

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 5-1 and 5-3 as follows:

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

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

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

17 (b) Distributor's license,

18 (c) Importing Distributor's license,

19 (d) Retailer's license,

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

21 (f) Railroad license,

22 (g) Boat license,

23 (h) Non-Beverage User's license,

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

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

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

24 Class 1. A Distiller may make sales and deliveries of  
25 alcoholic liquor to distillers, rectifiers, importing  
26 distributors, distributors and non-beverage users and to no

1 other licensees.

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

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

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

1 current license, a class 1 craft distiller license, shall not  
2 manufacture more than 50,000 gallons of spirits per year, and  
3 shall not be a member of or affiliated with, directly or  
4 indirectly, a manufacturer that produces more than 50,000  
5 gallons of spirits per year. A first-class wine-manufacturer  
6 shall be permitted to sell wine manufactured at the  
7 first-class wine-manufacturer premises to non-licensees.

8 Class 5. A second class Wine manufacturer may make sales  
9 and deliveries of more than 50,000 gallons of wine to  
10 manufacturers, importing distributors and distributors and to  
11 no other licensees.

12 Class 6. A first-class wine-maker's license shall allow  
13 the manufacture of up to 50,000 gallons of wine per year, and  
14 the storage and sale of such wine to distributors in the State  
15 and to persons without the State, as may be permitted by law. A  
16 person who, prior to June 1, 2008 (the effective date of Public  
17 Act 95-634), is a holder of a first-class wine-maker's license  
18 and annually produces more than 25,000 gallons of its own wine  
19 and who distributes its wine to licensed retailers shall cease  
20 this practice on or before July 1, 2008 in compliance with  
21 Public Act 95-634. If a first-class wine-maker manufactures  
22 beer, it shall also obtain and shall only be eligible for, in  
23 addition to any current license, a class 1 brewer license,  
24 shall not manufacture more than 930,000 gallons of beer per  
25 year, and shall not be a member of or affiliated with, directly  
26 or indirectly, a manufacturer that produces more than 930,000

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

13 Class 7. A second-class wine-maker's license shall allow  
14 the manufacture of up to 150,000 gallons of wine per year, and  
15 the storage and sale of such wine to distributors in this State  
16 and to persons without the State, as may be permitted by law. A  
17 person who, prior to June 1, 2008 (the effective date of Public  
18 Act 95-634), is a holder of a second-class wine-maker's  
19 license and annually produces more than 25,000 gallons of its  
20 own wine and who distributes its wine to licensed retailers  
21 shall cease this practice on or before July 1, 2008 in  
22 compliance with Public Act 95-634. If a second-class  
23 wine-maker manufactures beer, it shall also obtain and shall  
24 only be eligible for, in addition to any current license, a  
25 class 2 brewer license, shall not manufacture more than  
26 3,720,000 gallons of beer per year, and shall not be a member

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

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

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

23 Class 10. A class 1 craft distiller license, which may  
24 only be issued to a licensed craft distiller or licensed  
25 non-resident dealer, shall allow the manufacture of up to  
26 50,000 gallons of spirits per year provided that the class 1

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

26 A class 1 craft distiller licensee may sell up to 5,000

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

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

17 Class 11. A class 2 craft distiller license, which may  
18 only be issued to a licensed craft distiller or licensed  
19 non-resident dealer, shall allow the manufacture of up to  
20 100,000 gallons of spirits per year provided that the class 2  
21 craft distiller licensee does not manufacture more than a  
22 combined 100,000 gallons of spirits per year and is not a  
23 member of or affiliated with, directly or indirectly, a  
24 manufacturer that produces more than 100,000 gallons of  
25 spirits per year. If a class 2 craft distiller manufactures  
26 beer, it shall also obtain and shall only be eligible for, in



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

1 a written record shall be maintained by the distiller and  
2 distilling pub specifying the amount, date of delivery, and  
3 receipt of the product by the distilling pub; and (v) the  
4 distilling pub shall be located no farther than 80 miles from  
5 the class 2 craft distiller's licensed location.

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

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

19 Class 12. A class 1 brewer license, which may only be  
20 issued to a licensed brewer or licensed non-resident dealer,  
21 shall allow the manufacture of up to 930,000 gallons of beer  
22 per year provided that the class 1 brewer licensee does not  
23 manufacture more than a combined 930,000 gallons of beer per  
24 year and is not a member of or affiliated with, directly or  
25 indirectly, a manufacturer that produces more than 930,000  
26 gallons of beer per year. If a class 1 brewer manufactures

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

22 Class 13. A class 2 brewer license, which may only be  
23 issued to a licensed brewer or licensed non-resident dealer,  
24 shall allow the manufacture of up to 3,720,000 gallons of beer  
25 per year provided that the class 2 brewer licensee does not  
26 manufacture more than a combined 3,720,000 gallons of beer per

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

24 A class 2 brewer may transfer beer to a brew pub wholly  
25 owned and operated by the class 2 brewer subject to the  
26 following limitations and restrictions: (i) the transfer shall

