, and class 3 craft distillers as long as the class 3 craft distiller licensee meets certain requirements. Authorizes a class 3 craft distiller to self-distribute subject to certain requirements and limitations. Provides that a distillery shipper's license shall allow a person with an Illinois distiller license, a craft distiller license, a class 1 craft distiller license, a class 2 craft distiller license, or a class 3 craft distiller license or who is licensed to make spirits under the laws of another state to ship spirits directly to a resident of this State who is 21 years of age or older for that resident's personal use and not for resale. Provides that a spirits showcase permit shall allow an Illinois-licensed distributor to transfer a portion of its spirits inventory from its licensed premises to the premises specified in the spirits showcase permit license; in the case of a class 3 craft distiller, to transfer only spirits the class 3 craft distiller manufactures from its licensed premises to the premises specified in the spirits showcase permit license; and to sell or offer for sale at retail, only in the premises specified in the spirits showcase permit license, the transferred or delivered spirits for on or off premises consumption, but not for resale in any form and to sell to non-licensees not more than 156 fluid ounces of spirits per person. Sets forth provisions concerning licensure application; fees; recordkeeping; and shipping and delivery of spirits. Preempts home rule powers. Makes conforming and other changes.

LRB104 11079 RPS 21161 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 Sections 3-12, 5-1, 5-3, and 6-4 and by adding  
6 Sections 1-3.47, 1-3.48, and 6-29.05 as follows:

7 (235 ILCS 5/1-3.47 new)

8 Sec. 1-3.47. Class 3 craft distiller. "Class 3 craft  
9 distiller" means a person who is a holder of a distiller  
10 license, class 1 craft distiller license, class 2 craft  
11 distiller license, or a non-resident dealer license who  
12 manufactures no more than 100,000 gallons of spirits per year  
13 in the aggregate and who may make sales to importing  
14 distributors, distributors, and retail licensees in accordance  
15 with the conditions set forth in paragraph (21) of subsection  
16 (a) of Section 3-12.

17 (235 ILCS 5/1-3.48 new)

18 Sec. 1-3.48. Spirits showcase permit. "Spirits showcase  
19 permit" means a license for use by a class 1 craft distiller,  
20 class 2 craft distiller, class 3 craft distiller, or  
21 distributor to allow for the transfer of spirits only from an  
22 existing licensed premises of a class 1 craft distiller, class

1 2 craft distiller, class 3 craft distiller, or distributor to  
2 a designated site for a specific event.

3 (235 ILCS 5/3-12)

4 Sec. 3-12. Powers and duties of State Commission.

5 (a) The State Commission shall have the following powers,  
6 functions, and duties:

7 (1) To receive applications and to issue licenses to  
8 manufacturers, foreign importers, importing distributors,  
9 distributors, non-resident dealers, on premise consumption  
10 retailers, off premise sale retailers, special event  
11 retailer licensees, special use permit licenses, auction  
12 liquor licenses, brew pubs, caterer retailers,  
13 non-beverage users, railroads, including owners and  
14 lessees of sleeping, dining and cafe cars, airplanes,  
15 boats, brokers, and wine maker's premises licensees in  
16 accordance with the provisions of this Act, and to suspend  
17 or revoke such licenses upon the State Commission's  
18 determination, upon notice after hearing, that a licensee  
19 has violated any provision of this Act or any rule or  
20 regulation issued pursuant thereto and in effect for 30  
21 days prior to such violation. Except in the case of an  
22 action taken pursuant to a violation of Section 6-3, 6-5,  
23 or 6-9, any action by the State Commission to suspend or  
24 revoke a licensee's license may be limited to the license  
25 for the specific premises where the violation occurred. An

1           action for a violation of this Act shall be commenced by  
2           the State Commission within 2 years after the date the  
3           State Commission becomes aware of the violation.

4           In lieu of suspending or revoking a license, the  
5           commission may impose a fine, upon the State Commission's  
6           determination and notice after hearing, that a licensee  
7           has violated any provision of this Act or any rule or  
8           regulation issued pursuant thereto and in effect for 30  
9           days prior to such violation.

10          For the purpose of this paragraph (1), when  
11          determining multiple violations for the sale of alcohol to  
12          a person under the age of 21, a second or subsequent  
13          violation for the sale of alcohol to a person under the age  
14          of 21 shall only be considered if it was committed within 5  
15          years after the date when a prior violation for the sale of  
16          alcohol to a person under the age of 21 was committed.

17          The fine imposed under this paragraph may not exceed  
18          \$500 for each violation. Each day that the activity, which  
19          gave rise to the original fine, continues is a separate  
20          violation. The maximum fine that may be levied against any  
21          licensee, for the period of the license, shall not exceed  
22          \$20,000. The maximum penalty that may be imposed on a  
23          licensee for selling a bottle of alcoholic liquor with a  
24          foreign object in it or serving from a bottle of alcoholic  
25          liquor with a foreign object in it shall be the  
26          destruction of that bottle of alcoholic liquor for the

1 first 10 bottles so sold or served from by the licensee.  
2 For the eleventh bottle of alcoholic liquor and for each  
3 third bottle thereafter sold or served from by the  
4 licensee with a foreign object in it, the maximum penalty  
5 that may be imposed on the licensee is the destruction of  
6 the bottle of alcoholic liquor and a fine of up to \$50.

7 Any notice issued by the State Commission to a  
8 licensee for a violation of this Act or any notice with  
9 respect to settlement or offer in compromise shall include  
10 the field report, photographs, and any other supporting  
11 documentation necessary to reasonably inform the licensee  
12 of the nature and extent of the violation or the conduct  
13 alleged to have occurred. The failure to include such  
14 required documentation shall result in the dismissal of  
15 the action.

16 (2) To adopt such rules and regulations consistent  
17 with the provisions of this Act which shall be necessary  
18 to carry on its functions and duties to the end that the  
19 health, safety and welfare of the People of the State of  
20 Illinois shall be protected and temperance in the  
21 consumption of alcoholic liquors shall be fostered and  
22 promoted and to distribute copies of such rules and  
23 regulations to all licensees affected thereby.

24 (3) To call upon other administrative departments of  
25 the State, county and municipal governments, county and  
26 city police departments and upon prosecuting officers for

1 such information and assistance as it deems necessary in  
2 the performance of its duties.

3 (4) To recommend to local commissioners rules and  
4 regulations, not inconsistent with the law, for the  
5 distribution and sale of alcoholic liquors throughout the  
6 State.

7 (5) To inspect, or cause to be inspected, any premises  
8 in this State where alcoholic liquors are manufactured,  
9 distributed, warehoused, or sold. Nothing in this Act  
10 authorizes an agent of the State Commission to inspect  
11 private areas within the premises without reasonable  
12 suspicion or a warrant during an inspection. "Private  
13 areas" include, but are not limited to, safes, personal  
14 property, and closed desks.

15 (5.1) Upon receipt of a complaint or upon having  
16 knowledge that any person is engaged in business as a  
17 manufacturer, importing distributor, distributor, or  
18 retailer without a license or valid license, to conduct an  
19 investigation. If, after conducting an investigation, the  
20 State Commission is satisfied that the alleged conduct  
21 occurred or is occurring, it may issue a cease and desist  
22 notice as provided in this Act, impose civil penalties as  
23 provided in this Act, notify the local liquor authority,  
24 or file a complaint with the State's Attorney's Office of  
25 the county where the incident occurred or the Attorney  
26 General.

1           (5.2) Upon receipt of a complaint or upon having  
2 knowledge that any person is shipping alcoholic liquor  
3 into this State from a point outside of this State if the  
4 shipment is in violation of this Act, to conduct an  
5 investigation. If, after conducting an investigation, the  
6 State Commission is satisfied that the alleged conduct  
7 occurred or is occurring, it may issue a cease and desist  
8 notice as provided in this Act, impose civil penalties as  
9 provided in this Act, notify the foreign jurisdiction, or  
10 file a complaint with the State's Attorney's Office of the  
11 county where the incident occurred or the Attorney  
12 General.

13           (5.3) To receive complaints from licensees, local  
14 officials, law enforcement agencies, organizations, and  
15 persons stating that any licensee has been or is violating  
16 any provision of this Act or the rules and regulations  
17 issued pursuant to this Act. Such complaints shall be in  
18 writing, signed and sworn to by the person making the  
19 complaint, and shall state with specificity the facts in  
20 relation to the alleged violation. If the State Commission  
21 has reasonable grounds to believe that the complaint  
22 substantially alleges a violation of this Act or rules and  
23 regulations adopted pursuant to this Act, it shall conduct  
24 an investigation. If, after conducting an investigation,  
25 the State Commission is satisfied that the alleged  
26 violation did occur, it shall proceed with disciplinary

1 action against the licensee as provided in this Act.

2 (5.4) To make arrests and issue notices of civil  
3 violations where necessary for the enforcement of this  
4 Act.

5 (5.5) To investigate any and all unlicensed activity.

6 (5.6) To impose civil penalties or fines to any person  
7 who, without holding a valid license, engages in conduct  
8 that requires a license pursuant to this Act, in an amount  
9 not to exceed \$20,000 for each offense as determined by  
10 the State Commission. A civil penalty shall be assessed by  
11 the State Commission after a hearing is held in accordance  
12 with the provisions set forth in this Act regarding the  
13 provision of a hearing for the revocation or suspension of  
14 a license.

15 (6) To hear and determine appeals from orders of a  
16 local commission in accordance with the provisions of this  
17 Act, as hereinafter set forth. Hearings under this  
18 subsection shall be held in Springfield or Chicago, at  
19 whichever location is the more convenient for the majority  
20 of persons who are parties to the hearing.

21 (7) The State Commission shall establish uniform  
22 systems of accounts to be kept by all retail licensees  
23 having more than 4 employees, and for this purpose the  
24 State Commission may classify all retail licensees having  
25 more than 4 employees and establish a uniform system of  
26 accounts for each class and prescribe the manner in which

1 such accounts shall be kept. The State Commission may also  
2 prescribe the forms of accounts to be kept by all retail  
3 licensees having more than 4 employees, including, but not  
4 limited to, accounts of earnings and expenses and any  
5 distribution, payment, or other distribution of earnings  
6 or assets, and any other forms, records, and memoranda  
7 which in the judgment of the commission may be necessary  
8 or appropriate to carry out any of the provisions of this  
9 Act, including, but not limited to, such forms, records,  
10 and memoranda as will readily and accurately disclose at  
11 all times the beneficial ownership of such retail licensed  
12 business. The accounts, forms, records, and memoranda  
13 shall be available at all reasonable times for inspection  
14 by authorized representatives of the State Commission or  
15 by any local liquor control commissioner or his or her  
16 authorized representative. The commission may, from time  
17 to time, alter, amend, or repeal, in whole or in part, any  
18 uniform system of accounts, or the form and manner of  
19 keeping accounts.

20 (8) In the conduct of any hearing authorized to be  
21 held by the State Commission, to appoint, at the  
22 commission's discretion, hearing officers to conduct  
23 hearings involving complex issues or issues that will  
24 require a protracted period of time to resolve, to  
25 examine, or cause to be examined, under oath, any  
26 licensee, and to examine or cause to be examined the books

1 and records of such licensee; to hear testimony and take  
2 proof material for its information in the discharge of its  
3 duties hereunder; to administer or cause to be  
4 administered oaths; for any such purpose to issue subpoena  
5 or subpoenas to require the attendance of witnesses and  
6 the production of books, which shall be effective in any  
7 part of this State, and to adopt rules to implement its  
8 powers under this paragraph (8).

9 Any circuit court may, by order duly entered, require  
10 the attendance of witnesses and the production of relevant  
11 books subpoenaed by the State Commission and the court may  
12 compel obedience to its order by proceedings for contempt.

13 (9) To investigate the administration of laws in  
14 relation to alcoholic liquors in this and other states and  
15 any foreign countries, and to recommend from time to time  
16 to the Governor and through him or her to the legislature  
17 of this State, such amendments to this Act, if any, as it  
18 may think desirable and as will serve to further the  
19 general broad purposes contained in Section 1-2 hereof.

20 (10) To adopt such rules and regulations consistent  
21 with the provisions of this Act which shall be necessary  
22 for the control, sale, or disposition of alcoholic liquor  
23 damaged as a result of an accident, wreck, flood, fire, or  
24 other similar occurrence.

