

1 AMENDMENT TO HOUSE BILL 741

2 AMENDMENT NO. _____. Amend House Bill 741 by replacing
3 the title with the following:

4 "AN ACT in relation to alcoholic liquor."; and

5 by replacing everything after the enacting clause with the
6 following:

7 "Section 5. The Liquor Control Act of 1934 is amended by
8 changing Sections 5-2 and 6-15 as follows:

9 (235 ILCS 5/5-2) (from Ch. 43, par. 117)

10 Sec. 5-2. All licenses, except a non-beverage user's, a
11 special use permit, and a special event retailer's license,
12 issued by the State Commission, shall be valid from the date
13 of issuance through the last day of the eleventh month that
14 begins after the month in which the license is issued ~~for not~~
15 ~~to exceed one year after issuance~~ unless sooner revoked or
16 suspended as provided in this Act ~~provided~~. A non-beverage
17 user's license shall expire only when the quantity of
18 alcoholic liquor which may be purchased under it has been
19 exhausted. A special use permit license and a special event
20 retailer's license (not-for-profit) shall be issued for a
21 specific time period, not to exceed 15 days per licensee per

1 location in any 12 month period. Licenses shall state thereon
2 the class to which they belong, the names of the licensees
3 and the addresses and description of the premises for which
4 they are granted, or in the case of caterer retailers,
5 auctions, railroads, airplanes and boats, a designation
6 thereof by number or name; and shall state the dates of their
7 issuance and expiration.

8 (Source: P.A. 88-91.)

9 (235 ILCS 5/6-15) (from Ch. 43, par. 130)

10 Sec. 6-15. No alcoholic liquors shall be sold or
11 delivered in any building belonging to or under the control
12 of the State or any political subdivision thereof except as
13 provided in this Act. The corporate authorities of any city,
14 village, incorporated town or township may provide by
15 ordinance, however, that alcoholic liquor may be sold or
16 delivered in any specifically designated building belonging
17 to or under the control of the municipality or township, or
18 in any building located on land under the control of the
19 municipality; provided that such township complies with all
20 applicable local ordinances in any incorporated area of the
21 township. Alcoholic liquors may be delivered to and sold at
22 any airport belonging to or under the control of a
23 municipality of more than 25,000 inhabitants, or in any
24 building or on any golf course owned by a park district
25 organized under the Park District Code, subject to the
26 approval of the governing board of the district, or in any
27 building or on any golf course owned by a forest preserve
28 district organized under the Downstate Forest Preserve
29 District Act, subject to the approval of the governing board
30 of the district, or on the grounds within 500 feet of any
31 building owned by a forest preserve district organized under
32 the Downstate Forest Preserve District Act during times when
33 food is dispensed for consumption within 500 feet of the

1 building from which the food is dispensed, subject to the
2 approval of the governing board of the district, or in a
3 building owned by a Local Mass Transit District organized
4 under the Local Mass Transit District Act, subject to the
5 approval of the governing Board of the District, or in
6 Bicentennial Park, or on the premises of the City of Mendota
7 Lake Park located adjacent to Route 51 in Mendota, Illinois,
8 or on the premises of Camden Park in Milan, Illinois, or in
9 the community center owned by the City of Loves Park that is
10 located at 1000 River Park Drive in Loves Park, Illinois, or,
11 in connection with the operation of an established food
12 serving facility during times when food is dispensed for
13 consumption on the premises, and at the following aquarium
14 and museums located in public parks: Art Institute of
15 Chicago, Chicago Academy of Sciences, Chicago Historical
16 Society, Field Museum of Natural History, Museum of Science
17 and Industry, DuSable Museum of African American History,
18 John G. Shedd Aquarium and Adler Planetarium, or at Lakeview
19 Museum of Arts and Sciences in Peoria, or in connection with
20 the operation of the facilities of the Chicago Zoological
21 Society or the Chicago Horticultural Society on land owned by
22 the Forest Preserve District of Cook County, or on any land
23 used for a golf course or for recreational purposes owned by
24 the Forest Preserve District of Cook County, subject to the
25 control of the Forest Preserve District Board of
26 Commissioners and applicable local law, provided that dram
27 shop liability insurance is provided at maximum coverage
28 limits so as to hold the District harmless from all financial
29 loss, damage, and harm, or in any building located on land
30 owned by the Chicago Park District if approved by the Park
31 District Commissioners, or on any land used for a golf course
32 or for recreational purposes and owned by the Illinois
33 International Port District if approved by the District's
34 governing board, or at any airport, golf course, faculty

