



Rep. Michael J. Zalewski

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10100HB2675ham001

LRB101 07840 RPS 58994 a

1 AMENDMENT TO HOUSE BILL 2675

2 AMENDMENT NO. _____. Amend House Bill 2675 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Liquor Control Act of 1934 is amended by
5 changing Sections 1-3.40, 3-12, 5-1, 5-3, 6-4, and 6-31 as
6 follows:

7 (235 ILCS 5/1-3.40)

8 Sec. 1-3.40. Manufacturer class license holder.
9 "Manufacturer class license holder" means any holder of a
10 Manufacturer's license as provided in Section 5-1 of this Act.
11 The Manufacturer's licenses are: a Class 1. Distiller, a Class
12 2. Rectifier, a Class 3. Brewer, a Class 4. First Class Wine
13 Manufacturer, a Class 5. Second Class Wine Manufacturer, a
14 Class 6. First Class Winemaker, a Class 7. Second Class
15 Winemaker, a Class 8. Limited Wine Manufacturer, a Class 9.
16 Class 1 Craft Distiller, a Class 10. Class 2 Craft Distiller,

1 ~~and~~ a Class 11. Class 1 Brewer, and a Class 12. Class 2 Brewer,
2 ~~10. Craft Brewer~~ and any future Manufacturer's licenses
3 established by law.

4 (Source: P.A. 99-282, eff. 8-5-15; 99-642, eff. 7-28-16.)

5 (235 ILCS 5/3-12)

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

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

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

1 revoke a licensee's license may be limited to the license
2 for the specific premises where the violation occurred. An
3 action for a violation of this Act shall be commenced by
4 the State Commission within 2 years after the date the
5 State Commission becomes aware of the violation.

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

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

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

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

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

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

26 (3) To call upon other administrative departments of

1 the State, county and municipal governments, county and
2 city police departments and upon prosecuting officers for
3 such information and assistance as it deems necessary in
4 the performance of its duties.

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

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

17 (5.1) Upon receipt of a complaint or upon having
18 knowledge that any person is engaged in business as a
19 manufacturer, importing distributor, distributor, or
20 retailer without a license or valid license, to notify the
21 local liquor authority, file a complaint with the State's
22 Attorney's Office of the county where the incident
23 occurred, or initiate an investigation with the
24 appropriate law enforcement officials.

25 (5.2) To issue a cease and desist notice to persons
26 shipping alcoholic liquor into this State from a point

1 outside of this State if the shipment is in violation of
2 this Act.

3 (5.3) To receive complaints from licensees, local
4 officials, law enforcement agencies, organizations, and
5 persons stating that any licensee has been or is violating
6 any provision of this Act or the rules and regulations
7 issued pursuant to this Act. Such complaints shall be in
8 writing, signed and sworn to by the person making the
9 complaint, and shall state with specificity the facts in
10 relation to the alleged violation. If the Commission has
11 reasonable grounds to believe that the complaint
12 substantially alleges a violation of this Act or rules and
13 regulations adopted pursuant to this Act, it shall conduct
14 an investigation. If, after conducting an investigation,
15 the Commission is satisfied that the alleged violation did
16 occur, it shall proceed with disciplinary action against
17 the licensee as provided in this Act.

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

24 (7) The commission shall establish uniform systems of
25 accounts to be kept by all retail licensees having more
26 than 4 employees, and for this purpose the commission may

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

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

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

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

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

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

26 (11) To develop industry educational programs related

1 to responsible serving and selling, particularly in the
2 areas of overserving consumers and illegal underage
3 purchasing and consumption of alcoholic beverages.

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

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

16 (13) (Blank).

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

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

1 (B) The amount of licensing fees received.

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

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

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

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

17 (15) As a means to reduce the underage consumption of
18 alcoholic liquors, the Commission shall conduct alcohol
19 compliance operations to investigate whether businesses
20 that are soliciting, selling, and shipping wine from inside
21 or outside of this State directly to residents of this
22 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 Commission shall, in addition to notifying any
26 appropriate law enforcement agency, submit notices of

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

6 (17) (A) A person licensed to make wine under the laws
7 of another state who has a winery shipper's license under
8 this Act and annually produces less than 25,000 gallons of
9 wine or a person who has a first-class or second-class wine
10 manufacturer's license, a first-class or second-class
11 wine-maker's license, or a limited wine manufacturer's
12 license under this Act and annually produces less than
13 25,000 gallons of wine may make application to the
14 Commission for a self-distribution exemption to allow the
15 sale of not more than 5,000 gallons of the exemption
16 holder's wine to retail licensees per year.

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

26 (C) The Commission shall approve the application for a

1 self-distribution exemption if such person: (1) is in
2 compliance with State revenue and liquor laws; (2) is not a
3 member of any affiliated group that produces more than
4 25,000 gallons of wine per annum or produces any other
5 alcoholic liquor; (3) will not annually produce for sale
6 more than 25,000 gallons of wine; and (4) will not annually
7 sell more than 5,000 gallons of its wine to retail
8 licensees.

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

20 (E) Except in hearings for violations of this Act or
21 Public Act 95-634 or a bona fide investigation by duly
22 sworn law enforcement officials, the Commission, or its
23 agents, the Commission shall maintain the production and
24 sales information of a self-distribution exemption holder
25 as confidential and shall not release such information to
26 any person.

1 (F) The Commission shall issue regulations governing
2 self-distribution exemptions consistent with this Section
3 and this Act.

4 (G) Nothing in this paragraph ~~subsection~~ (17) shall
5 prohibit a self-distribution exemption holder from
6 entering into or simultaneously having a distribution
7 agreement with a licensed Illinois distributor.

8 (H) It is the intent of this paragraph ~~subsection~~ (17)
9 to promote and continue orderly markets. The General
10 Assembly finds that in order to preserve Illinois'
11 regulatory distribution system it is necessary to create an
12 exception for smaller makers of wine as their wines are
13 frequently adjusted in varietals, mixes, vintages, and
14 taste to find and create market niches sometimes too small
15 for distributor or importing distributor business
16 strategies. Limited self-distribution rights will afford
17 and allow smaller makers of wine access to the marketplace
18 in order to develop a customer base without impairing the
19 integrity of the 3-tier system.

