

# SB3733



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3733

Introduced 2/9/2024, by Sen. Cristina Castro

### SYNOPSIS AS INTRODUCED:

235 ILCS 5/1-3.43

235 ILCS 5/5-1

from Ch. 43, par. 115

Amends the Liquor Control Act of 1934. Removes language authorizing a distributor to hold a beer showcase permit.

LRB103 37759 RPS 67887 b

A BILL FOR

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 1-3.43 and 5-1 as follows:

6 (235 ILCS 5/1-3.43)

7 Sec. 1-3.43. Beer showcase permit. "Beer showcase permit"  
8 means a license for use by a class 3 brewer ~~or distributor~~ to  
9 allow for the transfer of beer only from an existing licensed  
10 premises of a class 3 brewer ~~or distributor~~ to a designated  
11 site for a specific event.

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

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  
19 6. First Class Winemaker, Class 7. Second Class Winemaker,  
20 Class 8. Limited Wine Manufacturer, Class 9. Craft Distiller,  
21 Class 10. Class 1 Craft Distiller, Class 11. Class 2 Craft  
22 Distiller, Class 12. Class 1 Brewer, Class 13. Class 2 Brewer,

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

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

1 wine manufacturer's license.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

1 non-resident dealer's license.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 A person who holds a class 2 brewer license may

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

16 (w) A beer showcase permit license shall allow ~~an~~  
17 ~~Illinois licensed distributor to transfer a portion of its~~  
18 ~~beer inventory from its licensed premises to the premises~~  
19 ~~specified in the beer showcase permit license, and, in the~~  
20 ~~case of~~ a class 3 brewer to ~~7~~ transfer only beer the class 3  
21 brewer manufactures from its licensed premises to the premises  
22 specified in the beer showcase permit license; and to sell or  
23 offer for sale at retail, only in the premises specified in the  
24 beer showcase permit license, the transferred ~~or delivered~~  
25 beer for on or off premise consumption, but not for resale in  
26 any form and to sell to non-licensees not more than 96 fluid

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

11 (Source: P.A. 101-16, eff. 6-14-19; 101-31, eff. 6-28-19;  
12 101-81, eff. 7-12-19; 101-482, eff. 8-23-19; 101-517, eff.  
13 8-23-19; 101-615, eff. 12-20-19; 101-668, eff. 1-1-22;  
14 102-442, eff. 8-20-21; 102-1142, eff. 2-17-23.)