25 (11) To develop industry educational programs related  
26 to responsible serving and selling, particularly in the

1 areas of overserving consumers and illegal underage  
2 purchasing and consumption of alcoholic beverages.

3 (11.1) To license persons providing education and  
4 training to alcohol beverage sellers and servers for  
5 mandatory and non-mandatory training under the Beverage  
6 Alcohol Sellers and Servers Education and Training  
7 (BASSET) programs and to develop and administer a public  
8 awareness program in Illinois to reduce or eliminate the  
9 illegal purchase and consumption of alcoholic beverage  
10 products by persons under the age of 21. Application for a  
11 license shall be made on forms provided by the State  
12 Commission.

13 (12) To develop and maintain a repository of license  
14 and regulatory information.

15 (13) (Blank).

16 (14) On or before April 30, 2008 and every 2 years  
17 thereafter, the State Commission shall present a written  
18 report to the Governor and the General Assembly that shall  
19 be based on a study of the impact of Public Act 95-634 on  
20 the business of soliciting, selling, and shipping wine  
21 from inside and outside of this State directly to  
22 residents of this State. As part of its report, the State  
23 Commission shall provide all of the following information:

24 (A) The amount of State excise and sales tax  
25 revenues generated.

26 (B) The amount of licensing fees received.

1           (C) The number of cases of wine shipped from  
2           inside and outside of this State directly to residents  
3           of this State.

4           (D) The number of alcohol compliance operations  
5           conducted.

6           (E) The number of winery shipper's licenses  
7           issued.

8           (F) The number of each of the following: reported  
9           violations; cease and desist notices issued by the  
10          Commission; notices of violations issued by the  
11          Commission and to the Department of Revenue; and  
12          notices and complaints of violations to law  
13          enforcement officials, including, without limitation,  
14          the Illinois Attorney General and the U.S. Department  
15          of Treasury's Alcohol and Tobacco Tax and Trade  
16          Bureau.

17          (15) As a means to reduce the underage consumption of  
18          alcoholic liquors, the State Commission shall conduct  
19          alcohol compliance operations to investigate whether  
20          businesses that are soliciting, selling, and shipping wine  
21          from inside or outside of this State directly to residents  
22          of this State are licensed by this State or are selling or  
23          attempting to sell wine to persons under 21 years of age in  
24          violation of this Act.

25          (16) The State Commission shall, in addition to  
26          notifying any appropriate law enforcement agency, submit

1 notices of complaints or violations of Sections 6-29,  
2 6-29.05, and 6-29.1 by persons who do not hold a winery  
3 shipper's license or distillery shipper's license under  
4 this Act to the Illinois Attorney General and to the U.S.  
5 Department of Treasury's Alcohol and Tobacco Tax and Trade  
6 Bureau.

7 (17) (A) A person licensed to make wine under the laws  
8 of another state who has a winery shipper's license under  
9 this Act and annually produces less than 25,000 gallons of  
10 wine or a person who has a first-class or second-class  
11 wine manufacturer's license, a first-class or second-class  
12 wine-maker's license, or a limited wine manufacturer's  
13 license under this Act and annually produces less than  
14 25,000 gallons of wine may make application to the  
15 Commission for a self-distribution exemption to allow the  
16 sale of not more than 5,000 gallons of the exemption  
17 holder's wine to retail licensees per year and to sell  
18 cider, mead, or both cider and mead to brewers, class 1  
19 brewers, class 2 brewers, ~~and~~ class 3 brewers, and class 3  
20 craft distillers that, pursuant to subsection (e) of  
21 Section 6-4 of this Act, sell beer, cider, spirits, mead,  
22 or any combination thereof to non-licensees at their  
23 breweries or distilleries.

24 (B) In the application, which shall be sworn under  
25 penalty of perjury, such person shall state (1) the date  
26 it was established; (2) its volume of production and sales

1 for each year since its establishment; (3) its efforts to  
2 establish distributor relationships; (4) that a  
3 self-distribution exemption is necessary to facilitate the  
4 marketing of its wine; and (5) that it will comply with the  
5 liquor and revenue laws of the United States, this State,  
6 and any other state where it is licensed.

7 (C) The State Commission shall approve the application  
8 for a self-distribution exemption if such person: (1) is  
9 in compliance with State revenue and liquor laws; (2) is  
10 not a member of any affiliated group that produces  
11 directly or indirectly more than 25,000 gallons of wine  
12 per annum, 930,000 gallons of beer per annum, or 50,000  
13 gallons of spirits per annum; (3) will not annually  
14 produce for sale more than 25,000 gallons of wine, 930,000  
15 gallons of beer, or 50,000 gallons of spirits; and (4)  
16 will not annually sell more than 5,000 gallons of its wine  
17 to retail licensees.

18 (D) A self-distribution exemption holder shall  
19 annually certify to the State Commission its production of  
20 wine in the previous 12 months and its anticipated  
21 production and sales for the next 12 months. The State  
22 Commission may fine, suspend, or revoke a  
23 self-distribution exemption after a hearing if it finds  
24 that the exemption holder has made a material  
25 misrepresentation in its application, violated a revenue  
26 or liquor law of Illinois, exceeded production of 25,000

1 gallons of wine, 930,000 gallons of beer, or 50,000  
2 gallons of spirits in any calendar year, or become part of  
3 an affiliated group producing more than 25,000 gallons of  
4 wine, 930,000 gallons of beer, or 50,000 gallons of  
5 spirits.

6 (E) Except in hearings for violations of this Act or  
7 Public Act 95-634 or a bona fide investigation by duly  
8 sworn law enforcement officials, the State Commission, or  
9 its agents, the State Commission shall maintain the  
10 production and sales information of a self-distribution  
11 exemption holder as confidential and shall not release  
12 such information to any person.

13 (F) The State Commission shall issue regulations  
14 governing self-distribution exemptions consistent with  
15 this Section and this Act.

16 (G) Nothing in this paragraph (17) shall prohibit a  
17 self-distribution exemption holder from entering into or  
18 simultaneously having a distribution agreement with a  
19 licensed Illinois distributor.

20 (H) It is the intent of this paragraph (17) to promote  
21 and continue orderly markets. The General Assembly finds  
22 that, in order to preserve Illinois' regulatory  
23 distribution system, it is necessary to create an  
24 exception for smaller makers of wine as their wines are  
25 frequently adjusted in varietals, mixes, vintages, and  
26 taste to find and create market niches sometimes too small

1 for distributor or importing distributor business  
2 strategies. Limited self-distribution rights will afford  
3 and allow smaller makers of wine access to the marketplace  
4 in order to develop a customer base without impairing the  
5 integrity of the 3-tier system.

6 (18) (A) A class 1 brewer licensee, who must also be  
7 either a licensed brewer or licensed non-resident dealer  
8 and annually manufacture less than 930,000 gallons of  
9 beer, may make application to the State Commission for a  
10 self-distribution exemption to allow the sale of not more  
11 than 232,500 gallons per year of the exemption holder's  
12 beer to retail licensees and to brewers, class 1 brewers,  
13 and class 2 brewers that, pursuant to subsection (e) of  
14 Section 6-4 of this Act, sell beer, cider, mead, or any  
15 combination thereof to non-licensees at their breweries.

16 (B) In the application, which shall be sworn under  
17 penalty of perjury, the class 1 brewer licensee shall  
18 state (1) the date it was established; (2) its volume of  
19 beer manufactured and sold for each year since its  
20 establishment; (3) its efforts to establish distributor  
21 relationships; (4) that a self-distribution exemption is  
22 necessary to facilitate the marketing of its beer; and (5)  
23 that it will comply with the alcoholic beverage and  
24 revenue laws of the United States, this State, and any  
25 other state where it is licensed.

26 (C) Any application submitted shall be posted on the

1 State Commission's website at least 45 days prior to  
2 action by the State Commission. The State Commission shall  
3 approve the application for a self-distribution exemption  
4 if the class 1 brewer licensee: (1) is in compliance with  
5 the State, revenue, and alcoholic beverage laws; (2) is  
6 not a member of any affiliated group that manufactures,  
7 directly or indirectly, more than 930,000 gallons of beer  
8 per annum, 25,000 gallons of wine per annum, or 50,000  
9 gallons of spirits per annum; (3) shall not annually  
10 manufacture for sale more than 930,000 gallons of beer,  
11 25,000 gallons of wine, or 50,000 gallons of spirits; (4)  
12 shall not annually sell more than 232,500 gallons of its  
13 beer to retail licensees and class 3 brewers and to  
14 brewers, class 1 brewers, and class 2 brewers that,  
15 pursuant to subsection (e) of Section 6-4 of this Act,  
16 sell beer, cider, mead, or any combination thereof to  
17 non-licensees at their breweries; and (5) has relinquished  
18 any brew pub license held by the licensee, including any  
19 ownership interest it held in the licensed brew pub.

20 (D) A self-distribution exemption holder shall  
21 annually certify to the State Commission its manufacture  
22 of beer during the previous 12 months and its anticipated  
23 manufacture and sales of beer for the next 12 months. The  
24 State Commission may fine, suspend, or revoke a  
25 self-distribution exemption after a hearing if it finds  
26 that the exemption holder has made a material

1           misrepresentation in its application, violated a revenue  
2           or alcoholic beverage law of Illinois, exceeded the  
3           manufacture of 930,000 gallons of beer, 25,000 gallons of  
4           wine, or 50,000 gallons of spirits in any calendar year or  
5           became part of an affiliated group manufacturing more than  
6           930,000 gallons of beer, 25,000 gallons of wine, or 50,000  
7           gallons of spirits.

8           (E) The State Commission shall issue rules and  
9           regulations governing self-distribution exemptions  
10          consistent with this Act.

11          (F) Nothing in this paragraph (18) shall prohibit a  
12          self-distribution exemption holder from entering into or  
13          simultaneously having a distribution agreement with a  
14          licensed Illinois importing distributor or a distributor.  
15          If a self-distribution exemption holder enters into a  
16          distribution agreement and has assigned distribution  
17          rights to an importing distributor or distributor, then  
18          the self-distribution exemption holder's distribution  
19          rights in the assigned territories shall cease in a  
20          reasonable time not to exceed 60 days.

21          (G) It is the intent of this paragraph (18) to promote  
22          and continue orderly markets. The General Assembly finds  
23          that in order to preserve Illinois' regulatory  
24          distribution system, it is necessary to create an  
25          exception for smaller manufacturers in order to afford and  
26          allow such smaller manufacturers of beer access to the

1 marketplace in order to develop a customer base without  
2 impairing the integrity of the 3-tier system.

3 (19) (A) A class 1 craft distiller licensee or a  
4 non-resident dealer who manufactures less than 50,000  
5 gallons of distilled spirits per year may make application  
6 to the State Commission for a self-distribution exemption  
7 to allow the sale of not more than 5,000 gallons of the  
8 exemption holder's spirits to retail licensees per year.

9 (B) In the application, which shall be sworn under  
10 penalty of perjury, the class 1 craft distiller licensee  
11 or non-resident dealer shall state (1) the date it was  
12 established; (2) its volume of spirits manufactured and  
13 sold for each year since its establishment; (3) its  
14 efforts to establish distributor relationships; (4) that a  
15 self-distribution exemption is necessary to facilitate the  
16 marketing of its spirits; and (5) that it will comply with  
17 the alcoholic beverage and revenue laws of the United  
18 States, this State, and any other state where it is  
19 licensed.

20 (C) Any application submitted shall be posted on the  
21 State Commission's website at least 45 days prior to  
22 action by the State Commission. The State Commission shall  
23 approve the application for a self-distribution exemption  
24 if the applicant: (1) is in compliance with State revenue  
25 and alcoholic beverage laws; (2) is not a member of any  
26 affiliated group that produces more than 50,000 gallons of

1 spirits per annum, 930,000 gallons of beer per annum, or  
2 25,000 gallons of wine per annum; (3) does not annually  
3 manufacture for sale more than 50,000 gallons of spirits,  
4 930,000 gallons of beer, or 25,000 gallons of wine; and  
5 (4) does not annually sell more than 5,000 gallons of its  
6 spirits to retail licensees.