20 (18)(A) A class 1 brewer licensee, who must also be
21 either a licensed brewer or licensed non-resident dealer
22 and annually manufacture less than 930,000 gallons of beer,
23 may make application to the State Commission for a
24 self-distribution exemption to allow the sale of not more
25 than 232,500 gallons of the exemption holder's beer per
26 year to retail licensees and to brewers, class 1 brewers,

1 and class 2 brewers that, pursuant to subsection (e) of
2 Section 6-4 of this Act, sell beer, cider, or both beer and
3 cider to non-licensees at their breweries.

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

14 (C) Any application submitted shall be posted on the
15 State Commission's website at least 45 days prior to action
16 by the State Commission. The State Commission shall approve
17 the application for a self-distribution exemption if the
18 class 1 brewer licensee: (1) is in compliance with the
19 State, revenue, and alcoholic beverage laws; (2) is not a
20 member of any affiliated group that manufactures more than
21 930,000 gallons of beer per annum or produces any other
22 alcoholic beverages; (3) shall not annually manufacture
23 for sale more than 930,000 gallons of beer; (4) shall not
24 annually sell more than 232,500 gallons of its beer to
25 retail licensees or to brewers, class 1 brewers, and class
26 2 brewers that, pursuant to subsection (e) of Section 6-4

1 of this Act, sell beer, cider, or both beer and cider to
2 non-licensees at their breweries; and (5) has relinquished
3 any brew pub license held by the licensee, including any
4 ownership interest it held in the licensed brew pub.

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

18 (E) The State Commission shall issue rules and
19 regulations governing self-distribution exemptions
20 consistent with this Act.

21 (F) Nothing in this paragraph (18) shall prohibit a
22 self-distribution exemption holder from entering into or
23 simultaneously having a distribution agreement with a
24 licensed Illinois importing distributor or a distributor.
25 If a self-distribution exemption holder enters into a
26 distribution agreement and has assigned distribution

1 rights to an importing distributor or distributor, then the
2 self-distribution exemption holder's distribution rights
3 in the assigned territories shall cease in a reasonable
4 time not to exceed 60 days.

5 (G) It is the intent of this paragraph (18) to promote
6 and continue orderly markets. The General Assembly finds
7 that in order to preserve Illinois' regulatory
8 distribution system, it is necessary to create an exception
9 for smaller manufacturers in order to afford and allow such
10 smaller manufacturers of beer access to the marketplace in
11 order to develop a customer base without impairing the
12 integrity of the 3-tier system.

13 (19) (A) A class 1 craft distiller licensee may make
14 application to the State Commission for a
15 self-distribution exemption to allow the sale of not more
16 than 5,000 gallons, in the aggregate, per year of the
17 exemption holder's spirits to retail licensees and to class
18 1 craft distillers and class 2 craft distillers that,
19 pursuant to subsection (e) of Section 6-4, sell spirits,
20 vermouth, or both spirits and vermouth to non-licensees at
21 their distilleries.

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

1 relationships; (4) that a self-distribution exemption is
2 necessary to facilitate the marketing of its spirits; and
3 (5) that it will comply with the alcoholic beverage and
4 revenue laws of the United States, this State, and any
5 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 prior to action
8 by the State Commission. The State Commission shall approve
9 the application for a self-distribution exemption if the
10 applicant: (1) is in compliance with State revenue and
11 alcoholic beverage laws; (2) is not a member of any
12 affiliated group that produces more than 50,000 gallons of
13 spirits per annum or produces any other alcoholic liquor;
14 (3) does not annually manufacture for sale more than 50,000
15 gallons of spirits; and (4) does not annually sell more
16 than 5,000 gallons of its spirits to retail licensees.

17 (D) A self-distribution exemption holder shall
18 annually certify to the State Commission its manufacture of
19 spirits during the previous 12 months and its anticipated
20 manufacture and sales of spirits for the next 12 months.
21 The State Commission may fine, suspend, or revoke a
22 self-distribution exemption after a hearing if it finds
23 that the exemption holder has made a material
24 misrepresentation in its application, violated a revenue
25 or alcoholic beverage law of Illinois, exceeded the
26 manufacture of 50,000 gallons of spirits in any calendar

1 year, or has become part of an affiliated group
2 manufacturing more than 50,000 gallons of spirits or any
3 other alcoholic beverage.

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

6 (F) Nothing in this paragraph (19) shall prohibit a
7 self-distribution exemption holder from entering into or
8 simultaneously having a distribution agreement with a
9 licensed Illinois importing distributor or a distributor.

10 (G) It is the intent of this paragraph (19) to promote
11 and continue orderly markets. The General Assembly finds
12 that in order to preserve Illinois' regulatory
13 distribution system, it is necessary to create an exception
14 for smaller manufacturers in order to afford and allow such
15 smaller manufacturers of spirits access to the marketplace
16 in order to develop a customer base without impairing the
17 integrity of the 3-tier system.

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

24 As part of its report, the Commission shall provide the
25 following information:

26 (i) the amount of State excise and sales tax revenues

1 generated as a result of Public Act 90-739;

2 (ii) the amount of licensing fees received as a result
3 of Public Act 90-739;

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

9 (Source: P.A. 99-78, eff. 7-20-15; 99-448, eff. 8-24-15;
10 100-134, eff. 8-18-17; 100-201, eff. 8-18-17; 100-816, eff.
11 8-13-18; 100-1012, eff. 8-21-18; 100-1050, eff. 8-23-18;
12 revised 10-24-18.)