1 center, or facility in which conference and convention type
2 activities take place belonging to or under control of any
3 State university or public community college district,
4 provided that with respect to a facility for conference and
5 convention type activities alcoholic liquors shall be limited
6 to the use of the convention or conference participants or
7 participants in cultural, political or educational activities
8 held in such facilities, and provided further that the
9 faculty or staff of the State university or a public
10 community college district, or members of an organization of
11 students, alumni, faculty or staff of the State university or
12 a public community college district are active participants
13 in the conference or convention, or in Memorial Stadium on
14 the campus of the University of Illinois at Urbana-Champaign
15 during games in which the Chicago Bears professional football
16 team is playing in that stadium during the renovation of
17 Soldier Field, not more than one and a half hours before the
18 start of the game and not after the end of the third quarter
19 of the game, or by a catering establishment which has rented
20 facilities from a board of trustees of a public community
21 college district, or, if approved by the District board, on
22 land owned by the Metropolitan Sanitary District of Greater
23 Chicago and leased to others for a term of at least 20 years.
24 Nothing in this Section precludes the sale or delivery of
25 alcoholic liquor in the form of original packaged goods in
26 premises located at 500 S. Racine in Chicago belonging to the
27 University of Illinois and used primarily as a grocery store
28 by a commercial tenant during the term of a lease that
29 predates the University's acquisition of the premises; but
30 the University shall have no power or authority to renew,
31 transfer, or extend the lease with terms allowing the sale of
32 alcoholic liquor; and the sale of alcoholic liquor shall be
33 subject to all local laws and regulations. After the
34 acquisition by Winnebago County of the property located at

1 404 Elm Street in Rockford, a commercial tenant who sold
2 alcoholic liquor at retail on a portion of the property under
3 a valid license at the time of the acquisition may continue
4 to do so for so long as the tenant and the County may agree
5 under existing or future leases, subject to all local laws
6 and regulations regarding the sale of alcoholic liquor. Each
7 facility shall provide dram shop liability in maximum
8 insurance coverage limits so as to save harmless the State,
9 municipality, State university, airport, golf course, faculty
10 center, facility in which conference and convention type
11 activities take place, park district, Forest Preserve
12 District, public community college district, aquarium,
13 museum, or sanitary district from all financial loss, damage
14 or harm. Alcoholic liquors may be sold at retail in buildings
15 of golf courses owned by municipalities in connection with
16 the operation of an established food serving facility during
17 times when food is dispensed for consumption upon the
18 premises. Alcoholic liquors may be delivered to and sold at
19 retail in any building owned by a fire protection district
20 organized under the Fire Protection District Act, provided
21 that such delivery and sale is approved by the board of
22 trustees of the district, and provided further that such
23 delivery and sale is limited to fundraising events and to a
24 maximum of 6 events per year.

25 Alcoholic liquor may be delivered to and sold at retail
26 in the Dorchester Senior Business Center owned by the Village
27 of Dolton if the alcoholic liquor is sold or dispensed only
28 in connection with organized functions for which the planned
29 attendance is 20 or more persons, and if the person or
30 facility selling or dispensing the alcoholic liquor has
31 provided dram shop liability insurance in maximum limits so
32 as to hold harmless the Village of Dolton and the State from
33 all financial loss, damage and harm.

34 Alcoholic liquors may be delivered to and sold at retail

1 in any building used as an Illinois State Armory provided:

2 (i) the Adjutant General's written consent to the
3 issuance of a license to sell alcoholic liquor in such
4 building is filed with the Commission;

5 (ii) the alcoholic liquor is sold or dispensed only
6 in connection with organized functions held on special
7 occasions;

8 (iii) the organized function is one for which the
9 planned attendance is 25 or more persons; and

10 (iv) the facility selling or dispensing the
11 alcoholic liquors has provided dram shop liability
12 insurance in maximum limits so as to save harmless the
13 facility and the State from all financial loss, damage or
14 harm.