7 (D) A self-distribution exemption holder shall  
8 annually certify to the State Commission its manufacture  
9 of spirits during the previous 12 months and its  
10 anticipated manufacture and sales of spirits for the next  
11 12 months. The State Commission may fine, suspend, or  
12 revoke a self-distribution exemption after a hearing if it  
13 finds that the exemption holder has made a material  
14 misrepresentation in its application, violated a revenue  
15 or alcoholic beverage law of Illinois, exceeded the  
16 manufacture of 50,000 gallons of spirits, 930,000 gallons  
17 of beer, or 25,000 gallons of wine in any calendar year, or  
18 has become part of an affiliated group manufacturing more  
19 than 50,000 gallons of spirits, 930,000 gallons of beer,  
20 or 25,000 gallons of wine.

21 (E) The State Commission shall adopt rules governing  
22 self-distribution exemptions consistent with this Act.

23 (F) Nothing in this paragraph (19) shall prohibit a  
24 self-distribution exemption holder from entering into or  
25 simultaneously having a distribution agreement with a  
26 licensed Illinois importing distributor or a distributor.

1           (G) It is the intent of this paragraph (19) to promote  
2           and continue orderly markets. The General Assembly finds  
3           that in order to preserve Illinois' regulatory  
4           distribution system, it is necessary to create an  
5           exception for smaller manufacturers in order to afford and  
6           allow such smaller manufacturers of spirits access to the  
7           marketplace in order to develop a customer base without  
8           impairing the integrity of the 3-tier system.

9           (20) (A) A class 3 brewer licensee who must manufacture  
10          less than 465,000 gallons of beer in the aggregate and not  
11          more than 155,000 gallons at any single brewery premises  
12          may make application to the State Commission for a  
13          self-distribution exemption to allow the sale of not more  
14          than 6,200 gallons of beer from each in-state or  
15          out-of-state class 3 brewery premises, which shall not  
16          exceed 18,600 gallons annually in the aggregate, that is  
17          manufactured at a wholly owned class 3 brewer's in-state  
18          or out-of-state licensed premises to retail licensees and  
19          class 3 brewers and to brewers, class 1 brewers, class 2  
20          brewers that, pursuant to subsection (e) of Section 6-4,  
21          sell beer, cider, or both beer and cider to non-licensees  
22          at their licensed breweries.

23          (B) In the application, which shall be sworn under  
24          penalty of perjury, the class 3 brewer licensee shall  
25          state:

26                 (1) the date it was established;

1           (2) its volume of beer manufactured and sold for  
2 each year since its establishment;

3           (3) its efforts to establish distributor  
4 relationships;

5           (4) that a self-distribution exemption is  
6 necessary to facilitate the marketing of its beer; and

7           (5) that it will comply with the alcoholic  
8 beverage and revenue laws of the United States, this  
9 State, and any other state where it is licensed.

10           (C) Any application submitted shall be posted on the  
11 State Commission's website at least 45 days before action  
12 by the State Commission. The State Commission shall  
13 approve the application for a self-distribution exemption  
14 if the class 3 brewer licensee: (1) is in compliance with  
15 the State, revenue, and alcoholic beverage laws; (2) is  
16 not a member of any affiliated group that manufacturers,  
17 directly or indirectly, more than 465,000 gallons of beer  
18 per annum; (3) shall not annually manufacture for sale  
19 more than 465,000 gallons of beer or more than 155,000  
20 gallons at any single brewery premises; and (4) shall not  
21 annually sell more than 6,200 gallons of beer from each  
22 in-state or out-of-state class 3 brewery premises, and  
23 shall not exceed 18,600 gallons annually in the aggregate,  
24 to retail licensees and class 3 brewers and 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,

1 cider, or both beer and cider to non-licensees at their  
2 breweries.

3 (D) A self-distribution exemption holder shall  
4 annually certify to the State Commission its manufacture  
5 of beer during the previous 12 months and its anticipated  
6 manufacture and sales of beer for the next 12 months. The  
7 State Commission may fine, suspend, or revoke a  
8 self-distribution exemption after a hearing if it finds  
9 that the exemption holder has made a material  
10 misrepresentation in its application, violated a revenue  
11 or alcoholic beverage law of Illinois, exceeded the  
12 manufacture of 465,000 gallons of beer in any calendar  
13 year or became part of an affiliated group manufacturing  
14 more than 465,000 gallons of beer, or exceeded the sale to  
15 retail licensees, brewers, class 1 brewers, class 2  
16 brewers, and class 3 brewers of 6,200 gallons per brewery  
17 location or 18,600 gallons in the aggregate.

18 (E) The State Commission may adopt rules governing  
19 self-distribution exemptions consistent with this Act.

20 (F) Nothing in this paragraph shall prohibit a  
21 self-distribution exemption holder from entering into or  
22 simultaneously having a distribution agreement with a  
23 licensed Illinois importing distributor or a distributor.  
24 If a self-distribution exemption holder enters into a  
25 distribution agreement and has assigned distribution  
26 rights to an importing distributor or distributor, then

1 the self-distribution exemption holder's distribution  
2 rights in the assigned territories shall cease in a  
3 reasonable time not to exceed 60 days.

4 (G) It is the intent of this paragraph to promote and  
5 continue orderly markets. The General Assembly finds that  
6 in order to preserve Illinois' regulatory distribution  
7 system, it is necessary to create an exception for smaller  
8 manufacturers in order to afford and allow such smaller  
9 manufacturers of beer access to the marketplace in order  
10 to develop a customer base without impairing the integrity  
11 of the 3-tier system.

12 (21) (A) A class 3 craft distiller licensee who  
13 manufactures less than 100,000 gallons of spirits in the  
14 aggregate may make application to the State Commission for  
15 a self-distribution exemption to allow the sale of spirits  
16 that are manufactured at a wholly owned class 3 craft  
17 distiller's in-state or out-of-state licensed premises to  
18 retail licensees and class 3 brewers and to class 3 craft  
19 distillers that, pursuant to subsection (e) of Section  
20 6-4, sell beer, cider, spirits, or any combination thereof  
21 to non-licensees at their licensed distilleries.

22 (B) In the application, which shall be sworn under  
23 penalty of perjury, the class 3 craft distiller licensee  
24 shall state: (1) the date it was established; (2) its  
25 volume of spirits manufactured and sold for each year  
26 since its establishment; (3) its efforts to establish

1 distributor relationships; (4) that a self-distribution  
2 exemption is necessary to facilitate the marketing of its  
3 spirits; and (5) that it will comply with the alcoholic  
4 beverage and revenue laws of the United States, this  
5 State, and any other state where it is licensed.

6 (C) Any application submitted shall be posted on the  
7 State Commission's website at least 45 days before action  
8 by the State Commission. The State Commission shall  
9 approve the application for a self-distribution exemption  
10 if the class 3 craft distiller licensee: (1) is in  
11 compliance with the State, revenue, and alcoholic beverage  
12 laws; (2) is not a member of any affiliated group that  
13 manufacturers, directly or indirectly, more than 100,000  
14 gallons of spirits per annum; and (3) shall not annually  
15 manufacture for sale more than 100,000 gallons of spirits.

16 (D) A self-distribution exemption holder shall  
17 annually certify to the State Commission its manufacture  
18 of spirits during the previous 12 months and its  
19 anticipated manufacture and sales of spirits for the next  
20 12 months. The State Commission may fine, suspend, or  
21 revoke a self-distribution exemption after a hearing if it  
22 finds that the exemption holder has made a material  
23 misrepresentation in its application, violated a revenue  
24 or alcoholic beverage law of Illinois, exceeded the  
25 manufacture of 100,000 gallons of spirits in any calendar  
26 year, or became part of an affiliated group manufacturing

1 more than 100,000 gallons of spirits.

2 (E) The State Commission may adopt rules governing  
3 self-distribution exemptions consistent with this Act.

4 (F) Nothing in this paragraph shall prohibit a  
5 self-distribution exemption holder from entering into or  
6 simultaneously having a distribution agreement with a  
7 licensed Illinois importing distributor or a distributor.

8 (G) It is the intent of this paragraph to promote and  
9 continue orderly markets. The General Assembly finds that  
10 in order to preserve Illinois' regulatory distribution  
11 system, it is necessary to create an exception for smaller  
12 manufacturers in order to afford and allow such smaller  
13 manufacturers of spirits access to the marketplace in  
14 order to develop a customer base without impairing the  
15 integrity of the 3-tier system.

16 (b) On or before April 30, 1999, the Commission shall  
17 present a written report to the Governor and the General  
18 Assembly that shall be based on a study of the impact of Public  
19 Act 90-739 on the business of soliciting, selling, and  
20 shipping alcoholic liquor from outside of this State directly  
21 to residents of this State.

22 As part of its report, the Commission shall provide the  
23 following information:

24 (i) the amount of State excise and sales tax revenues  
25 generated as a result of Public Act 90-739;

26 (ii) the amount of licensing fees received as a result

1 of Public Act 90-739;

2 (iii) the number of reported violations, the number of  
3 cease and desist notices issued by the Commission, the  
4 number of notices of violations issued to the Department  
5 of Revenue, and the number of notices and complaints of  
6 violations to law enforcement officials.

7 (Source: P.A. 101-37, eff. 7-3-19; 101-81, eff. 7-12-19;  
8 101-482, eff. 8-23-19; 102-442, eff. 8-20-21; 102-558, eff.  
9 8-20-21; 102-813, eff. 5-13-22.)

10 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

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

21 (b) Distributor's license,

22 (c) Importing Distributor's license,

23 (d) Retailer's license,

24 (e) Special Event Retailer's license (not-for-profit),

25 (f) Railroad license,

- 1 (g) Boat license,  
2 (h) Non-Beverage User's license,  
3 (i) Wine-maker's premises license,  
4 (j) Airplane license,  
5 (k) Foreign importer's license,  
6 (l) Broker's license,  
7 (m) Non-resident dealer's license,  
8 (n) Brew Pub license,  
9 (o) Auction liquor license,  
10 (p) Caterer retailer license,  
11 (q) Special use permit license,  
12 (r) Winery shipper's license,  
13 (s) Craft distiller tasting permit,  
14 (t) Brewer warehouse permit,  
15 (u) Distilling pub license,  
16 (v) Craft distiller warehouse permit,  
17 (w) Beer showcase permit,  
18 (x) Distillery shipper's license,  
19 (y) Spirits showcase permit.

20 No person, firm, partnership, corporation, or other legal  
21 business entity that is engaged in the manufacturing of wine  
22 may concurrently obtain and hold a wine-maker's license and a  
23 wine manufacturer's license.

24 (a) A manufacturer's license shall allow the manufacture,  
25 importation in bulk, storage, distribution and sale of  
26 alcoholic liquor to persons without the State, as may be

1 permitted by law and to licensees in this State as follows:

2 Class 1. A Distiller may make sales and deliveries of  
3 alcoholic liquor to distillers, rectifiers, importing  
4 distributors, distributors and non-beverage users and to no  
5 other licensees.

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

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

19 Class 4. A first class wine-manufacturer may make sales  
20 and deliveries of up to 50,000 gallons of wine to  
21 manufacturers, importing distributors and distributors, and to  
22 no other licensees. If a first-class wine-manufacturer  
23 manufactures beer, it shall also obtain and shall only be  
24 eligible for, in addition to any current license, a class 1  
25 brewer license, shall not manufacture more than 930,000  
26 gallons of beer per year, and shall not be a member of or

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

12 Class 5. A second class Wine manufacturer may make sales  
13 and deliveries of more than 50,000 gallons of wine to  
14 manufacturers, importing distributors and distributors and to  
15 no other licensees.