13 (235 ILCS 5/5-1) (from Ch. 43, par. 115)

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

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

23 (b) Distributor's license,

24 (c) Importing Distributor's license,

25 (d) Retailer's license,

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

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

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

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

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

9 Class 3. A Brewer may make sales and deliveries of beer to
10 importing distributors and distributors and may make sales as
11 authorized under subsection (e) of Section 6-4 of this Act.

12 Class 4. A first class wine-manufacturer may make sales and
13 deliveries of up to 50,000 gallons of wine to manufacturers,
14 importing distributors and distributors, and to no other
15 licensees.

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

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

1 and who distributes its wine to licensed retailers shall cease
2 this practice on or before July 1, 2008 in compliance with
3 Public Act 95-634.

4 Class 7. A second-class wine-maker's license shall allow
5 the manufacture of between 50,000 and 150,000 gallons of wine
6 per year, and the storage and sale of such wine to distributors
7 in this State and to persons without the State, as may be
8 permitted by law. A person who, prior to June 1, 2008 (the
9 effective date of Public Act 95-634), is a holder of a
10 second-class wine-maker's license and annually produces more
11 than 25,000 gallons of its own wine and who distributes its
12 wine to licensed retailers shall cease this practice on or
13 before July 1, 2008 in compliance with Public Act 95-634.

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 class 1 craft distiller license, which may only
19 be issued to a licensed distiller or licensed non-resident
20 dealer, shall allow the manufacture of up to 50,000 gallons of
21 spirits per year provided that the class 1 craft distiller
22 licensee does not manufacture more than a combined 50,000
23 gallons of spirits per year and is not a member of or
24 affiliated with, directly or indirectly, a manufacturer that
25 produces more than 50,000 gallons of spirits per year or any
26 other alcoholic liquor. A class 1 craft distiller licensee may

1 make sales and deliveries to importing distributors and
2 distributors and to retail licensees in accordance with the
3 conditions set forth in paragraph (19) of subsection (a) of
4 Section 3-12 of this Act.

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

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

22 Class 10. A class 2 craft distiller license, which may only
23 be issued to a licensed distiller or licensed non-resident
24 dealer, shall allow the manufacture of up to 100,000 gallons of
25 spirits per year provided that the class 2 craft distiller
26 licensee does not manufacture more than a combined 100,000

1 gallons of spirits per year and is not a member of or
2 affiliated with, directly or indirectly, a manufacturer that
3 produces more than 100,000 gallons of spirits per year or any
4 other alcoholic liquor. A class 2 craft distiller licensee may
5 make sales and deliveries to importing distributors and
6 distributors, but shall not make sales or deliveries to any
7 other licensee. If the State Commission provides prior
8 approval, a class 2 craft distiller licensee may annually
9 transfer up to 100,000 gallons of spirits manufactured by that
10 class 2 craft distiller licensee to the premises of a licensed
11 class 2 craft distiller wholly owned and operated by the same
12 licensee. A class 2 craft distiller may transfer spirits to a
13 distilling pub wholly owned and operated by the class 2 craft
14 distiller subject to the following limitations and
15 restrictions: (i) the transfer shall not annually exceed more
16 than 5,000 gallons; (ii) the annual amount transferred shall
17 reduce the distilling pub's annual permitted production limit;
18 (iii) all spirits transferred shall be subject to Article VIII
19 of this Act; (iv) a written record shall be maintained by the
20 distiller and distilling pub specifying the amount, date of
21 delivery, and receipt of the product by the distilling pub; and
22 (v) the distilling pub shall be located no farther than 80
23 miles from the class 2 craft distiller's licensed location.

24 A class 2 craft distiller shall, prior to transferring
25 spirits to a distilling pub wholly owned by the class 2 craft
26 distiller, furnish a written notice to the State Commission of

1 intent to transfer spirits setting forth the name and address
2 of the distilling pub and shall annually submit to the State
3 Commission a verified report identifying the total gallons of
4 spirits transferred to the distilling pub wholly owned by the
5 class 2 craft distiller.

6 A class 2 craft distiller license holder may store such
7 spirits at a non-contiguous licensed location, but at no time
8 shall a class 2 craft distiller license holder directly or
9 indirectly produce in the aggregate more than 100,000 gallons
10 of spirits per year.

11 ~~A craft distiller license shall allow the manufacture of up to~~
12 ~~100,000 gallons of spirits by distillation per year and the~~
13 ~~storage of such spirits. If a craft distiller licensee,~~
14 ~~including a craft distiller licensee who holds more than one~~
15 ~~craft distiller license, is not affiliated with any other~~
16 ~~manufacturer of spirits, then the craft distiller licensee may~~
17 ~~sell such spirits to distributors in this State and up to 2,500~~
18 ~~gallons of such spirits to non licensees to the extent~~
19 ~~permitted by any exemption approved by the Commission pursuant~~
20 ~~to Section 6-4 of this Act. A craft distiller license holder~~
21 ~~may store such spirits at a non-contiguous licensed location,~~
22 ~~but at no time shall a craft distiller license holder directly~~
23 ~~or indirectly produce in the aggregate more than 100,000~~
24 ~~gallons of spirits per year.~~

25 ~~A craft distiller licensee may hold more than one craft~~
26 ~~distiller's license. However, a craft distiller that holds more~~

1 ~~than one craft distiller license shall not manufacture, in the~~
2 ~~aggregate, more than 100,000 gallons of spirits by distillation~~
3 ~~per year and shall not sell, in the aggregate, more than 2,500~~
4 ~~gallons of such spirits to non-licensees in accordance with an~~
5 ~~exemption approved by the State Commission pursuant to Section~~
6 ~~6-4 of this Act.~~

7 ~~Any craft distiller licensed under this Act who on July 28,~~
8 ~~2010 (the effective date of Public Act 96-1367) was licensed as~~
9 ~~a distiller and manufactured no more spirits than permitted by~~
10 ~~this Section shall not be required to pay the initial licensing~~
11 ~~fee.~~

12 Class 11 ~~10~~. A class 1 brewer license, which may only be
13 issued to a licensed brewer or licensed non-resident dealer,
14 shall allow the manufacture of up to 930,000 gallons of beer
15 per year provided that the class 1 brewer licensee does not
16 manufacture more than a combined 930,000 gallons of beer per
17 year and is not a member of or affiliated with, directly or
18 indirectly, a manufacturer that produces more than 930,000
19 gallons of beer per year or any other alcoholic liquor. A class
20 1 brewer licensee may make sales and deliveries to importing
21 distributors and distributors and to retail licensees in
22 accordance with the conditions set forth in paragraph (18) of
23 subsection (a) of Section 3-12 of this Act. If the State
24 Commission provides prior approval, a class 1 brewer may
25 annually transfer up to 930,000 gallons of beer manufactured by
26 that class 1 brewer to the premises of a licensed class 1

1 brewer wholly owned and operated by the same licensee.