15 Alcoholic liquors may be delivered to and sold at retail
16 in the Chicago Civic Center, provided that:

17 (i) the written consent of the Public Building
18 Commission which administers the Chicago Civic Center is
19 filed with the Commission;

20 (ii) the alcoholic liquor is sold or dispensed only
21 in connection with organized functions held on special
22 occasions;

23 (iii) the organized function is one for which the
24 planned attendance is 25 or more persons;

25 (iv) the facility selling or dispensing the
26 alcoholic liquors has provided dram shop liability
27 insurance in maximum limits so as to hold harmless the
28 Civic Center, the City of Chicago and the State from all
29 financial loss, damage or harm; and

30 (v) all applicable local ordinances are complied
31 with.

32 Alcoholic liquors may be delivered or sold in any
33 building belonging to or under the control of any city,
34 village or incorporated town where more than 75% of the

1 physical properties of the building is used for commercial or
2 recreational purposes, and the building is located upon a
3 pier extending into or over the waters of a navigable lake or
4 stream or on the shore of a navigable lake or stream.
5 Alcoholic liquor may be sold in buildings under the control
6 of the Department of Natural Resources when written consent
7 to the issuance of a license to sell alcoholic liquor in such
8 buildings is filed with the Commission by the Department of
9 Natural Resources. Notwithstanding any other provision of
10 this Act, alcoholic liquor sold by a United States Army Corps
11 of Engineers or Department of Natural Resources
12 concessionaire who was operating on June 1, 1991 for
13 on-premises consumption only is not subject to the provisions
14 of Articles IV and IX. Beer and wine may be sold on the
15 premises of the Joliet Park District Stadium owned by the
16 Joliet Park District when written consent to the issuance of
17 a license to sell beer and wine in such premises is filed
18 with the local liquor commissioner by the Joliet Park
19 District. Beer and wine may be sold in buildings on the
20 grounds of State veterans' homes when written consent to the
21 issuance of a license to sell beer and wine in such buildings
22 is filed with the Commission by the Department of Veterans'
23 Affairs, and the facility shall provide dram shop liability
24 in maximum insurance coverage limits so as to save the
25 facility harmless from all financial loss, damage or harm.
26 Such liquors may be delivered to and sold at any property
27 owned or held under lease by a Metropolitan Pier and
28 Exposition Authority or Metropolitan Exposition and
29 Auditorium Authority.

30 Beer and wine may be sold and dispensed at professional
31 sporting events and at professional concerts and other
32 entertainment events conducted on premises owned by the
33 Forest Preserve District of Kane County, subject to the
34 control of the District Commissioners and applicable local

1 law, provided that dram shop liability insurance is provided
2 at maximum coverage limits so as to hold the District
3 harmless from all financial loss, damage and harm.

4 Nothing in this Section shall preclude the sale or
5 delivery of beer and wine at a State or county fair or the
6 sale or delivery of beer or wine at a city fair in any
7 otherwise lawful manner.

8 Alcoholic liquors may be sold at retail in buildings in
9 State parks under the control of the Department of Natural
10 Resources, provided:

11 a. the State park has overnight lodging facilities
12 with some restaurant facilities or, not having overnight
13 lodging facilities, has restaurant facilities which serve
14 complete luncheon and dinner or supper meals,

15 b. consent to the issuance of a license to sell
16 alcoholic liquors in the buildings has been filed with
17 the commission by the Department of Natural Resources,
18 and

19 c. the alcoholic liquors are sold by the State park
20 lodge or restaurant concessionaire only during the hours
21 from 11 o'clock a.m. until 12 o'clock midnight.
22 Notwithstanding any other provision of this Act,
23 alcoholic liquor sold by the State park or restaurant
24 concessionaire is not subject to the provisions of
25 Articles IV and IX.

26 Alcoholic liquors may be sold at retail in buildings on
27 properties under the control of the Historic Sites and
28 Preservation Division of the Historic Preservation Agency or
29 the Abraham Lincoln Presidential Library and Museum provided:

30 a. the property has overnight lodging facilities
31 with some restaurant facilities or, not having overnight
32 lodging facilities, has restaurant facilities which serve
33 complete luncheon and dinner or supper meals,

34 b. consent to the issuance of a license to sell

1 alcoholic liquors in the buildings has been filed with
2 the commission by the Historic Sites and Preservation
3 Division of the Historic Preservation Agency or the
4 Abraham Lincoln Presidential Library and Museum, and

5 c. the alcoholic liquors are sold by the lodge or
6 restaurant concessionaire only during the hours from 11
7 o'clock a.m. until 12 o'clock midnight.