16 Class 6. A first-class wine-maker's license shall allow  
17 the manufacture of up to 50,000 gallons of wine per year, and  
18 the storage and sale of such wine to distributors in the State  
19 and to persons without the State, as may be permitted by law. A  
20 person who, prior to June 1, 2008 (the effective date of Public  
21 Act 95-634), is a holder of a first-class wine-maker's license  
22 and annually produces more than 25,000 gallons of its own wine  
23 and who distributes its wine to licensed retailers shall cease  
24 this practice on or before July 1, 2008 in compliance with  
25 Public Act 95-634. If a first-class wine-maker manufactures  
26 beer, it shall also obtain and shall only be eligible for, in

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

17 Class 7. A second-class wine-maker's license shall allow  
18 the manufacture of up to 150,000 gallons of wine per year, and  
19 the storage and sale of such wine to distributors in this State  
20 and to persons without the State, as may be permitted by law. A  
21 person who, prior to June 1, 2008 (the effective date of Public  
22 Act 95-634), is a holder of a second-class wine-maker's  
23 license and annually produces more than 25,000 gallons of its  
24 own wine and who distributes its wine to licensed retailers  
25 shall cease this practice on or before July 1, 2008 in  
26 compliance with Public Act 95-634. If a second-class

1 wine-maker manufactures beer, it shall also obtain and shall  
2 only be eligible for, in addition to any current license, a  
3 class 2 brewer license, shall not manufacture more than  
4 3,720,000 gallons of beer per year, and shall not be a member  
5 of or affiliated with, directly or indirectly, a manufacturer  
6 that produces more than 3,720,000 gallons of beer per year. If  
7 a second-class wine-maker manufactures spirits, it shall also  
8 obtain and shall only be eligible for, in addition to any  
9 current license, a class 2 craft distiller license, shall not  
10 manufacture more than 100,000 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 100,000  
13 gallons of spirits per year.

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

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

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

1       However, the aggregate amount of spirits sold to non-licensees  
2       and sold or delivered to retail licensees may not exceed 5,000  
3       gallons per year.

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

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

21      Class 11. A class 2 craft distiller license, which may  
22      only be issued to a licensed craft distiller or licensed  
23      non-resident dealer, shall allow the manufacture of up to  
24      100,000 gallons of spirits per year provided that the class 2  
25      craft distiller licensee does not manufacture more than a  
26      combined 100,000 gallons of spirits per year and is not a

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

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

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

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

23 Class 12. A class 1 brewer license, which may only be  
24 issued to a licensed brewer or licensed non-resident dealer,  
25 shall allow the manufacture of up to 930,000 gallons of beer  
26 per year provided that the class 1 brewer licensee does not

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

26 Class 13. A class 2 brewer license, which may only be

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

1 wholly owned and operated by the same licensee.

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

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

20 Class 14. A class 3 brewer license, which may be issued to  
21 a brewer or a non-resident dealer, shall allow the manufacture  
22 of no more than 465,000 gallons of beer per year and no more  
23 than 155,000 gallons at a single brewery premises, and shall  
24 allow the sale of no more than 6,200 gallons of beer from each  
25 in-state or out-of-state class 3 brewery premises, or 18,600  
26 gallons in the aggregate, to retail licensees, class 1

1 brewers, class 2 brewers, and class 3 brewers as long as the  
2 class 3 brewer licensee does not manufacture more than a  
3 combined 465,000 gallons of beer per year and is not a member  
4 of or affiliated with, directly or indirectly, a manufacturer  
5 that produces more than 465,000 gallons of beer per year to  
6 make sales to importing distributors, distributors, retail  
7 licensees, brewers, class 1 brewers, class 2 brewers, and  
8 class 3 brewers in accordance with the conditions set forth in  
9 paragraph (20) of subsection (a) of Section 3-12. If the State  
10 Commission provides prior approval, a class 3 brewer may  
11 annually transfer up to 155,000 gallons of beer manufactured  
12 by that class 3 brewer to the premises of a licensed class 3  
13 brewer wholly owned and operated by the same licensee. A class  
14 3 brewer shall manufacture beer at the brewer's class 3  
15 designated licensed premises, and may sell beer as otherwise  
16 provided in this Act.

17 Class 15. A class 3 craft distiller license, which may be  
18 issued to a distiller or a non-resident dealer, shall allow  
19 the manufacture of no more than 100,000 gallons of spirits per  
20 year and shall allow the sale of spirits from the class 3 craft  
21 distiller's in-state or out-of-state class 3 craft distillery  
22 premises to retail licensees, class 3 brewers, and class 3  
23 craft distillers as long as the class 3 craft distiller  
24 licensee does not manufacture more than a combined 100,000  
25 gallons of spirits per year and is not a member of or  
26 affiliated with, directly or indirectly, a manufacturer that

1 produces more than 100,000 gallons of spirits per year and to  
2 make sales to importing distributors, distributors, retail  
3 licensees, class 3 brewers, and class 3 craft distillers in  
4 accordance with the conditions set forth in paragraph (21) of  
5 subsection (a) of Section 3-12. If the State Commission  
6 provides prior approval, a class 3 craft distiller may  
7 annually transfer up to 5,000 gallons of spirits manufactured  
8 by that class 3 craft distiller to the premises of a licensed  
9 class 3 craft distiller wholly owned and operated by the same  
10 licensee. A class 3 craft distiller shall manufacture spirits  
11 at the distiller's class 3 designated licensed premises and  
12 may sell spirits as otherwise provided in this Act.

13 (a-1) A manufacturer which is licensed in this State to  
14 make sales or deliveries of alcoholic liquor to licensed  
15 distributors or importing distributors and which enlists  
16 agents, representatives, or individuals acting on its behalf  
17 who contact licensed retailers on a regular and continual  
18 basis in this State must register those agents,  
19 representatives, or persons acting on its behalf with the  
20 State Commission.

21 Registration of agents, representatives, or persons acting  
22 on behalf of a manufacturer is fulfilled by submitting a form  
23 to the Commission. The form shall be developed by the  
24 Commission and shall include the name and address of the  
25 applicant, the name and address of the manufacturer he or she  
26 represents, the territory or areas assigned to sell to or

1 discuss pricing terms of alcoholic liquor, and any other  
2 questions deemed appropriate and necessary. All statements in  
3 the forms required to be made by law or by rule shall be deemed  
4 material, and any person who knowingly misstates any material  
5 fact under oath in an application is guilty of a Class B  
6 misdemeanor. Fraud, misrepresentation, false statements,  
7 misleading statements, evasions, or suppression of material  
8 facts in the securing of a registration are grounds for  
9 suspension or revocation of the registration. The State  
10 Commission shall post a list of registered agents on the  
11 Commission's website.

12 (b) A distributor's license shall allow (i) the wholesale  
13 purchase and storage of alcoholic liquors and sale of  
14 alcoholic liquors to licensees in this State and to persons  
15 without the State, as may be permitted by law; (ii) the sale of  
16 beer, cider, mead, or any combination thereof to brewers,  
17 class 1 brewers, and class 2 brewers that, pursuant to  
18 subsection (e) of Section 6-4 of this Act, sell beer, cider,  
19 mead, or any combination thereof to non-licensees at their  
20 breweries; (iii) the sale of vermouth to class 1 craft  
21 distillers and class 2 craft distillers that, pursuant to  
22 subsection (e) of Section 6-4 of this Act, sell spirits,  
23 vermouth, or both spirits and vermouth to non-licensees at  
24 their distilleries; or (iv) as otherwise provided in this Act.  
25 No person licensed as a distributor shall be granted a  
26 non-resident dealer's license.

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

20           (d) A retailer's license shall allow the licensee to sell  
21 and offer for sale at retail, only in the premises specified in  
22 the license, alcoholic liquor for use or consumption, but not  
23 for resale in any form. Except as provided in Section 6-16,  
24 6-29, or 6-29.1, nothing in this Act shall deny, limit,  
25 remove, or restrict the ability of a holder of a retailer's  
26 license to transfer or ship alcoholic liquor to the purchaser

1 for use or consumption subject to any applicable local law or  
2 ordinance. For the purposes of this Section, "shipping" means  
3 the movement of alcoholic liquor from a licensed retailer to a  
4 consumer via a common carrier. Except as provided in Section  
5 6-16, 6-29, or 6-29.1, nothing in this Act shall deny, limit,  
6 remove, or restrict the ability of a holder of a retailer's  
7 license to deliver alcoholic liquor to the purchaser for use  
8 or consumption. The delivery shall be made only within 12  
9 hours from the time the alcoholic liquor leaves the licensed  
10 premises of the retailer for delivery. For the purposes of  
11 this Section, "delivery" means the movement of alcoholic  
12 liquor purchased from a licensed retailer to a consumer  
13 through the following methods:

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

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

18 (3) delivery by a third-party contractor, independent  
19 contractor, or agent with whom the licensed retailer has  
20 contracted to make deliveries of alcoholic liquors.

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

23 Any retail license issued to a manufacturer shall only  
24 permit the manufacturer to sell beer at retail on the premises  
25 actually occupied by the manufacturer. For the purpose of  
26 further describing the type of business conducted at a retail

1 licensed premises, a retailer's licensee may be designated by  
2 the State Commission as (i) an on premise consumption  
3 retailer, (ii) an off premise sale retailer, or (iii) a  
4 combined on premise consumption and off premise sale retailer.

5 Except for a municipality with a population of more than  
6 1,000,000 inhabitants, a home rule unit may not regulate the  
7 delivery of alcoholic liquor inconsistent with this  
8 subsection. This paragraph is a limitation under subsection  
9 (i) of Section 6 of Article VII of the Illinois Constitution on  
10 the concurrent exercise by home rule units of powers and  
11 functions exercised by the State. A non-home rule municipality  
12 may not regulate the delivery of alcoholic liquor inconsistent  
13 with this subsection.

14 Notwithstanding any other provision of this subsection  
15 (d), a retail licensee may sell alcoholic liquors to a special  
16 event retailer licensee for resale to the extent permitted  
17 under subsection (e).

18 (e) A special event retailer's license (not-for-profit)  
19 shall permit the licensee to purchase alcoholic liquors from  
20 an Illinois licensed distributor (unless the licensee  
21 purchases less than \$500 of alcoholic liquors for the special  
22 event, in which case the licensee may purchase the alcoholic  
23 liquors from a licensed retailer) and shall allow the licensee  
24 to sell and offer for sale, at retail, alcoholic liquors for  
25 use or consumption, but not for resale in any form and only at  
26 the location and on the specific dates designated for the

1 special event in the license. An applicant for a special event  
2 retailer license must (i) furnish with the application: (A) a  
3 resale number issued under Section 2c of the Retailers'  
4 Occupation Tax Act or evidence that the applicant is  
5 registered under Section 2a of the Retailers' Occupation Tax  
6 Act, (B) a current, valid exemption identification number  
7 issued under Section 1g of the Retailers' Occupation Tax Act,  
8 and a certification to the Commission that the purchase of  
9 alcoholic liquors will be a tax-exempt purchase, or (C) a  
10 statement that the applicant is not registered under Section  
11 2a of the Retailers' Occupation Tax Act, does not hold a resale  
12 number under Section 2c of the Retailers' Occupation Tax Act,  
13 and does not hold an exemption number under Section 1g of the  
14 Retailers' Occupation Tax Act, in which event the Commission  
15 shall set forth on the special event retailer's license a  
16 statement to that effect; (ii) submit with the application  
17 proof satisfactory to the State Commission that the applicant  
18 will provide dram shop liability insurance in the maximum  
19 limits; and (iii) show proof satisfactory to the State  
20 Commission that the applicant has obtained local authority  
21 approval.

22 Nothing in this Act prohibits an Illinois licensed  
23 distributor from offering credit or a refund for unused,  
24 salable alcoholic liquors to a holder of a special event  
25 retailer's license or the special event retailer's licensee  
26 from accepting the credit or refund of alcoholic liquors at

1 the conclusion of the event specified in the license.

2 (f) A railroad license shall permit the licensee to import  
3 alcoholic liquors into this State from any point in the United  
4 States outside this State and to store such alcoholic liquors  
5 in this State; to make wholesale purchases of alcoholic  
6 liquors directly from manufacturers, foreign importers,  
7 distributors and importing distributors from within or outside  
8 this State; and to store such alcoholic liquors in this State;  
9 provided that the above powers may be exercised only in  
10 connection with the importation, purchase or storage of  
11 alcoholic liquors to be sold or dispensed on a club, buffet,  
12 lounge or dining car operated on an electric, gas or steam  
13 railway in this State; and provided further, that railroad  
14 licensees exercising the above powers shall be subject to all  
15 provisions of Article VIII of this Act as applied to importing  
16 distributors. A railroad license shall also permit the  
17 licensee to sell or dispense alcoholic liquors on any club,  
18 buffet, lounge or dining car operated on an electric, gas or  
19 steam railway regularly operated by a common carrier in this  
20 State, but shall not permit the sale for resale of any  
21 alcoholic liquors to any licensee within this State. A license  
22 shall be obtained for each car in which such sales are made.