2 Class 12 ~~11~~. A class 2 brewer license, which may only be
3 issued to a licensed brewer or licensed non-resident dealer,
4 shall allow the manufacture of up to 3,720,000 gallons of beer
5 per year provided that the class 2 brewer licensee does not
6 manufacture more than a combined 3,720,000 gallons of beer per
7 year and is not a member of or affiliated with, directly or
8 indirectly, a manufacturer that produces more than 3,720,000
9 gallons of beer per year or any other alcoholic liquor. A class
10 2 brewer licensee may make sales and deliveries to importing
11 distributors and distributors, but shall not make sales or
12 deliveries to any other licensee. If the State Commission
13 provides prior approval, a class 2 brewer licensee may annually
14 transfer up to 3,720,000 gallons of beer manufactured by that
15 class 2 brewer licensee to the premises of a licensed class 2
16 brewer wholly owned and operated by the same licensee.

17 A class 2 brewer may transfer beer to a brew pub wholly
18 owned and operated by the class 2 brewer subject to the
19 following limitations and restrictions: (i) the transfer shall
20 not annually exceed more than 31,000 gallons; (ii) the annual
21 amount transferred shall reduce the brew pub's annual permitted
22 production limit; (iii) all beer transferred shall be subject
23 to Article VIII of this Act; (iv) a written record shall be
24 maintained by the brewer and brew pub specifying the amount,
25 date of delivery, and receipt of the product by the brew pub;
26 and (v) the brew pub shall be located no farther than 80 miles

1 from the class 2 brewer's licensed location.

2 A class 2 brewer shall, prior to transferring beer to a
3 brew pub wholly owned by the class 2 brewer, furnish a written
4 notice to the State Commission of intent to transfer beer
5 setting forth the name and address of the brew pub and shall
6 annually submit to the State Commission a verified report
7 identifying the total gallons of beer transferred to the brew
8 pub wholly owned by the class 2 brewer.

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

16 Registration of agents, representatives, or persons acting
17 on behalf of a manufacturer is fulfilled by submitting a form
18 to the Commission. The form shall be developed by the
19 Commission and shall include the name and address of the
20 applicant, the name and address of the manufacturer he or she
21 represents, the territory or areas assigned to sell to or
22 discuss pricing terms of alcoholic liquor, and any other
23 questions deemed appropriate and necessary. All statements in
24 the forms required to be made by law or by rule shall be deemed
25 material, and any person who knowingly misstates any material
26 fact under oath in an application is guilty of a Class B

1 misdemeanor. Fraud, misrepresentation, false statements,
2 misleading statements, evasions, or suppression of material
3 facts in the securing of a registration are grounds for
4 suspension or revocation of the registration. The State
5 Commission shall post a list of registered agents on the
6 Commission's website.

7 (b) A distributor's license shall allow the wholesale
8 purchase and storage of alcoholic liquors and sale of alcoholic
9 liquors to licensees in this State and to persons without the
10 State, as may be permitted by law, and the sale of beer, cider,
11 or both beer and cider to brewers, class 1 brewers, and class 2
12 brewers that, pursuant to subsection (e) of Section 6-4 of this
13 Act, sell beer, cider, or both beer and cider to non-licensees
14 at their breweries. No person licensed as a distributor shall
15 be granted a non-resident dealer's license.

16 (c) An importing distributor's license may be issued to and
17 held by those only who are duly licensed distributors, upon the
18 filing of an application by a duly licensed distributor, with
19 the Commission and the Commission shall, without the payment of
20 any fee, immediately issue such importing distributor's
21 license to the applicant, which shall allow the importation of
22 alcoholic liquor by the licensee into this State from any point
23 in the United States outside this State, and the purchase of
24 alcoholic liquor in barrels, casks or other bulk containers and
25 the bottling of such alcoholic liquors before resale thereof,
26 but all bottles or containers so filled shall be sealed,

1 labeled, stamped and otherwise made to comply with all
2 provisions, rules and regulations governing manufacturers in
3 the preparation and bottling of alcoholic liquors. The
4 importing distributor's license shall permit such licensee to
5 purchase alcoholic liquor from Illinois licensed non-resident
6 dealers and foreign importers only. No person licensed as an
7 importing distributor shall be granted a non-resident dealer's
8 license.

9 (d) A retailer's license shall allow the licensee to sell
10 and offer for sale at retail, only in the premises specified in
11 the license, alcoholic liquor for use or consumption, but not
12 for resale in any form. Nothing in Public Act 95-634 shall
13 deny, limit, remove, or restrict the ability of a holder of a
14 retailer's license to transfer, deliver, or ship alcoholic
15 liquor to the purchaser for use or consumption subject to any
16 applicable local law or ordinance. Any retail license issued to
17 a manufacturer shall only permit the manufacturer to sell beer
18 at retail on the premises actually occupied by the
19 manufacturer. For the purpose of further describing the type of
20 business conducted at a retail licensed premises, a retailer's
21 licensee may be designated by the State Commission as (i) an on
22 premise consumption retailer, (ii) an off premise sale
23 retailer, or (iii) a combined on premise consumption and off
24 premise sale retailer.