8 The sale of alcoholic liquors pursuant to this Section
9 does not authorize the establishment and operation of
10 facilities commonly called taverns, saloons, bars, cocktail
11 lounges, and the like except as a part of lodge and
12 restaurant facilities in State parks or golf courses owned by
13 Forest Preserve Districts with a population of less than
14 3,000,000 or municipalities or park districts.

15 Alcoholic liquors may be sold at retail in the
16 Springfield Administration Building of the Department of
17 Transportation and the Illinois State Armory in Springfield;
18 provided, that the controlling government authority may
19 consent to such sales only if

20 a. the request is from a not-for-profit
21 organization;

22 b. such sales would not impede normal operations of
23 the departments involved;

24 c. the not-for-profit organization provides dram
25 shop liability in maximum insurance coverage limits and
26 agrees to defend, save harmless and indemnify the State
27 of Illinois from all financial loss, damage or harm;

28 d. no such sale shall be made during normal working
29 hours of the State of Illinois; and

30 e. the consent is in writing.

31 Alcoholic liquors may be sold at retail in buildings in
32 recreational areas of river conservancy districts under the
33 control of, or leased from, the river conservancy districts.
34 Such sales are subject to reasonable local regulations as

1 provided in Article IV; however, no such regulations may
2 prohibit or substantially impair the sale of alcoholic
3 liquors on Sundays or Holidays.

4 Alcoholic liquors may be provided in long term care
5 facilities owned or operated by a county under Division 5-21
6 or 5-22 of the Counties Code, when approved by the facility
7 operator and not in conflict with the regulations of the
8 Illinois Department of Public Health, to residents of the
9 facility who have had their consumption of the alcoholic
10 liquors provided approved in writing by a physician licensed
11 to practice medicine in all its branches.

12 Alcoholic liquors may be delivered to and dispensed in
13 State housing assigned to employees of the Department of
14 Corrections. No person shall furnish or allow to be furnished
15 any alcoholic liquors to any prisoner confined in any jail,
16 reformatory, prison or house of correction except upon a
17 physician's prescription for medicinal purposes.

18 Alcoholic liquors may be sold at retail or dispensed at
19 the Willard Ice Building in Springfield, at the State Library
20 in Springfield, and at Illinois State Museum facilities by
21 (1) an agency of the State, whether legislative, judicial or
22 executive, provided that such agency first obtains written
23 permission to sell or dispense alcoholic liquors from the
24 controlling government authority, or by (2) a not-for-profit
25 organization, provided that such organization:

26 a. Obtains written consent from the controlling
27 government authority;

28 b. Sells or dispenses the alcoholic liquors in a
29 manner that does not impair normal operations of State
30 offices located in the building;

31 c. Sells or dispenses alcoholic liquors only in
32 connection with an official activity in the building;

33 d. Provides, or its catering service provides, dram
34 shop liability insurance in maximum coverage limits and

1 in which the carrier agrees to defend, save harmless and
2 indemnify the State of Illinois from all financial loss,
3 damage or harm arising out of the selling or dispensing
4 of alcoholic liquors.

5 Nothing in this Act shall prevent a not-for-profit
6 organization or agency of the State from employing the
7 services of a catering establishment for the selling or
8 dispensing of alcoholic liquors at authorized functions.

9 The controlling government authority for the Willard Ice
10 Building in Springfield shall be the Director of the
11 Department of Revenue. The controlling government authority
12 for Illinois State Museum facilities shall be the Director of
13 the Illinois State Museum. The controlling government
14 authority for the State Library in Springfield shall be the
15 Secretary of State.