23 (g) A boat license shall allow the sale of alcoholic  
24 liquor in individual drinks, on any passenger boat regularly  
25 operated as a common carrier on navigable waters in this State  
26 or on any riverboat operated under the Illinois Gambling Act,

1 which boat or riverboat maintains a public dining room or  
2 restaurant thereon.

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

- 13 Class 1, not to exceed ..... 500 gallons
- 14 Class 2, not to exceed ..... 1,000 gallons
- 15 Class 3, not to exceed ..... 5,000 gallons
- 16 Class 4, not to exceed ..... 10,000 gallons
- 17 Class 5, not to exceed ..... 50,000 gallons

18 (i) A wine-maker's premises license shall allow a licensee  
19 that concurrently holds a first-class wine-maker's license to  
20 sell and offer for sale at retail in the premises specified in  
21 such license not more than 50,000 gallons of the first-class  
22 wine-maker's wine that is made at the first-class wine-maker's  
23 licensed premises per year for use or consumption, but not for  
24 resale in any form. A wine-maker's premises license shall  
25 allow a licensee who concurrently holds a second-class  
26 wine-maker's license to sell and offer for sale at retail in

1 the premises specified in such license up to 100,000 gallons  
2 of the second-class wine-maker's wine that is made at the  
3 second-class wine-maker's licensed premises per year for use  
4 or consumption but not for resale in any form. A first-class  
5 wine-maker that concurrently holds a class 1 brewer license or  
6 a class 1 craft distiller license shall not be eligible to hold  
7 a wine-maker's premises license. A wine-maker's premises  
8 license shall allow a licensee that concurrently holds a  
9 first-class wine-maker's license or a second-class  
10 wine-maker's license to sell and offer for sale at retail at  
11 the premises specified in the wine-maker's premises license,  
12 for use or consumption but not for resale in any form, any  
13 beer, wine, and spirits purchased from a licensed distributor.  
14 Upon approval from the State Commission, a wine-maker's  
15 premises license shall allow the licensee to sell and offer  
16 for sale at (i) the wine-maker's licensed premises and (ii) at  
17 up to 2 additional locations for use and consumption and not  
18 for resale. Each location shall require additional licensing  
19 per location as specified in Section 5-3 of this Act. A  
20 wine-maker's premises licensee shall secure liquor liability  
21 insurance coverage in an amount at least equal to the maximum  
22 liability amounts set forth in subsection (a) of Section 6-21  
23 of this Act.

24 (j) An airplane license shall permit the licensee to  
25 import alcoholic liquors into this State from any point in the  
26 United States outside this State and to store such alcoholic

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

19 (k) A foreign importer's license shall permit such  
20 licensee to purchase alcoholic liquor from Illinois licensed  
21 non-resident dealers only, and to import alcoholic liquor  
22 other than in bulk from any point outside the United States and  
23 to sell such alcoholic liquor to Illinois licensed importing  
24 distributors and to no one else in Illinois; provided that (i)  
25 the foreign importer registers with the State Commission every  
26 brand of alcoholic liquor that it proposes to sell to Illinois

1 licensees during the license period, (ii) the foreign importer  
2 complies with all of the provisions of Section 6-9 of this Act  
3 with respect to registration of such Illinois licensees as may  
4 be granted the right to sell such brands at wholesale, and  
5 (iii) the foreign importer complies with the provisions of  
6 Sections 6-5 and 6-6 of this Act to the same extent that these  
7 provisions apply to manufacturers.

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

18 No holder of a retailer's license issued by the Illinois  
19 Liquor Control Commission shall purchase or receive any  
20 alcoholic liquor, the order for which was solicited or offered  
21 for sale to such retailer by a broker unless the broker is the  
22 holder of a valid broker's license.

23 The broker shall, upon the acceptance by a retailer of the  
24 broker's solicitation of an order or offer to sell or supply or  
25 deliver or have delivered alcoholic liquors, promptly forward  
26 to the Illinois Liquor Control Commission a notification of

1 said transaction in such form as the Commission may by  
2 regulations prescribe.

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

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

16 This subsection (1) shall not apply to distributors,  
17 employees of distributors, or employees of a manufacturer who  
18 has registered the trademark, brand or name of the alcoholic  
19 liquor pursuant to Section 6-9 of this Act, and who regularly  
20 sells such alcoholic liquor in the State of Illinois only to  
21 its registrants thereunder.

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

25 (m) A non-resident dealer's license shall permit such  
26 licensee to ship into and warehouse alcoholic liquor into this

1 State from any point outside of this State, and to sell such  
2 alcoholic liquor to Illinois licensed foreign importers and  
3 importing distributors and to no one else in this State;  
4 provided that (i) said non-resident dealer shall register with  
5 the Illinois Liquor Control Commission each and every brand of  
6 alcoholic liquor which it proposes to sell to Illinois  
7 licensees during the license period, (ii) it shall comply with  
8 all of the provisions of Section 6-9 hereof with respect to  
9 registration of such Illinois licensees as may be granted the  
10 right to sell such brands at wholesale by duly filing such  
11 registration statement, thereby authorizing the non-resident  
12 dealer to proceed to sell such brands at wholesale, and (iii)  
13 the non-resident dealer shall comply 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. No person licensed as a  
16 non-resident dealer shall be granted a distributor's or  
17 importing distributor's license.

18 (n) A brew pub license shall allow the licensee to only (i)  
19 manufacture up to 155,000 gallons of beer per year only on the  
20 premises specified in the license, (ii) make sales of the beer  
21 manufactured on the premises or, with the approval of the  
22 Commission, beer manufactured on another brew pub licensed  
23 premises that is wholly owned and operated by the same  
24 licensee to importing distributors, distributors, and to  
25 non-licensees for use and consumption, (iii) store the beer  
26 upon the premises, (iv) sell and offer for sale at retail from

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

15 A brew pub licensee shall not under any circumstance sell  
16 or offer for sale beer manufactured by the brew pub licensee to  
17 retail licensees.

18 A person who holds a class 2 brewer license may  
19 simultaneously hold a brew pub license if the class 2 brewer  
20 (i) does not, under any circumstance, sell or offer for sale  
21 beer manufactured by the class 2 brewer to retail licensees;  
22 (ii) does not hold more than 3 brew pub licenses in this State;  
23 (iii) does not manufacture more than a combined 3,720,000  
24 gallons of beer per year, including the beer manufactured at  
25 the brew pub; and (iv) is not a member of or affiliated with,  
26 directly or indirectly, a manufacturer that produces more than

1 3,720,000 gallons of beer per year or any other alcoholic  
2 liquor.

3 Notwithstanding any other provision of this Act, a  
4 licensed brewer, class 2 brewer, or non-resident dealer who  
5 before July 1, 2015 manufactured less than 3,720,000 gallons  
6 of beer per year and held a brew pub license on or before July  
7 1, 2015 may (i) continue to qualify for and hold that brew pub  
8 license for the licensed premises and (ii) manufacture more  
9 than 3,720,000 gallons of beer per year and continue to  
10 qualify for and hold that brew pub license if that brewer,  
11 class 2 brewer, or non-resident dealer does not simultaneously  
12 hold a class 1 brewer license and is not a member of or  
13 affiliated with, directly or indirectly, a manufacturer that  
14 produces more than 3,720,000 gallons of beer per year or that  
15 produces any other alcoholic liquor.

16 A brew pub licensee may apply for a class 3 brewer license  
17 and, upon meeting all applicable qualifications of this Act  
18 and relinquishing all commonly owned brew pub or retail  
19 licenses, shall be issued a class 3 brewer license. Nothing in  
20 this Act shall prohibit the issuance of a class 3 brewer  
21 license if the applicant:

22 (1) has a valid retail license on or before May 1,  
23 2021;

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

26 (3) the brew pub licensee applies for a class 3 brewer

1 license on or before October 1, 2022 and relinquishes all  
2 commonly owned brew pub licenses; and

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

5 If a brew pub licensee is issued a class 3 brewer license,  
6 the class 3 brewer license shall expire on the same date as the  
7 existing brew pub license and the State Commission shall not  
8 require a class 3 brewer licensee to obtain a brewer license,  
9 or in the alternative to pay a fee for a brewer license, until  
10 the date the brew pub license of the applicant would have  
11 expired.

12 (o) A caterer retailer license shall allow the holder to  
13 serve alcoholic liquors as an incidental part of a food  
14 service that serves prepared meals which excludes the serving  
15 of snacks as the primary meal, either on or off-site whether  
16 licensed or unlicensed. A caterer retailer license shall allow  
17 the holder, a distributor, or an importing distributor to  
18 transfer any inventory to and from the holder's retail  
19 premises and shall allow the holder to purchase alcoholic  
20 liquor from a distributor or importing distributor to be  
21 delivered directly to an off-site event.

22 Nothing in this Act prohibits a distributor or importing  
23 distributor from offering credit or a refund for unused,  
24 salable beer to a holder of a caterer retailer license or a  
25 caterer retailer licensee from accepting a credit or refund  
26 for unused, salable beer, in the event an act of God is the

1 sole reason an off-site event is cancelled and if: (i) the  
2 holder of a caterer retailer license has not transferred  
3 alcoholic liquor from its caterer retailer premises to an  
4 off-site location; (ii) the distributor or importing  
5 distributor offers the credit or refund for the unused,  
6 salable beer that it delivered to the off-site premises and  
7 not for any unused, salable beer that the distributor or  
8 importing distributor delivered to the caterer retailer's  
9 premises; and (iii) the unused, salable beer would likely  
10 spoil if transferred to the caterer retailer's premises. A  
11 caterer retailer license shall allow the holder to transfer  
12 any inventory from any off-site location to its caterer  
13 retailer premises at the conclusion of an off-site event or  
14 engage a distributor or importing distributor to transfer any  
15 inventory from any off-site location to its caterer retailer  
16 premises at the conclusion of an off-site event, provided that  
17 the distributor or importing distributor issues bona fide  
18 charges to the caterer retailer licensee for fuel, labor, and  
19 delivery and the distributor or importing distributor collects  
20 payment from the caterer retailer licensee prior to the  
21 distributor or importing distributor transferring inventory to  
22 the caterer retailer premises.

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

1           (p) An auction liquor license shall allow the licensee to  
2 sell and offer for sale at auction wine and spirits for use or  
3 consumption, or for resale by an Illinois liquor licensee in  
4 accordance with provisions of this Act. An auction liquor  
5 license will be issued to a person and it will permit the  
6 auction liquor licensee to hold the auction anywhere in the  
7 State. An auction liquor license must be obtained for each  
8 auction at least 14 days in advance of the auction date.

9           (q) A special use permit license shall allow an Illinois  
10 licensed retailer to transfer a portion of its alcoholic  
11 liquor inventory from its retail licensed premises to the  
12 premises specified in the license hereby created; to purchase  
13 alcoholic liquor from a distributor or importing distributor  
14 to be delivered directly to the location specified in the  
15 license hereby created; and to sell or offer for sale at  
16 retail, only in the premises specified in the license hereby  
17 created, the transferred or delivered alcoholic liquor for use  
18 or consumption, but not for resale in any form. A special use  
19 permit license may be granted for the following time periods:  
20 one day or less; 2 or more days to a maximum of 15 days per  
21 location in any 12-month period. An applicant for the special  
22 use permit license must also submit with the application proof  
23 satisfactory to the State Commission that the applicant will  
24 provide dram shop liability insurance to the maximum limits  
25 and have local authority approval.

26           A special use permit license shall allow the holder to

1 transfer any inventory from the holder's special use premises  
2 to its retail premises at the conclusion of the special use  
3 event or engage a distributor or importing distributor to  
4 transfer any inventory from the holder's special use premises  
5 to its retail premises at the conclusion of an off-site event,  
6 provided that the distributor or importing distributor issues  
7 bona fide charges to the special use permit licensee for fuel,  
8 labor, and delivery and the distributor or importing  
9 distributor collects payment from the retail licensee prior to  
10 the distributor or importing distributor transferring  
11 inventory to the retail premises.

12 Nothing in this Act prohibits a distributor or importing  
13 distributor from offering credit or a refund for unused,  
14 salable beer to a special use permit licensee or a special use  
15 permit licensee from accepting a credit or refund for unused,  
16 salable beer at the conclusion of the event specified in the  
17 license if: (i) the holder of the special use permit license  
18 has not transferred alcoholic liquor from its retail licensed  
19 premises to the premises specified in the special use permit  
20 license; (ii) the distributor or importing distributor offers  
21 the credit or refund for the unused, salable beer that it  
22 delivered to the premises specified in the special use permit  
23 license and not for any unused, salable beer that the  
24 distributor or importing distributor delivered to the  
25 retailer's premises; and (iii) the unused, salable beer would  
26 likely spoil if transferred to the retailer premises.