25 Notwithstanding any other provision of this subsection
26 (d), a retail licensee may sell alcoholic liquors to a special

1 event retailer licensee for resale to the extent permitted
2 under subsection (e).

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

1 submit with the application proof satisfactory to the State
2 Commission that the applicant will provide dram shop liability
3 insurance in the maximum limits; and (iii) show proof
4 satisfactory to the State Commission that the applicant has
5 obtained local authority approval.

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

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

1 license shall also permit the licensee to sell or dispense
 2 alcoholic liquors on any club, buffet, lounge or dining car
 3 operated on an electric, gas or steam railway regularly
 4 operated by a common carrier in this State, but shall not
 5 permit the sale for resale of any alcoholic liquors to any
 6 licensee within this State. A license shall be obtained for
 7 each car in which such sales are made.

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

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

- 24 Class 1, not to exceed 500 gallons
- 25 Class 2, not to exceed 1,000 gallons
- 26 Class 3, not to exceed 5,000 gallons

1 Class 4, not to exceed 10,000 gallons

2 Class 5, not to exceed 50,000 gallons

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

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

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

25 (k) A foreign importer's license shall permit such licensee
26 to purchase alcoholic liquor from Illinois licensed

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

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

24 No holder of a retailer's license issued by the Illinois
25 Liquor Control Commission shall purchase or receive any
26 alcoholic liquor, the order for which was solicited or offered

1 for sale to such retailer by a broker unless the broker is the
2 holder of a valid broker's license.

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

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

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

22 This subsection (1) shall not apply to distributors,
23 employees of distributors, or employees of a manufacturer who
24 has registered the trademark, brand or name of the alcoholic
25 liquor pursuant to Section 6-9 of this Act, and who regularly
26 sells such alcoholic liquor in the State of Illinois only to

1 its registrants thereunder.

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

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

24 (n) A brew pub license shall allow the licensee to only (i)
25 manufacture up to 155,000 gallons of beer per year only on the
26 premises specified in the license, (ii) make sales of the beer

1 manufactured on the premises or, with the approval of the
2 Commission, beer manufactured on another brew pub licensed
3 premises that is wholly owned and operated by the same licensee
4 to importing distributors, distributors, and to non-licensees
5 for use and consumption, (iii) store the beer upon the
6 premises, (iv) sell and offer for sale at retail from the
7 licensed premises for off-premises consumption no more than
8 155,000 gallons per year so long as such sales are only made
9 in-person, (v) sell and offer for sale at retail for use and
10 consumption on the premises specified in the license any form
11 of alcoholic liquor purchased from a licensed distributor or
12 importing distributor, and (vi) with the prior approval of the
13 Commission, annually transfer no more than 155,000 gallons of
14 beer manufactured on the premises to a licensed brew pub wholly
15 owned and operated by the same licensee.

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

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

1 directly or indirectly, a manufacturer that produces more than
2 3,720,000 gallons of beer per year or any other alcoholic
3 liquor.

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

17 (o) A caterer retailer license shall allow the holder to
18 serve alcoholic liquors as an incidental part of a food service
19 that serves prepared meals which excludes the serving of snacks
20 as the primary meal, either on or off-site whether licensed or
21 unlicensed.

22 (p) An auction liquor license shall allow the licensee to
23 sell and offer for sale at auction wine and spirits for use or
24 consumption, or for resale by an Illinois liquor licensee in
25 accordance with provisions of this Act. An auction liquor
26 license will be issued to a person and it will permit the

1 auction liquor licensee to hold the auction anywhere in the
2 State. An auction liquor license must be obtained for each
3 auction at least 14 days in advance of the auction date.

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

18 (r) A winery shipper's license shall allow a person with a
19 first-class or second-class wine manufacturer's license, a
20 first-class or second-class wine-maker's license, or a limited
21 wine manufacturer's license or who is licensed to make wine
22 under the laws of another state to ship wine made by that
23 licensee directly to a resident of this State who is 21 years
24 of age or older for that resident's personal use and not for
25 resale. Prior to receiving a winery shipper's license, an
26 applicant for the license must provide the Commission with a

1 true copy of its current license in any state in which it is
2 licensed as a manufacturer of wine. An applicant for a winery
3 shipper's license must also complete an application form that
4 provides any other information the Commission deems necessary.
5 The application form shall include all addresses from which the
6 applicant for a winery shipper's license intends to ship wine,
7 including the name and address of any third party, except for a
8 common carrier, authorized to ship wine on behalf of the
9 manufacturer. The application form shall include an
10 acknowledgement consenting to the jurisdiction of the
11 Commission, the Illinois Department of Revenue, and the courts
12 of this State concerning the enforcement of this Act and any
13 related laws, rules, and regulations, including authorizing
14 the Department of Revenue and the Commission to conduct audits
15 for the purpose of ensuring compliance with Public Act 95-634,
16 and an acknowledgement that the wine manufacturer is in
17 compliance with Section 6-2 of this Act. Any third party,
18 except for a common carrier, authorized to ship wine on behalf
19 of a first-class or second-class wine manufacturer's licensee,
20 a first-class or second-class wine-maker's licensee, a limited
21 wine manufacturer's licensee, or a person who is licensed to
22 make wine under the laws of another state shall also be
23 disclosed by the winery shipper's licensee, and a copy of the
24 written appointment of the third-party wine provider, except
25 for a common carrier, to the wine manufacturer shall be filed
26 with the State Commission as a supplement to the winery

1 shipper's license application or any renewal thereof. The
2 winery shipper's license holder shall affirm under penalty of
3 perjury, as part of the winery shipper's license application or
4 renewal, that he or she only ships wine, either directly or
5 indirectly through a third-party provider, from the licensee's
6 own production.

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

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

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

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

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

19 The State Commission shall adopt rules as soon as
20 practicable to implement the requirements of Public Act 99-904
21 and shall adopt rules prohibiting any such third-party
22 appointment of a third-party provider, except for a common
23 carrier, that has been deemed by the State Commission to have
24 violated the provisions of this Act with regard to any winery
25 shipper licensee.