16 Alcoholic liquors may be delivered to and sold at retail
17 or dispensed at any facility, property or building under the
18 jurisdiction of the Historic Sites and Preservation Division
19 of the Historic Preservation Agency or the Abraham Lincoln
20 Presidential Library and Museum where the delivery, sale or
21 dispensing is by (1) an agency of the State, whether
22 legislative, judicial or executive, provided that such agency
23 first obtains written permission to sell or dispense
24 alcoholic liquors from a controlling government authority, or
25 by (2) a not-for-profit organization provided that such
26 organization:

27 a. Obtains written consent from the controlling
28 government authority;

29 b. Sells or dispenses the alcoholic liquors in a
30 manner that does not impair normal workings of State
31 offices or operations located at the facility, property
32 or building;

33 c. Sells or dispenses alcoholic liquors only in
34 connection with an official activity of the

1 not-for-profit organization in the facility, property or
2 building;

3 d. Provides, or its catering service provides, dram
4 shop liability insurance in maximum coverage limits and
5 in which the carrier agrees to defend, save harmless and
6 indemnify the State of Illinois from all financial loss,
7 damage or harm arising out of the selling or dispensing
8 of alcoholic liquors.

9 The controlling government authority for the Historic
10 Sites and Preservation Division of the Historic Preservation
11 Agency shall be the Director of the Historic Sites and
12 Preservation, and the controlling government authority for
13 the Abraham Lincoln Presidential Library and Museum shall be
14 the Director of the Abraham Lincoln Presidential Library and
15 Museum.

16 Alcoholic liquors may be delivered to and sold at retail
17 or dispensed for consumption at the Michael Bilandic Building
18 at 160 North LaSalle Street, Chicago IL 60601, after the
19 normal business hours of any day care or child care facility
20 located in the building, by (1) a commercial tenant or
21 subtenant conducting business on the premises under a lease
22 made pursuant to Section 405-315 of the Department of Central
23 Management Services Law (20 ILCS 405/405-315), provided that
24 such tenant or subtenant who accepts delivery of, sells, or
25 dispenses alcoholic liquors shall procure and maintain dram
26 shop liability insurance in maximum coverage limits and in
27 which the carrier agrees to defend, indemnify, and save
28 harmless the State of Illinois from all financial loss,
29 damage, or harm arising out of the delivery, sale, or
30 dispensing of alcoholic liquors, or by (2) an agency of the
31 State, whether legislative, judicial, or executive, provided
32 that such agency first obtains written permission to accept
33 delivery of and sell or dispense alcoholic liquors from the
34 Director of Central Management Services, or by (3) a

1 not-for-profit organization, provided that such organization:

2 a. obtains written consent from the Department of
3 Central Management Services;

4 b. accepts delivery of and sells or dispenses the
5 alcoholic liquors in a manner that does not impair normal
6 operations of State offices located in the building;

7 c. accepts delivery of and sells or dispenses
8 alcoholic liquors only in connection with an official
9 activity in the building; and

10 d. provides, or its catering service provides, dram
11 shop liability insurance in maximum coverage limits and
12 in which the carrier agrees to defend, save harmless, and
13 indemnify the State of Illinois from all financial loss,
14 damage, or harm arising out of the selling or dispensing
15 of alcoholic liquors.

16 Nothing in this Act shall prevent a not-for-profit
17 organization or agency of the State from employing the
18 services of a catering establishment for the selling or
19 dispensing of alcoholic liquors at functions authorized by
20 the Director of Central Management Services.

21 Alcoholic liquors may be sold at retail or dispensed at
22 the James R. Thompson Center in Chicago and 222 South College
23 Street in Springfield, Illinois by (1) a commercial tenant or
24 subtenant conducting business on the premises under a lease
25 made pursuant to Section 405-315 of the Department of Central
26 Management Services Law (20 ILCS 405/405-315), provided that
27 such tenant or subtenant who sells or dispenses alcoholic
28 liquors shall procure and maintain dram shop liability
29 insurance in maximum coverage limits and in which the carrier
30 agrees to defend, indemnify and save harmless the State of
31 Illinois from all financial loss, damage or harm arising out
32 of the sale or dispensing of alcoholic liquors, or by (2) an
33 agency of the State, whether legislative, judicial or
34 executive, provided that such agency first obtains written

1 permission to sell or dispense alcoholic liquors from the
2 Director of Central Management Services, or by (3) a
3 not-for-profit organization, provided that such organization:

4 a. Obtains written consent from the Department of
5 Central Management Services;

6 b. Sells or dispenses the alcoholic liquors in a
7 manner that does not impair normal operations of State
8 offices located in the building;

9 c. Sells or dispenses alcoholic liquors only in
10 connection with an official activity in the building;

11 d. Provides, or its catering service provides, dram
12 shop liability insurance in maximum coverage limits and
13 in which the carrier agrees to defend, save harmless and
14 indemnify the State of Illinois from all financial loss,
15 damage or harm arising out of the selling or dispensing
16 of alcoholic liquors.