1 (r) A winery shipper's license shall allow a person with a  
2 first-class or second-class wine manufacturer's license, a  
3 first-class or second-class wine-maker's license, or a limited  
4 wine manufacturer's license or who is licensed to make wine  
5 under the laws of another state to ship wine made by that  
6 licensee directly to a resident of this State who is 21 years  
7 of age or older for that resident's personal use and not for  
8 resale. Prior to receiving a winery shipper's license, an  
9 applicant for the license must provide the Commission with a  
10 true copy of its current license in any state in which it is  
11 licensed as a manufacturer of wine. An applicant for a winery  
12 shipper's license must also complete an application form that  
13 provides any other information the Commission deems necessary.  
14 The application form shall include all addresses from which  
15 the applicant for a winery shipper's license intends to ship  
16 wine, including the name and address of any third party,  
17 except for a common carrier, authorized to ship wine on behalf  
18 of the manufacturer. The application form shall include an  
19 acknowledgement consenting to the jurisdiction of the  
20 Commission, the Illinois Department of Revenue, and the courts  
21 of this State concerning the enforcement of this Act and any  
22 related laws, rules, and regulations, including authorizing  
23 the Department of Revenue and the Commission to conduct audits  
24 for the purpose of ensuring compliance with Public Act 95-634,  
25 and an acknowledgement that the wine manufacturer is in  
26 compliance with Section 6-2 of this Act. Any third party,

1     except for a common carrier, authorized to ship wine on behalf  
2     of a first-class or second-class wine manufacturer's licensee,  
3     a first-class or second-class wine-maker's licensee, a limited  
4     wine manufacturer's licensee, or a person who is licensed to  
5     make wine under the laws of another state shall also be  
6     disclosed by the winery shipper's licensee, and a copy of the  
7     written appointment of the third-party wine provider, except  
8     for a common carrier, to the wine manufacturer shall be filed  
9     with the State Commission as a supplement to the winery  
10    shipper's license application or any renewal thereof. The  
11    winery shipper's license holder shall affirm under penalty of  
12    perjury, as part of the winery shipper's license application  
13    or renewal, that he or she only ships wine, either directly or  
14    indirectly through a third-party provider, from the licensee's  
15    own production.

16         Except for a common carrier, a third-party provider  
17    shipping wine on behalf of a winery shipper's license holder  
18    is the agent of the winery shipper's license holder and, as  
19    such, a winery shipper's license holder is responsible for the  
20    acts and omissions of the third-party provider acting on  
21    behalf of the license holder. A third-party provider, except  
22    for a common carrier, that engages in shipping wine into  
23    Illinois on behalf of a winery shipper's license holder shall  
24    consent to the jurisdiction of the State Commission and the  
25    State. Any third-party, except for a common carrier, holding  
26    such an appointment shall, by February 1 of each calendar year

1 and upon request by the State Commission or the Department of  
2 Revenue, file with the State Commission a statement detailing  
3 each shipment made to an Illinois resident. The statement  
4 shall include the name and address of the third-party provider  
5 filing the statement, the time period covered by the  
6 statement, and the following information:

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

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

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

11 If the Department of Revenue or the State Commission requests  
12 a statement under this paragraph, the third-party provider  
13 must provide that statement no later than 30 days after the  
14 request is made. Any books, records, supporting papers, and  
15 documents containing information and data relating to a  
16 statement under this paragraph shall be kept and preserved for  
17 a period of 3 years, unless their destruction sooner is  
18 authorized, in writing, by the Director of Revenue, and shall  
19 be open and available to inspection by the Director of Revenue  
20 or the State Commission or any duly authorized officer, agent,  
21 or employee of the State Commission or the Department of  
22 Revenue, at all times during business hours of the day. Any  
23 person who violates any provision of this paragraph or any  
24 rule of the State Commission for the administration and  
25 enforcement of the provisions of this paragraph is guilty of a  
26 Class C misdemeanor. In case of a continuing violation, each

1 day's continuance thereof shall be a separate and distinct  
2 offense.

3 The State Commission shall adopt rules as soon as  
4 practicable to implement the requirements of Public Act 99-904  
5 and shall adopt rules prohibiting any such third-party  
6 appointment of a third-party provider, except for a common  
7 carrier, that has been deemed by the State Commission to have  
8 violated the provisions of this Act with regard to any winery  
9 shipper licensee.

10 A winery shipper licensee must pay to the Department of  
11 Revenue the State liquor gallonage tax under Section 8-1 for  
12 all wine that is sold by the licensee and shipped to a person  
13 in this State. For the purposes of Section 8-1, a winery  
14 shipper licensee shall be taxed in the same manner as a  
15 manufacturer of wine. A licensee who is not otherwise required  
16 to register under the Retailers' Occupation Tax Act must  
17 register under the Use Tax Act to collect and remit use tax to  
18 the Department of Revenue for all gallons of wine that are sold  
19 by the licensee and shipped to persons in this State. If a  
20 licensee fails to remit the tax imposed under this Act in  
21 accordance with the provisions of Article VIII of this Act,  
22 the winery shipper's license shall be revoked in accordance  
23 with the provisions of Article VII of this Act. If a licensee  
24 fails to properly register and remit tax under the Use Tax Act  
25 or the Retailers' Occupation Tax Act for all wine that is sold  
26 by the winery shipper and shipped to persons in this State, the

1 winery shipper's license shall be revoked in accordance with  
2 the provisions of Article VII of this Act.

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

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

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

18 (s) A craft distiller tasting permit license shall allow  
19 an Illinois licensed class 1 craft distiller or class 2 craft  
20 distiller to transfer a portion of its alcoholic liquor  
21 inventory from its class 1 craft distiller or class 2 craft  
22 distiller licensed premises to the premises specified in the  
23 license hereby created and to conduct a sampling, only in the  
24 premises specified in the license hereby created, of the  
25 transferred alcoholic liquor in accordance with subsection (c)  
26 of Section 6-31 of this Act. The transferred alcoholic liquor

1 may not be sold or resold in any form. An applicant for the  
2 craft distiller tasting permit license must also submit with  
3 the application proof satisfactory to the State Commission  
4 that the applicant will provide dram shop liability insurance  
5 to the maximum limits and have local authority approval.

6 (t) A brewer warehouse permit may be issued to the holder  
7 of a class 1 brewer license or a class 2 brewer license. If the  
8 holder of the permit is a class 1 brewer licensee, the brewer  
9 warehouse permit shall allow the holder to store or warehouse  
10 up to 930,000 gallons of tax-determined beer manufactured by  
11 the holder of the permit at the premises specified on the  
12 permit. If the holder of the permit is a class 2 brewer  
13 licensee, the brewer warehouse permit shall allow the holder  
14 to store or warehouse up to 3,720,000 gallons of  
15 tax-determined beer manufactured by the holder of the permit  
16 at the premises specified on the permit. Sales to  
17 non-licensees are prohibited at the premises specified in the  
18 brewer warehouse permit.

19 (u) A distilling pub license shall allow the licensee to  
20 only (i) manufacture up to 5,000 gallons of spirits per year  
21 only on the premises specified in the license, (ii) make sales  
22 of the spirits manufactured on the premises or, with the  
23 approval of the State Commission, spirits manufactured on  
24 another distilling pub licensed premises that is wholly owned  
25 and operated by the same licensee to importing distributors  
26 and distributors and to non-licensees for use and consumption,

1 (iii) store the spirits upon the premises, (iv) sell and offer  
2 for sale at retail from the licensed premises for off-premises  
3 consumption no more than 5,000 gallons per year so long as such  
4 sales are only made in-person, (v) sell and offer for sale at  
5 retail for use and consumption on the premises specified in  
6 the license any form of alcoholic liquor purchased from a  
7 licensed distributor or importing distributor, and (vi) with  
8 the prior approval of the State Commission, annually transfer  
9 no more than 5,000 gallons of spirits manufactured on the  
10 premises to a licensed distilling pub wholly owned and  
11 operated by the same licensee.

12 A distilling pub licensee shall not under any circumstance  
13 sell or offer for sale spirits manufactured by the distilling  
14 pub licensee to retail licensees.

15 A person who holds a class 2 craft distiller license may  
16 simultaneously hold a distilling pub license if the class 2  
17 craft distiller (i) does not, under any circumstance, sell or  
18 offer for sale spirits manufactured by the class 2 craft  
19 distiller to retail licensees; (ii) does not hold more than 3  
20 distilling pub licenses in this State; (iii) does not  
21 manufacture more than a combined 100,000 gallons of spirits  
22 per year, including the spirits manufactured at the distilling  
23 pub; and (iv) is not a member of or affiliated with, directly  
24 or indirectly, a manufacturer that produces more than 100,000  
25 gallons of spirits per year or any other alcoholic liquor.

26 (v) A craft distiller warehouse permit may be issued to

1 the holder of a class 1 craft distiller or class 2 craft  
2 distiller license. The craft distiller warehouse permit shall  
3 allow the holder to store or warehouse up to 500,000 gallons of  
4 spirits manufactured by the holder of the permit at the  
5 premises specified on the permit. Sales to non-licensees are  
6 prohibited at the premises specified in the craft distiller  
7 warehouse permit.

8 (w) A beer showcase permit license shall allow an  
9 Illinois-licensed distributor to transfer a portion of its  
10 beer inventory from its licensed premises to the premises  
11 specified in the beer showcase permit license, and, in the  
12 case of a class 3 brewer, transfer only beer the class 3 brewer  
13 manufactures from its licensed premises to the premises  
14 specified in the beer showcase permit license; and to sell or  
15 offer for sale at retail, only in the premises specified in the  
16 beer showcase permit license, the transferred or delivered  
17 beer for on or off premise consumption, but not for resale in  
18 any form and to sell to non-licensees not more than 96 fluid  
19 ounces of beer per person. A beer showcase permit license may  
20 be granted for the following time periods: one day or less; or  
21 2 or more days to a maximum of 15 days per location in any  
22 12-month period. An applicant for a beer showcase permit  
23 license must also submit with the application proof  
24 satisfactory to the State Commission that the applicant will  
25 provide dram shop liability insurance to the maximum limits  
26 and have local authority approval. The State Commission shall

1 require the beer showcase applicant to comply with Section  
2 6-27.1.

3 (x) A distillery shipper's license shall allow a person  
4 with an Illinois distiller license, a craft distiller license,  
5 a class 1 craft distiller license, a class 2 craft distiller  
6 license, or a class 3 craft distiller license or who is  
7 licensed to make spirits under the laws of another state to  
8 ship spirits directly to a resident of this State who is 21  
9 years of age or older for that resident's personal use and not  
10 for resale. Prior to receiving a distillery shipper's license,  
11 an applicant for the license must provide the State Commission  
12 with a true copy of its current license in any state in which  
13 it is licensed as a distiller. An applicant for a distillery  
14 shipper's license must also complete an application form that  
15 provides any other information the State Commission deems  
16 necessary. The application form shall include an  
17 acknowledgement consenting to the jurisdiction of the State  
18 Commission, the Illinois Department of Revenue, and the courts  
19 of this State concerning the enforcement of this Act and any  
20 related laws, rules, and regulations, including authorizing  
21 the Illinois Department of Revenue and the State Commission to  
22 conduct audits for the purpose of ensuring compliance with  
23 this amendatory Act of the 104th General Assembly.

24 A distillery shipper's licensee must pay to the Illinois  
25 Department of Revenue the State liquor gallonage tax under  
26 Section 8-1 for all spirits that are sold by the licensee and

1 shipped to a person in this State. For the purposes of Section  
2 8-1, an out-of-state distillery shipper's licensee shall be  
3 taxed in the same manner as a manufacturer of spirits. A  
4 licensee who is not otherwise required to register under the  
5 Retailers' Occupation Tax Act must register under the Use Tax  
6 Act to collect and remit use tax to the Illinois Department of  
7 Revenue for all gallons of spirits that are sold by the  
8 licensee and shipped to persons in this State. If a licensee  
9 fails to remit the tax imposed under this Act in accordance  
10 with the provisions of Article VIII of this Act, the  
11 distillery shipper's license shall be revoked in accordance  
12 with the provisions of Article VII of this Act. If a licensee  
13 fails to properly register and remit tax under the Use Tax Act  
14 or the Retailers' Occupation Tax Act for all spirits that are  
15 sold by the distillery shipper and shipped to persons in this  
16 State, the distillery shipper's license shall be revoked in  
17 accordance with the provisions of Article VII of this Act.