26 A winery shipper licensee must pay to the Department of

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

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

24 Pursuant to paragraph (5.1) or (5.3) of subsection (a) of
25 Section 3-12, the State Commission may receive, respond to, and
26 investigate any complaint and impose any of the remedies

1 specified in paragraph (1) of subsection (a) of Section 3-12.

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

7 (s) A craft distiller tasting permit license shall allow an
8 Illinois licensed class 1 craft distiller (i) to transfer a
9 portion of its alcoholic liquor inventory from its craft
10 distiller licensed premises to the premises specified in the
11 license hereby created, (ii) to sell and offer for sale at
12 retail, but not for resale in any form, up to 5,000 gallons of
13 the transferred alcoholic liquor to the extent permitted by any
14 exemption approved by the State Commission pursuant to Section
15 6-4, and (iii) to sell and offer for sale at retail for use and
16 consumption on the premises specified in the license vermouth
17 liquor purchased from a licensed distributor or importing
18 distributor. Upon approval from the State Commission, a craft
19 distiller tasting permit license shall allow the licensee to
20 sell and offer for sale at the class 1 craft distiller's
21 licensed premises. ~~and to conduct a sampling, only in the~~
22 ~~premises specified in the license hereby created, of the~~
23 ~~transferred alcoholic liquor in accordance with subsection (c)~~
24 ~~of Section 6-31 of this Act. The transferred alcoholic liquor~~
25 ~~may not be sold or resold in any form.~~ An applicant for the
26 craft distiller tasting permit license must also submit with

1 the application proof satisfactory to the State Commission that
2 the applicant will provide dram shop liability insurance to the
3 maximum limits and have local authority approval.

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

16 (u) A distilling pub license shall allow the licensee to
17 only (i) manufacture up to 5,000 gallons of spirits per year
18 only on the premises specified in the license, (ii) make sales
19 of the spirits manufactured on the premises or, with the
20 approval of the State Commission, spirits manufactured on
21 another distilling pub licensed premises that is wholly owned
22 and operated by the same licensee to importing distributors and
23 distributors and to non-licensees for use and consumption,
24 (iii) store the spirits upon the premises, (iv) sell and offer
25 for sale at retail from the licensed premises for off-premises
26 consumption no more than 5,000 gallons per year so long as such

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

9 A distilling pub licensee shall not under any circumstance
10 sell or offer for sale spirits manufactured by the distilling
11 pub licensee to retail licensees.

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

23 (v) A craft distiller warehouse permit may be issued to the
24 holder of a craft distiller premises license. The craft
25 distiller warehouse permit shall allow the holder to store or
26 warehouse up to 500,000 gallons of spirits manufactured by the

1 holder of the permit at the premises specified on the permit.
 2 Sales to non-licensees are prohibited at the premises specified
 3 in the craft distiller warehouse permit.

4 (Source: P.A. 99-448, eff. 8-24-15; 99-642, eff. 7-28-16;
 5 99-800, eff. 8-12-16; 99-902, eff. 8-26-16; 99-904, eff.
 6 1-1-17; 100-17, eff. 6-30-17; 100-201, eff. 8-18-17; 100-816,
 7 eff. 8-13-18; 100-885, eff. 8-14-18; 100-1050, eff. 8-23-18;
 8 revised 10-2-18.)

9 (235 ILCS 5/5-3) (from Ch. 43, par. 118)

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

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

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

22 For a manufacturer's license:

23	Class 1. Distiller	\$4,000	\$5,000
24	Class 2. Rectifier	4,000	5,000
25	Class 3. Brewer	1,200	1,500

1	Class 4. First-class Wine		
2	Manufacturer	750	900
3	Class 5. Second-class		
4	Wine Manufacturer.....	1,500	1,750
5	Class 6. First-class wine-maker	750	900
6	Class 7. Second-class wine-maker ..	1,500	1,750
7	Class 8. Limited Wine		
8	Manufacturer	250	350
9	Class 9. <u>Class 1</u> Craft Distiller ..	<u>50</u>	<u>75</u>
10	<u>Class 10. Class 2</u> Craft Distiller ..	<u>75</u>	<u>100</u>
11	Class <u>11</u> 10 . Class 1 Brewer	50	75
12	Class <u>12</u> 11 . Class 2 Brewer	75	100
13	For a Brew Pub License	1,200	1,500
14	<u>For a Distilling Pub License</u>	<u>1,200</u>	<u>1,500</u>
15	For a caterer retailer's license ..	350	500
16	For a foreign importer's license ..	25	25
17	For an importing distributor's		
18	license.....	25	25
19	For a distributor's license		
20	(11,250,000 gallons		
21	or over)	1,450	2,200
22	For a distributor's license		
23	(over 4,500,000 gallons, but		
24	under 11,250,000 gallons)	950	1,450
25	For a distributor's license		
26	(4,500,000 gallons or under) ..	300	450

1	For a non-resident dealer's license		
2	(500,000 gallons or over)	1,200	1,500
3	For a non-resident dealer's license		
4	(under 500,000 gallons)	250	350
5	For a wine-maker's premises		
6	license.....	250	500
7	For a winery shipper's license		
8	(under 250,000 gallons)	200	350
9	For a winery shipper's license		
10	(250,000 or over, but		
11	under 500,000 gallons)	750	1,000
12	For a winery shipper's license		
13	(500,000 gallons or over)	1,200	1,500
14	For a wine-maker's premises license,		
15	second location.....	500	1,000
16	For a wine-maker's premises license,		
17	third location	500	1,000
18	For a retailer's license	600	750
19	For a special event retailer's		
20	license, (not-for-profit).....	25	25
21	For a special use permit license,		
22	one day only	100	150
23	2 days or more	150	250
24	For a railroad license	100	150
25	For a boat license	500	1,000
26	For an airplane license, times the		