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

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

16 Class 14. A class 3 brewer license, which may be issued to  
17 a brewer or a non-resident dealer, shall allow the manufacture  
18 of no more than 465,000 gallons of beer per year and no more  
19 than 155,000 gallons at a single brewery premises, and shall  
20 allow the sale of no more than 6,200 gallons of beer from each  
21 in-state or out-of-state class 3 brewery premises, or 18,600  
22 gallons in the aggregate, to retail licensees, class 1  
23 brewers, class 2 brewers, and class 3 brewers as long as the  
24 class 3 brewer licensee does not manufacture more than a  
25 combined 465,000 gallons of beer per year and is not a member  
26 of or affiliated with, directly or indirectly, a manufacturer

1 that produces more than 465,000 gallons of beer per year to  
2 make sales to importing distributors, distributors, retail  
3 licensees, brewers, class 1 brewers, class 2 brewers, and  
4 class 3 brewers in accordance with the conditions set forth in  
5 paragraph (20) of subsection (a) of Section 3-12. If the State  
6 Commission provides prior approval, a class 3 brewer may  
7 annually transfer up to 155,000 gallons of beer manufactured  
8 by that class 3 brewer to the premises of a licensed class 3  
9 brewer wholly owned and operated by the same licensee. A class  
10 3 brewer shall manufacture beer at the brewer's class 3  
11 designated licensed premises, and may sell beer as otherwise  
12 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~~ ~~(i)~~ meeting all applicable qualifications of this  
18 Act, ~~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 (Source: P.A. 101-16, eff. 6-14-19; 101-31, eff. 6-28-19;  
4 101-81, eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff.  
5 8-23-19; 101-615, eff. 12-20-19; 101-668, eff. 1-1-22;  
6 102-442, eff. 8-20-21; revised 2-28-22.)

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

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

13 The fee for licenses issued by the State Commission shall  
14 be as follows:

	Online	Initial
	renewal	license
		or
		non-online
		renewal

20 For a manufacturer's license:

21	Class 1. Distiller .....	\$4,000	\$5,000
22	Class 2. Rectifier .....	4,000	5,000
23	Class 3. Brewer .....	1,200	1,500
24	Class 4. First-class Wine		
25	Manufacturer .....	<u>750</u> <del>1,200</del>	<u>900</u> <del>1,500</del>

1	Class 5. Second-class		
2	Wine Manufacturer.....	1,500	1,750
3	Class 6. First-class wine-maker....	<u>750</u> <del>1,200</del>	<u>900</u> <del>1,500</del>
4	Class 7. Second-class wine-maker ..	1,500	1,750
5	Class 8. Limited Wine		
6	Manufacturer .....	250	350
7	Class 9. Craft Distiller .....	2,000	2,500
8	Class 10. Class 1 Craft Distiller ..	50	75
9	Class 11. Class 2 Craft Distiller ..	75	100
10	Class 12. Class 1 Brewer .....	50	75
11	Class 13. Class 2 Brewer .....	75	100
12	Class 14. Class 3 Brewer .....	25	50
13	For a Brew Pub License .....	1,200	1,500
14	For a Distilling Pub License .....	1,200	1,500
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)		
3	or with self-distribution		
4	privileges .....	1,200	1,500
5	For a non-resident dealer's license		
6	(under 500,000 gallons) .....	250	350
7	For a wine-maker's premises		
8	license.....	250	500
9	For a winery shipper's license		
10	(under 250,000 gallons) .....	200	350
11	For a winery shipper's license		
12	(250,000 or over, but		
13	under 500,000 gallons) .....	750	1,000
14	For a winery shipper's license		
15	(500,000 gallons or over) .....	1,200	1,500
16	For a wine-maker's premises		
17	license, second location .....	500	1,000
18	For a wine-maker's premises		
19	license, third location.....	500	1,000
20	For a retailer's license .....	600	750
21	For a special event retailer's		
22	license, (not-for-profit).....	25	25
23	For a beer showcase permit license,		
24	one day only .....	100	150
25	2 days or more .....	150	250
26	For a special use permit license,		

1	one day only .....	100	150
2	2 days or more .....	150	250
3	For a railroad license .....	100	150
4	For a boat license .....	500	1,000
5	For an airplane license, times the		
6	licensee's maximum number of		
7	aircraft in flight, serving		
8	liquor over the State at any		
9	given time, which either		
10	originate, terminate, or make		
11	an intermediate stop in		
12	the State.....	100	150
13	For a non-beverage user's license:		
14	Class 1.....	24	24
15	Class 2.....	60	60
16	Class 3.....	120	120
17	Class 4.....	240	240
18	Class 5.....	600	600
19	For a broker's license .....	750	1,000
20	For an auction liquor license .....	100	150
21	For a homebrewer special		
22	event permit .....	25	25
23	For a craft distiller		
24	tasting permit .....	25	25
25	For a BASSET trainer license .....	300	350
26	For a tasting representative		

1	license.....	200	300
2	For a brewer warehouse permit .....	25	25
3	For a craft distiller		
4	warehouse permit .....	25	25

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

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 when  
4 their use of alcoholic liquor is exclusively medicinal,  
5 mechanical or scientific.

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

8 (Source: P.A. 101-482, eff. 8-23-19; 101-615, eff. 12-20-19;  
9 102-442, eff. 8-20-21; 102-558, eff. 8-20-21.)

10 Section 99. Effective date. This Act takes effect upon  
11 becoming law.