18 A distillery shipper's licensee must collect, maintain,  
19 and submit to the State Commission on a semi-annual basis the  
20 total gallons of spirits per resident shipped to residents of  
21 this State. A distillery shipper licensed under this  
22 subsection must comply with the requirements of Section  
23 6-29.05 of this Act. Pursuant to paragraph (5.1) or (5.3) of  
24 subsection (a) of Section 3-12, the State Commission may  
25 receive, respond to, and investigate any complaint and impose  
26 any of the remedies specified in paragraph (1) of subsection

1 (a) of Section 3-12.

2 Except as provided in Section 6-16, 6-29, or 6-29.05,  
3 nothing in this Act shall deny, limit, remove, or restrict the  
4 ability of a holder of a distilling pub license to transfer or  
5 ship alcoholic liquor it produces to the purchaser for use or  
6 consumption subject to any applicable local law or ordinance.  
7 Except as provided in Section 6-16, 6-29, or 6-29.05, nothing  
8 in this Act shall limit, remove, or restrict the ability of a  
9 holder of a distilling pub license to deliver alcoholic liquor  
10 to the purchaser for use or consumption. The delivery shall be  
11 made only within 12 hours after the alcoholic liquor leaves  
12 the licensed premises of the distilling pub for delivery.

13 For the purposes of this subsection, "delivery" means the  
14 movement of alcoholic liquor purchased from a licensed  
15 distilling pub to the consumer through the following methods:

16 (1) delivery within the licensed distilling pub  
17 parking lot, including curbside, for pickup by the  
18 consumer;

19 (2) delivery by an owner, officer, director,  
20 shareholder, or employee of the licensed distilling pub;  
21 or

22 (3) delivery by a third-party contractor, independent  
23 contractor, or agent with whom the licensed distilling pub  
24 has contracted to make deliveries of alcoholic liquors.

25 Under paragraphs (1), (2), or (3) of this subsection,  
26 "delivery" does not include common carriers.

1       For the purposes of this subsection, "ship" means to move  
2 alcoholic liquor from a licensed distilling pub to a consumer  
3 via a common carrier.

4       Except for a municipality with a population of more than  
5 1,000,000 inhabitants, a home rule unit may not regulate the  
6 delivery of alcoholic liquor in a manner inconsistent with  
7 this subsection. This paragraph is a limitation under  
8 subsection (i) of Section 6 of Article VII of the Illinois  
9 Constitution on the concurrent exercise by home rule units of  
10 powers and functions exercised by the State.

11       (y) A spirits showcase permit shall allow an  
12 Illinois-licensed distributor to transfer a portion of its  
13 spirits inventory from its licensed premises to the premises  
14 specified in the spirits showcase permit; in the case of a  
15 class 3 craft distiller, to transfer only spirits the class 3  
16 craft distiller manufactures from its licensed premises to the  
17 premises specified in the spirits showcase permit; and to sell  
18 or offer for sale at retail, only in the premises specified in  
19 the spirits showcase permit, the transferred or delivered  
20 spirits for on-premises or off-premises consumption, but not  
21 for resale in any form and to sell to non-licensees not more  
22 than 156 fluid ounces of spirits per person. A spirits  
23 showcase permit may be granted for the following time periods:  
24 one day or less; or 2 or more days to a maximum of 15 days per  
25 location in any 12-month period. An applicant for a spirits  
26 showcase permit must also submit with the application proof

1 satisfactory to the State Commission that the applicant will  
 2 provide dram shop liability insurance to the maximum limits  
 3 and have local authority approval. The State Commission shall  
 4 require the spirits showcase applicant to comply with Section  
 5 6-27.1.

6 (Source: P.A. 101-16, eff. 6-14-19; 101-31, eff. 6-28-19;  
 7 101-81, eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff.  
 8 8-23-19; 101-615, eff. 12-20-19; 101-668, eff. 1-1-22;  
 9 102-442, eff. 8-20-21; 102-1142, eff. 2-17-23.)

10 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

11 Sec. 5-3. License fees. Except as otherwise provided  
 12 herein, at the time application is made to the State  
 13 Commission for a license of any class, the applicant shall pay  
 14 to the State Commission the fee hereinafter provided for the  
 15 kind of license applied for.

16 The fee for licenses issued by the State Commission shall  
 17 be as follows:

18		Online	Initial
19		renewal	license
20			or
21			non-online
22			renewal

23 For a manufacturer's license:

24	Class 1. Distiller .....	\$4,000	\$5,000
25	Class 2. Rectifier .....	4,000	5,000

1	Class 3. Brewer .....	1,200	1,500
2	Class 4. First-class Wine		
3	Manufacturer .....	750	900
4	Class 5. Second-class		
5	Wine Manufacturer.....	1,500	1,750
6	Class 6. First-class wine-maker....	750	900
7	Class 7. Second-class wine-maker ..	1,500	1,750
8	Class 8. Limited Wine		
9	Manufacturer .....	250	350
10	Class 9. Craft Distiller .....	2,000	2,500
11	Class 10. Class 1 Craft Distiller ..	50	75
12	Class 11. Class 2 Craft Distiller ..	75	100
13	Class 12. Class 1 Brewer .....	50	75
14	Class 13. Class 2 Brewer .....	75	100
15	Class 14. Class 3 Brewer .....	25	50
16	<u>Class 15. Class 3 Craft Distiller ..</u>	<u>175</u>	<u>200</u>
17	For a Brew Pub License .....	1,200	1,500
18	For a Distilling Pub License .....	1,200	1,500
19	For a caterer retailer's license ..	350	500
20	For a foreign importer's license ..	25	25
21	For an importing distributor's		
22	license.....	25	25
23	For a distributor's license		
24	(11,250,000 gallons		
25	or over) .....	1,450	2,200
26	For a distributor's license		

1	(over 4,500,000 gallons, but		
2	under 11,250,000 gallons) .....	950	1,450
3	For a distributor's license		
4	(4,500,000 gallons or under) ..	300	450
5	For a non-resident dealer's license		
6	(500,000 gallons or over)		
7	or with self-distribution		
8	privileges .....	1,200	1,500
9	For a non-resident dealer's license		
10	(under 500,000 gallons) .....	250	350
11	For a wine-maker's premises		
12	license.....	250	500
13	For a winery shipper's license		
14	(under 250,000 gallons) .....	200	350
15	For a winery shipper's license		
16	(250,000 or over, but		
17	under 500,000 gallons) .....	750	1,000
18	For a winery shipper's license		
19	(500,000 gallons or over) .....	1,200	1,500
20	<u>For a distillery shipper's license</u>		
21	<u>(under 100,000 gallons) .....</u>	<u>200</u>	<u>350</u>
22	<u>For a distillery shipper's license</u>		
23	<u>(100,000 gallons or over) .....</u>	<u>1,200</u>	<u>1,500</u>
24	For a wine-maker's premises		
25	license, second location .....	500	1,000
26	For a wine-maker's premises		

1	license, third location.....	500	1,000
2	For a retailer's license .....	600	750
3	For a special event retailer's		
4	license, (not-for-profit).....	25	25
5	For a beer showcase permit,		
6	one day only .....	100	150
7	2 days or more .....	150	250
8	<u>For a spirits showcase permit,</u>		
9	<u>one day only</u> .....	<u>100</u>	<u>150</u>
10	<u>2 days or more</u> .....	<u>150</u>	<u>250</u>
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 Fees collected under this Section shall be paid into the  
 17 Dram Shop Fund. The State Commission shall waive license  
 18 renewal fees for those retailers' licenses that are designated  
 19 as "1A" by the State Commission and expire on or after July 1,  
 20 2022, and on or before June 30, 2023. One-half of the funds  
 21 received for a retailer's license shall be paid into the Dram  
 22 Shop Fund and one-half of the funds received for a retailer's  
 23 license shall be paid into the General Revenue Fund.

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

26 (a) Hospitals, sanitariums, or clinics when their use

1 of alcoholic liquor is exclusively medicinal, mechanical,  
2 or scientific.

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

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

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

11 (235 ILCS 5/6-4) (from Ch. 43, par. 121)

12 Sec. 6-4. Prohibited ownership interests; retail sales by  
13 certain manufacturers.

14 (a) No person licensed by any licensing authority as a  
15 distiller, or a wine manufacturer, or any subsidiary or  
16 affiliate thereof, or any officer, associate, member, partner,  
17 representative, employee, agent or shareholder owning more  
18 than 5% of the outstanding shares of such person shall be  
19 issued an importing distributor's or distributor's license,  
20 nor shall any person licensed by any licensing authority as an  
21 importing distributor, distributor or retailer, or any  
22 subsidiary or affiliate thereof, or any officer or associate,  
23 member, partner, representative, employee, agent or  
24 shareholder owning more than 5% of the outstanding shares of  
25 such person be issued a distiller's license, a craft

1 distiller's license, or a wine manufacturer's license; and no  
2 person or persons licensed as a distiller, craft distiller,  
3 class 1 craft distiller, or class 2 craft distiller by any  
4 licensing authority shall have any interest, directly or  
5 indirectly, with such distributor or importing distributor.

6 However, an importing distributor or distributor, which on  
7 January 1, 1985 is owned by a brewer, or any subsidiary or  
8 affiliate thereof or any officer, associate, member, partner,  
9 representative, employee, agent or shareholder owning more  
10 than 5% of the outstanding shares of the importing distributor  
11 or distributor referred to in this paragraph, may own or  
12 acquire an ownership interest of more than 5% of the  
13 outstanding shares of a wine manufacturer and be issued a wine  
14 manufacturer's license by any licensing authority.

15 (b) The foregoing provisions shall not apply to any person  
16 licensed by any licensing authority as a distiller or wine  
17 manufacturer, or to any subsidiary or affiliate of any  
18 distiller or wine manufacturer who shall have been heretofore  
19 licensed by the State Commission as either an importing  
20 distributor or distributor during the annual licensing period  
21 expiring June 30, 1947, and shall actually have made sales  
22 regularly to retailers.

23 (c) Provided, however, that in such instances where a  
24 distributor's or importing distributor's license has been  
25 issued to any distiller or wine manufacturer or to any  
26 subsidiary or affiliate of any distiller or wine manufacturer

1 who has, during the licensing period ending June 30, 1947,  
2 sold or distributed as such licensed distributor or importing  
3 distributor alcoholic liquors and wines to retailers, such  
4 distiller or wine manufacturer or any subsidiary or affiliate  
5 of any distiller or wine manufacturer holding such  
6 distributor's or importing distributor's license may continue  
7 to sell or distribute to retailers such alcoholic liquors and  
8 wines which are manufactured, distilled, processed or marketed  
9 by distillers and wine manufacturers whose products it sold or  
10 distributed to retailers during the whole or any part of its  
11 licensing periods; and such additional brands and additional  
12 products may be added to the line of such distributor or  
13 importing distributor, provided, that such brands and such  
14 products were not sold or distributed by any distributor or  
15 importing distributor licensed by the State Commission during  
16 the licensing period ending June 30, 1947, but can not sell or  
17 distribute to retailers any other alcoholic liquors or wines.

18 (d) It shall be unlawful for any distiller licensed  
19 anywhere to have any stock ownership or interest in any  
20 distributor's or importing distributor's license wherein any  
21 other person has an interest therein who is not a distiller and  
22 does not own more than 5% of any stock in any distillery.  
23 Nothing herein contained shall apply to such distillers or  
24 their subsidiaries or affiliates, who had a distributor's or  
25 importing distributor's license during the licensing period  
26 ending June 30, 1947, which license was owned in whole by such

1 distiller, or subsidiaries or affiliates of such distiller.