1	licensee's maximum number of		
2	aircraft in flight, serving		
3	liquor over the State at any		
4	given time, which either		
5	originate, terminate, or make		
6	an intermediate stop in		
7	the State.....	100	150
8	For a non-beverage user's license:		
9	Class 1.....	24	24
10	Class 2.....	60	60
11	Class 3.....	120	120
12	Class 4.....	240	240
13	Class 5.....	600	600
14	For a broker's license	750	1,000
15	For an auction liquor license	100	150
16	For a homebrewer special		
17	event permit	25	25
18	For a craft distiller		
19	tasting permit	25	25
20	For a BASSET trainer license	300	350
21	For a tasting representative		
22	license.....	200	300
23	For a brewer warehouse permit	25	25
24	<u>For a craft distiller</u>		
25	<u>warehouse permit</u>	<u>25</u>	<u>25</u>

26 Fees collected under this Section shall be paid into the

1 Dram Shop Fund. On and after July 1, 2003 and until June 30,
2 2016, of the funds received for a retailer's license, in
3 addition to the first \$175, an additional \$75 shall be paid
4 into the Dram Shop Fund, and \$250 shall be paid into the
5 General Revenue Fund. On and after June 30, 2016, one-half of
6 the funds received for a retailer's license shall be paid into
7 the Dram Shop Fund and one-half of the funds received for a
8 retailer's license shall be paid into the General Revenue Fund.
9 Beginning June 30, 1990 and on June 30 of each subsequent year
10 through June 29, 2003, any balance over \$5,000,000 remaining in
11 the Dram Shop Fund shall be credited to State liquor licensees
12 and applied against their fees for State liquor licenses for
13 the following year. The amount credited to each licensee shall
14 be a proportion of the balance in the Dram Fund that is the
15 same as the proportion of the license fee paid by the licensee
16 under this Section for the period in which the balance was
17 accumulated to the aggregate fees paid by all licensees during
18 that period.

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

21 (a) Hospitals, sanitariums, or clinics when their use
22 of alcoholic liquor is exclusively medicinal, mechanical
23 or scientific.

24 (b) Universities, colleges of learning or schools when
25 their use of alcoholic liquor is exclusively medicinal,
26 mechanical or scientific.

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

3 (Source: P.A. 99-448, eff. 8-24-15; 99-902, eff. 8-26-16;
4 99-904, eff. 8-26-16; 100-201, eff. 8-18-17; 100-816, eff.
5 8-13-18.)

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

7 Sec. 6-4. (a) No person licensed by any licensing authority
8 as a distiller, or a wine manufacturer, or any subsidiary or
9 affiliate thereof, or any officer, associate, member, partner,
10 representative, employee, agent or shareholder owning more
11 than 5% of the outstanding shares of such person shall be
12 issued an importing distributor's or distributor's license,
13 nor shall any person licensed by any licensing authority as an
14 importing distributor, distributor or retailer, or any
15 subsidiary or affiliate thereof, or any officer or associate,
16 member, partner, representative, employee, agent or
17 shareholder owning more than 5% of the outstanding shares of
18 such person be issued a distiller's license, a craft
19 distiller's license, or a wine manufacturer's license; and no
20 person or persons licensed as a distiller, ~~or~~ class 1 craft
21 distiller, or class 2 craft distiller by any licensing
22 authority shall have any interest, directly or indirectly, with
23 such distributor or importing distributor.

24 However, an importing distributor or distributor, which on
25 January 1, 1985 is owned by a brewer, or any subsidiary or

1 affiliate thereof or any officer, associate, member, partner,
2 representative, employee, agent or shareholder owning more
3 than 5% of the outstanding shares of the importing distributor
4 or distributor referred to in this paragraph, may own or
5 acquire an ownership interest of more than 5% of the
6 outstanding shares of a wine manufacturer and be issued a wine
7 manufacturer's license by any licensing authority.

8 (b) The foregoing provisions shall not apply to any person
9 licensed by any licensing authority as a distiller or wine
10 manufacturer, or to any subsidiary or affiliate of any
11 distiller or wine manufacturer who shall have been heretofore
12 licensed by the State Commission as either an importing
13 distributor or distributor during the annual licensing period
14 expiring June 30, 1947, and shall actually have made sales
15 regularly to retailers.

16 (c) Provided, however, that in such instances where a
17 distributor's or importing distributor's license has been
18 issued to any distiller or wine manufacturer or to any
19 subsidiary or affiliate of any distiller or wine manufacturer
20 who has, during the licensing period ending June 30, 1947, sold
21 or distributed as such licensed distributor or importing
22 distributor alcoholic liquors and wines to retailers, such
23 distiller or wine manufacturer or any subsidiary or affiliate
24 of any distiller or wine manufacturer holding such
25 distributor's or importing distributor's license may continue
26 to sell or distribute to retailers such alcoholic liquors and

1 wines which are manufactured, distilled, processed or marketed
2 by distillers and wine manufacturers whose products it sold or
3 distributed to retailers during the whole or any part of its
4 licensing periods; and such additional brands and additional
5 products may be added to the line of such distributor or
6 importing distributor, provided, that such brands and such
7 products were not sold or distributed by any distributor or
8 importing distributor licensed by the State Commission during
9 the licensing period ending June 30, 1947, but can not sell or
10 distribute to retailers any other alcoholic liquors or wines.