17 Nothing in this Act shall prevent a not-for-profit
18 organization or agency of the State from employing the
19 services of a catering establishment for the selling or
20 dispensing of alcoholic liquors at functions authorized by
21 the Director of Central Management Services.

22 Alcoholic liquors may be sold or delivered at any
23 facility owned by the Illinois Sports Facilities Authority
24 provided that dram shop liability insurance has been made
25 available in a form, with such coverage and in such amounts
26 as the Authority reasonably determines is necessary.

27 Alcoholic liquors may be sold at retail or dispensed at
28 the Rockford State Office Building by (1) an agency of the
29 State, whether legislative, judicial or executive, provided
30 that such agency first obtains written permission to sell or
31 dispense alcoholic liquors from the Department of Central
32 Management Services, or by (2) a not-for-profit organization,
33 provided that such organization:

34 a. Obtains written consent from the Department of

1 Central Management Services;

2 b. Sells or dispenses the alcoholic liquors in a
3 manner that does not impair normal operations of State
4 offices located in the building;

5 c. Sells or dispenses alcoholic liquors only in
6 connection with an official activity in the building;

7 d. Provides, or its catering service provides, dram
8 shop liability insurance in maximum coverage limits and
9 in which the carrier agrees to defend, save harmless and
10 indemnify the State of Illinois from all financial loss,
11 damage or harm arising out of the selling or dispensing
12 of alcoholic liquors.

13 Nothing in this Act shall prevent a not-for-profit
14 organization or agency of the State from employing the
15 services of a catering establishment for the selling or
16 dispensing of alcoholic liquors at functions authorized by
17 the Department of Central Management Services.

18 Alcoholic liquors may be sold or delivered in a building
19 that is owned by McLean County, situated on land owned by the
20 county in the City of Bloomington, and used by the McLean
21 County Historical Society if the sale or delivery is approved
22 by an ordinance adopted by the county board, and the
23 municipality in which the building is located may not
24 prohibit that sale or delivery, notwithstanding any other
25 provision of this Section. The regulation of the sale and
26 delivery of alcoholic liquor in a building that is owned by
27 McLean County, situated on land owned by the county, and used
28 by the McLean County Historical Society as provided in this
29 paragraph is an exclusive power and function of the State and
30 is a denial and limitation under Article VII, Section 6,
31 subsection (h) of the Illinois Constitution of the power of a
32 home rule municipality to regulate that sale and delivery.

33 Alcoholic liquors may be sold or delivered in any
34 building situated on land held in trust for any school

1 district organized under Article 34 of the School Code, if
2 the building is not used for school purposes and if the sale
3 or delivery is approved by the board of education.

4 Alcoholic liquors may be sold or delivered in buildings
5 owned by the Community Building Complex Committee of Boone
6 County, Illinois if the person or facility selling or
7 dispensing the alcoholic liquor has provided dram shop
8 liability insurance with coverage and in amounts that the
9 Committee reasonably determines are necessary.

10 Alcoholic liquors may be sold or delivered in the
11 building located at 1200 Centerville Avenue in Belleville,
12 Illinois and occupied by either the Belleville Area Special
13 Education District or the Belleville Area Special Services
14 Cooperative.

15 Alcoholic liquors may be delivered to and sold at the
16 Louis Joliet Renaissance Center, City Center Campus, located
17 at 214 N. Ottawa Street, Joliet, and the Food
18 Services/Culinary Arts Department facilities, Main Campus,
19 located at 1215 Houbolt Road, Joliet, owned by or under the
20 control of Joliet Junior College, Illinois Community College
21 District No. 525.

22 (Source: P.A. 91-239, eff. 1-1-00; 91-922, eff. 7-7-00;
23 92-512, eff. 1-1-02; 92-583, eff. 6-26-02; 92-600, eff.
24 7-1-02; revised 9-3-02.)".