2 (e) Any person licensed as a brewer, class 1 brewer, or  
3 class 2 brewer shall be permitted to sell on the licensed  
4 premises to non-licensees for on or off-premises consumption  
5 for the premises in which he or she actually conducts such  
6 business: (i) beer manufactured by the brewer, class 1 brewer,  
7 class 2 brewer, or class 3 brewer; (ii) beer manufactured by  
8 any other brewer, class 1 brewer, class 2 brewer, or class 3  
9 brewer; and (iii) cider or mead. Any person licensed as a class  
10 3 brewer shall be permitted to sell on the licensed premises to  
11 non-licensees for on or off premises consumption for the  
12 premises in which he or she actually conducts such business:  
13 (i) beer manufactured by the class 3 brewer on the premises;  
14 (ii) beer manufactured by any other brewer, class 1 brewer,  
15 class 2 brewer, or class 3 brewer; and (iii) cider, wine, and  
16 spirits. All products sold under this subsection that are not  
17 manufactured on premises must be purchased through a licensed  
18 distributor, importing distributor, or manufacturer with  
19 self-distribution privileges. Such sales shall be limited to  
20 on-premises, in-person sales only, for lawful consumption on  
21 or off premises. Such authorization shall be considered a  
22 privilege granted by the brewer license and, other than a  
23 manufacturer of beer as stated above, no manufacturer or  
24 distributor or importing distributor, excluding airplane  
25 licensees exercising powers provided in paragraph (i) of  
26 Section 5-1 of this Act, or any subsidiary or affiliate

1     thereof, or any officer, associate, member, partner,  
2     representative, employee or agent, or shareholder shall be  
3     issued a retailer's license, nor shall any person having a  
4     retailer's license, excluding airplane licensees exercising  
5     powers provided in paragraph (i) of Section 5-1 of this Act, or  
6     any subsidiary or affiliate thereof, or any officer,  
7     associate, member, partner, representative or agent, or  
8     shareholder be issued a manufacturer's license or importing  
9     distributor's license.

10     A manufacturer of beer that imports or transfers beer into  
11     this State must comply with Sections 6-8 and 8-1 of this Act.

12     A person who holds a class 2 brewer license and is  
13     authorized by this Section to sell beer to non-licensees shall  
14     not sell beer to non-licensees from more than 3 total brewer or  
15     commonly owned brew pub licensed locations in this State. The  
16     class 2 brewer shall designate to the State Commission the  
17     brewer or brew pub locations from which it will sell beer to  
18     non-licensees.

19     A person licensed as a class 1 craft distiller or a class 2  
20     craft distiller, including a person who holds more than one  
21     class 1 craft distiller or class 2 craft distiller license,  
22     not affiliated with any other person manufacturing spirits may  
23     be authorized by the State Commission to sell (1) up to 5,000  
24     gallons of spirits produced by the person to non-licensees for  
25     on or off-premises consumption for the premises in which he or  
26     she actually conducts business permitting only the retail sale

1 of spirits manufactured at such premises and (2) vermouth  
2 purchased through a licensed distributor for on-premises  
3 consumption. Such sales shall be limited to on-premises,  
4 in-person sales only, for lawful consumption on or off  
5 premises, and such authorization shall be considered a  
6 privilege granted by the class 1 craft distiller or class 2  
7 craft distiller license. A class 1 craft distiller or class 2  
8 craft distiller licensed for retail sale shall secure liquor  
9 liability insurance coverage in an amount at least equal to  
10 the maximum liability amounts set forth in subsection (a) of  
11 Section 6-21 of this Act.

12 A class 1 craft distiller or class 2 craft distiller  
13 license holder shall not deliver any alcoholic liquor to any  
14 non-licensee off the licensed premises. A class 1 craft  
15 distiller or class 2 craft distiller shall affirm in its  
16 annual license application that it does not produce more than  
17 50,000 or 100,000 gallons of distilled spirits annually,  
18 whichever is applicable, and that the craft distiller does not  
19 sell more than 5,000 gallons of spirits to non-licensees for  
20 on or off-premises consumption. In the application, which  
21 shall be sworn under penalty of perjury, the class 1 craft  
22 distiller or class 2 craft distiller shall state the volume of  
23 production and sales for each year since the class 1 craft  
24 distiller's or class 2 craft distiller's establishment.

25 A person who holds a class 1 craft distiller or class 2  
26 craft distiller license and is authorized by this Section to

1 sell spirits to non-licensees shall not sell spirits to  
2 non-licensees from more than 3 total distillery or commonly  
3 owned distilling pub licensed locations in this State. The  
4 class 1 craft distiller or class 2 craft distiller shall  
5 designate to the State Commission the distillery or distilling  
6 pub locations from which it will sell spirits to  
7 non-licensees.

8 A class 3 craft distiller license shall allow the licensee  
9 to only (i) manufacture up to 100,000 gallons of spirits per  
10 year, (ii) make sales of the spirits manufactured on the  
11 premises or, with the approval of the State Commission,  
12 spirits manufactured on another class 3 craft distiller  
13 licensed premises that is wholly owned and operated by the  
14 same licensee to importing distributors and distributors, to  
15 retail licensees in accordance with the conditions set forth  
16 in paragraph (21) of subsection (a) of Section 3-12 of this  
17 Act, and to non-licensees for use and consumption, (iii) store  
18 the spirits upon the premises, (iv) sell and offer for sale at  
19 retail from the licensed premises for off-premises consumption  
20 no more than 5,000 gallons per year so long as such sales are  
21 only made in-person, (v) sell and offer for sale at retail for  
22 use and consumption on the premises specified in the license  
23 any form of alcoholic liquor purchased from a licensed  
24 distributor or importing distributor, and (vi) with the prior  
25 approval of the State Commission, annually transfer no more  
26 than 19,375 gallons of spirits manufactured on the premises to

1 a licensed class 3 craft distiller wholly owned and operated  
2 by the same licensee.

3 (f) (Blank).

4 (g) Notwithstanding any of the foregoing prohibitions, a  
5 limited wine manufacturer may sell at retail at its  
6 manufacturing site for on or off premises consumption and may  
7 sell to distributors. A limited wine manufacturer licensee  
8 shall secure liquor liability insurance coverage in an amount  
9 at least equal to the maximum liability amounts set forth in  
10 subsection (a) of Section 6-21 of this Act.

11 (h) The changes made to this Section by Public Act 99-47  
12 shall not diminish or impair the rights of any person, whether  
13 a distiller, wine manufacturer, agent, or affiliate thereof,  
14 who requested in writing and submitted documentation to the  
15 State Commission on or before February 18, 2015 to be approved  
16 for a retail license pursuant to what has heretofore been  
17 subsection (f); provided that, on or before that date, the  
18 State Commission considered the intent of that person to apply  
19 for the retail license under that subsection and, by recorded  
20 vote, the State Commission approved a resolution indicating  
21 that such a license application could be lawfully approved  
22 upon that person duly filing a formal application for a retail  
23 license and if that person, within 90 days of the State  
24 Commission appearance and recorded vote, first filed an  
25 application with the appropriate local commission, which  
26 application was subsequently approved by the appropriate local

1 commission prior to consideration by the State Commission of  
2 that person's application for a retail license. It is further  
3 provided that the State Commission may approve the person's  
4 application for a retail license or renewals of such license  
5 if such person continues to diligently adhere to all  
6 representations made in writing to the State Commission on or  
7 before February 18, 2015, or thereafter, or in the affidavit  
8 filed by that person with the State Commission to support the  
9 issuance of a retail license and to abide by all applicable  
10 laws and duly adopted rules.

11 (i) Notwithstanding any other provision of this Act, the  
12 common ownership of a brewery, winery, or a distillery shall  
13 not authorize the grant of and aggregation of retail  
14 privileges granted to any person or licensees in subsection  
15 (e). Any person or licensee with common ownership in a  
16 brewery, winery, or a distillery shall be limited to the  
17 retail privileges granted to only one of the commonly owned  
18 brewery, winery, or distillery. The State Commission is hereby  
19 authorized to restrict the locations of any commonly owned  
20 brewery, winery, or distillery to prevent the expansion of  
21 retail privileges, including, without limitation, restricting  
22 a commonly owned brewery, winery, or distillery from operating  
23 in adjacent licensed premises or restricting self-distribution  
24 privileges.

25 (Source: P.A. 101-81, eff. 7-12-19; 101-482, eff. 8-23-19;  
26 101-615, eff. 12-20-19; 102-442, eff. 8-20-21.)

1 (235 ILCS 5/6-29.05 new)

2 Sec. 6-29.05. Distillery shipper's license.

3 (a) It is the purpose and intent of this Section:

4 (1) to authorize direct shipment of spirits by an  
5 out-of-state distiller on the same basis permitted an  
6 in-state distiller, an in-state craft distiller, an  
7 in-state class 1 craft distiller, an in-state class 2  
8 craft distiller, and an in-state class 3 craft distiller  
9 pursuant to the authority of the State under the  
10 provisions of Section 2 of the Twenty-First Amendment to  
11 the United States Constitution and in conformance with the  
12 United States Supreme Court decision decided on May 16,  
13 2005 in Granholm v. Heald;

14 (2) to reaffirm that the General Assembly's findings  
15 and declarations that selling alcoholic liquor through  
16 various direct marketing means, such as catalogs,  
17 newspapers, mailings, and the Internet, directly to  
18 consumers of this State poses a serious threat to the  
19 State's efforts to further temperance and prevent youth  
20 from accessing alcoholic liquor and the expansion of youth  
21 access to additional types of alcoholic liquors;

22 (3) to maintain the State's broad powers granted by  
23 Section 2 of the Twenty-First Amendment to the United  
24 States Constitution to control the importation or sale of  
25 alcoholic liquor and its right to structure its alcoholic

1 liquor distribution system;

2 (4) to ensure that the General Assembly, by  
3 authorizing limited direct shipment of spirits to meet the  
4 directives of the United States Supreme Court, does not  
5 intend to impair or modify the State's distribution of  
6 spirits through distributors or importing distributors,  
7 but only to permit limited shipment of spirits for  
8 personal use; and

9 (5) to provide that if a court of competent  
10 jurisdiction declares or finds that this Section, which is  
11 enacted to conform Illinois law to the United States  
12 Supreme Court decision, is invalid or unconstitutional,  
13 the Illinois General Assembly at its earliest general  
14 session shall conduct hearings and study methods to  
15 conform to any directive or order of the court consistent  
16 with the temperance and revenue collection purposes of  
17 this Act.

18 (b) Notwithstanding any other provision of law, a  
19 distillery shipper's licensee may ship, for personal use and  
20 not for resale, not more than 12 cases of spirits per year to  
21 any resident of this State who is 21 years of age or older.

22 (c) Notwithstanding any other provision of law, sale and  
23 shipment by a distillery shipper's licensee pursuant to this  
24 Section shall be deemed to constitute a sale in this State.

25 (d) The shipping container of any spirit shipped under  
26 this Section shall be clearly labeled with the following

1 words: "CONTAINS ALCOHOL. SIGNATURE OF A PERSON 21 YEARS OF  
2 AGE OR OLDER REQUIRED FOR DELIVERY. PROOF OF AGE AND IDENTITY  
3 MUST BE SHOWN BEFORE DELIVERY.". This warning must be  
4 prominently displayed on the packaging. A licensee shall  
5 require the transporter or common carrier that delivers the  
6 spirits to obtain the signature of a person 21 years of age or  
7 older at the delivery address at the time of delivery. At the  
8 expense of the licensee, the licensee shall receive a delivery  
9 confirmation from the express company, common carrier, or  
10 contract carrier indicating the location of the delivery, time  
11 of delivery, and the name and signature of the individual 21  
12 years of age or older who accepts delivery. The State  
13 Commission may design and create a label or approve a label  
14 that must be affixed to the shipping container by the  
15 licensee.

16 (e) No broker within this State shall solicit consumers to  
17 engage in direct spirit shipments under this Section.

18 (f) It is not the intent of this Section to impair the  
19 distribution of spirits through distributors or importing  
20 distributors, but it is the intent of this Section to only  
21 permit shipments of spirits for personal use.

1 INDEX

2 Statutes amended in order of appearance

3 235 ILCS 5/1-3.47 new

4 235 ILCS 5/1-3.48 new

5 235 ILCS 5/3-12

6 235 ILCS 5/5-1 from Ch. 43, par. 115

7 235 ILCS 5/5-3 from Ch. 43, par. 118

8 235 ILCS 5/6-4 from Ch. 43, par. 121

9 235 ILCS 5/6-29.05 new