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

21 (e) Any person licensed as a brewer, class 1 brewer, or
22 class 2 brewer shall be permitted to sell on the licensed
23 premises to non-licensees for on or off-premises consumption
24 for the premises in which he or she actually conducts such
25 business: (i) beer manufactured by the brewer, class 1 brewer,
26 or class 2 brewer; (ii) beer manufactured by any other brewer,

1 class 1 brewer, or class 2 brewer; and (iii) cider. Such sales
2 shall be limited to on-premises, in-person sales only, for
3 lawful consumption on or off premises. Such authorization shall
4 be considered a privilege granted by the brewer license and,
5 other than a manufacturer of beer as stated above, no
6 manufacturer or distributor or importing distributor,
7 excluding airplane licensees exercising powers provided in
8 paragraph (i) of Section 5-1 of this Act, or any subsidiary or
9 affiliate thereof, or any officer, associate, member, partner,
10 representative, employee or agent, or shareholder shall be
11 issued a retailer's license, nor shall any person having a
12 retailer's license, excluding airplane licensees exercising
13 powers provided in paragraph (i) of Section 5-1 of this Act, or
14 any subsidiary or affiliate thereof, or any officer, associate,
15 member, partner, representative or agent, or shareholder be
16 issued a manufacturer's license or importing distributor's
17 license.

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

20 A person who holds a class 1 or class 2 brewer license and
21 is authorized by this Section to sell beer to non-licensees
22 shall not sell beer to non-licensees from more than 3 total
23 brewer or commonly owned brew pub licensed locations in this
24 State. The class 1 or class 2 brewer shall designate to the
25 State Commission the brewer or brew pub locations from which it
26 will sell beer to non-licensees.

1 A person licensed as a class 1 craft distiller or a class 2
2 craft distiller, including a person who holds more than one
3 class 1 craft distiller or class 2 craft distiller license, not
4 affiliated with any other person manufacturing spirits shall
5 ~~may~~ be authorized by the State Commission to sell on the
6 licensed premises to non-licensees for on-premises or
7 off-premises consumption for the premises in which he or she
8 actually conducts such business: (1) up to 5,000 ~~2,500~~ gallons
9 of spirits produced by the class 1 craft distiller or class 2
10 craft distiller; (2) spirits manufactured by any other class 1
11 craft distiller or class 2 craft distiller; and (3) vermouth
12 ~~person to non-licensees for on or off premises consumption for~~
13 ~~the premises in which he or she actually conducts business~~
14 ~~permitting only the retail sale of spirits manufactured at such~~
15 ~~premises~~. Such sales shall be limited to on-premises, in-person
16 sales only, for lawful consumption on or off premises, and such
17 authorization shall be considered a privilege granted by the
18 class 1 craft distiller or class 2 craft distiller license. A
19 class 1 craft distiller or class 2 craft distiller licensed for
20 retail sale shall secure liquor liability insurance coverage in
21 an amount at least equal to the maximum liability amounts set
22 forth in subsection (a) of Section 6-21 of this Act.

23 A class 1 or class 2 craft distiller license holder shall
24 not deliver any alcoholic liquor to any non-licensee off the
25 licensed premises. A class 1 craft distiller or class 2 craft
26 distiller shall affirm in its annual ~~craft distiller's~~ license

1 application that it does not produce more than 100,000 gallons
2 of distilled spirits or 50,000 gallons of distilled spirits,
3 whichever is applicable, annually and that the craft distiller
4 does not sell more than 5,000 ~~2,500~~ gallons of spirits to
5 non-licensees for on or off-premises consumption. In the
6 application, which shall be sworn under penalty of perjury, the
7 class 1 craft distiller or class 2 craft distiller shall state
8 the volume of production and sales for each year since the
9 class 1 craft distiller's or class 2 craft distiller's
10 establishment.

11 (f) (Blank).

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

19 (h) The changes made to this Section by Public Act 99-47
20 shall not diminish or impair the rights of any person, whether
21 a distiller, wine manufacturer, agent, or affiliate thereof,
22 who requested in writing and submitted documentation to the
23 State Commission on or before February 18, 2015 to be approved
24 for a retail license pursuant to what has heretofore been
25 subsection (f); provided that, on or before that date, the
26 State Commission considered the intent of that person to apply

1 for the retail license under that subsection and, by recorded
2 vote, the State Commission approved a resolution indicating
3 that such a license application could be lawfully approved upon
4 that person duly filing a formal application for a retail
5 license and if that person, within 90 days of the State
6 Commission appearance and recorded vote, first filed an
7 application with the appropriate local commission, which
8 application was subsequently approved by the appropriate local
9 commission prior to consideration by the State Commission of
10 that person's application for a retail license. It is further
11 provided that the State Commission may approve the person's
12 application for a retail license or renewals of such license if
13 such person continues to diligently adhere to all
14 representations made in writing to the State Commission on or
15 before February 18, 2015, or thereafter, or in the affidavit
16 filed by that person with the State Commission to support the
17 issuance of a retail license and to abide by all applicable
18 laws and duly adopted rules.

19 (Source: P.A. 99-47, eff. 7-15-15; 99-448, eff. 8-24-15;
20 99-642, eff. 7-28-16; 99-902, eff. 8-26-16; 100-201, eff.
21 8-18-17; 100-816, eff. 8-13-18; 100-885, eff. 8-14-18; revised
22 10-24-18.)

23 (235 ILCS 5/6-31)

24 Sec. 6-31. Product sampling.

25 (a) Retailer, distributor, importing distributor,

1 manufacturer and nonresident dealer licensees may conduct
2 product sampling for consumption at a licensed retail location.
3 Up to 3 samples, consisting of no more than (i) 1/4 ounce of
4 distilled spirits, (ii) one ounce of wine, or (iii) 2 ounces of
5 beer may be served to a consumer in one day.

6 (b) Notwithstanding the provisions of subsection (a), an
7 on-premises retail licensee may offer for sale and serve more
8 than one drink per person for sampling purposes. In any event,
9 all provisions of Section 6-28 shall apply to an on-premises
10 retail licensee that conducts product sampling.

11 (c) (Blank). ~~A craft distiller tasting permit licensee may~~
12 ~~conduct product sampling of distilled spirits for consumption~~
13 ~~at the location specified in the craft distiller tasting permit~~
14 ~~license. Up to 3 samples, consisting of no more than 1/4 ounce~~
15 ~~of distilled spirits, may be served to a consumer in one day.~~

16 (Source: P.A. 99-46, eff. 7-15-15; 99-902, eff. 8-26-16.)".