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Rep. Jim Sacia

Filed: 4/12/2005

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1	AMENDMENT TO HOUSE B	ILL 3022
2	AMENDMENT NO Amend Hous	e Bill 3022 by replacing
3	everything after the enacting clause w	with the following:
4	"Section 5. The Liquor Control A	ct of 1934 is amended by
5	changing Section 6-15 as follows:	
6	(235 ILCS 5/6-15) (from Ch. 43, p	ar. 130)
7	Sec. 6-15. No alcoholic liquors s	hall be sold or delivered
8	in any building belonging to or under	the control of the State
9	or any political subdivision thereof ϵ	except as provided in this
10	Act. The corporate authorities of	of any city, village,
11	incorporated town or township may	provide by ordinance,
12	however, that alcoholic liquor may be	sold or delivered in any
13	specifically designated building be	longing to or under the
14	control of the municipality or towns	ship, or in any building
15	located on land under the control of t	he municipality; provided
16	that such township complies with	all applicable local
17	ordinances in any incorporated area o	f the township. Alcoholic
18	liquor may be delivered to and sold	under the authority of a
19	special use permit on any property	owned by a conservation
20	district organized under the Cons	servation District Act,
21	provided that (i) the alcoholic liquo	r is sold only at an event
22	authorized by the governing board of t	he conservation district,
23	(ii) the issuance of the special use	e permit is authorized by
24	the local liquor control commissioner	of the territory in which

the property is located, and (iii) the special use permit 1 2 authorizes the sale of alcoholic liquor for one day or less. 3 Alcoholic liquors may be delivered to and sold at any airport 4 belonging to or under the control of a municipality of more 5 than 25,000 inhabitants, or in any building or on any golf course owned by a park district organized under the Park 6 7 District Code, subject to the approval of the governing board of the district, or in any building or on any golf course owned 8 by a forest preserve district organized under the Downstate 9 10 Forest Preserve District Act, subject to the approval of the governing board of the district, or on the grounds within 500 11 feet of any building owned by a forest preserve district 12 organized under the Downstate Forest Preserve District Act 13 14 during times when food is dispensed for consumption within 500 15 feet of the building from which the food is dispensed, subject to the approval of the governing board of the district, or in a 16 building owned by a Local Mass Transit District organized under 17 18 the Local Mass Transit District Act, subject to the approval of the governing Board of the District, or in Bicentennial Park, 19 20 or on the premises of the City of Mendota Lake Park located 21 adjacent to Route 51 in Mendota, Illinois, or on the premises of Camden Park in Milan, Illinois, or in the community center 22 owned by the City of Loves Park that is located at 1000 River 23 24 Park Drive in Loves Park, Illinois, or, in connection with the 25 operation of an established food serving facility during times 26 when food is dispensed for consumption on the premises, and at the following aquarium and museums located in public parks: Art 27 28 Institute of Chicago, Chicago Academy of Sciences, Chicago 29 Historical Society, Field Museum of Natural History, Museum of Science and Industry, DuSable Museum of African American 30 31 History, John G. Shedd Aquarium and Adler Planetarium, or at 32 Lakeview Museum of Arts and Sciences in Peoria, or in connection with the operation of the facilities of the Chicago 33 Zoological Society or the Chicago Horticultural Society on land 34

owned by the Forest Preserve District of Cook County, or on any 1 2 land used for a golf course or for recreational purposes owned 3 by the Forest Preserve District of Cook County, subject to the 4 control of the Forest Preserve District Board of Commissioners and applicable local law, provided that dram shop liability 5 insurance is provided at maximum coverage limits so as to hold 6 7 the District harmless from all financial loss, damage, and harm, or in any building located on land owned by the Chicago 8 Park District if approved by the Park District Commissioners, 9 10 or on any land used for a golf course or for recreational purposes and owned by the Illinois International Port District 11 if approved by the District's governing board, or at any 12 airport, golf course, faculty center, or facility in which 13 14 conference and convention type activities take place belonging 15 to or under control of any State university or public community college district, provided that with respect to a facility for 16 17 conference and convention type activities alcoholic liquors 18 shall be limited to the use of the convention or conference 19 participants or participants in cultural, political or 20 educational activities held in such facilities, and provided 21 further that the faculty or staff of the State university or a 22 public community college district, or members of an organization of students, alumni, faculty or staff of the State 23 24 university or a public community college district are active 25 participants in the conference or convention, or in Memorial 26 Stadium on the campus of the University of Illinois at Urbana-Champaign during games in which the Chicago Bears 27 28 professional football team is playing in that stadium during 29 the renovation of Soldier Field, not more than one and a half 30 hours before the start of the game and not after the end of the 31 third quarter of the game, or by a catering establishment which 32 has rented facilities from a board of trustees of a public community college district, or, if approved by the District 33 board, on land owned by the Metropolitan Sanitary District of 34

Greater Chicago and leased to others for a term of at least 20 1 years. Nothing in this Section precludes the sale or delivery 2 of alcoholic liquor in the form of original packaged goods in 3 4 premises located at 500 S. Racine in Chicago belonging to the 5 University of Illinois and used primarily as a grocery store by a commercial tenant during the term of a lease that predates 6 7 the University's acquisition of the premises; but the 8 University shall have no power or authority to renew, transfer, or extend the lease with terms allowing the sale of alcoholic 9 10 liquor; and the sale of alcoholic liquor shall be subject to 11 all local laws and regulations. After the acquisition by Winnebago County of the property located at 404 Elm Street in 12 13 Rockford, a commercial tenant who sold alcoholic liquor at retail on a portion of the property under a valid license at 14 15 the time of the acquisition may continue to do so for so long 16 as the tenant and the County may agree under existing or future leases, subject to all local laws and regulations regarding the 17 18 sale of alcoholic liquor. Each facility shall provide dram shop 19 liability in maximum insurance coverage limits so as to save 20 harmless the State, municipality, State university, airport, 21 golf course, faculty center, facility in which conference and 22 convention type activities take place, park district, Forest 23 District, public community college Preserve district, 24 aquarium, museum, or sanitary district from all financial loss, 25 damage or harm. Alcoholic liquors may be sold at retail in 26 buildings of golf courses owned by municipalities in connection with the operation of an established food serving facility 27 28 during times when food is dispensed for consumption upon the 29 premises. Alcoholic liquors may be delivered to and sold at 30 retail in any building owned by a fire protection district 31 organized under the Fire Protection District Act, provided that 32 such delivery and sale is approved by the board of trustees of the district, and provided further that such delivery and sale 33 is limited to fundraising events and to a maximum of 6 events 34

1 per year.

Alcoholic liquor may be delivered to and sold at retail in 2 3 the Dorchester Senior Business Center owned by the Village of 4 Dolton if the alcoholic liquor is sold or dispensed only in 5 connection with organized functions for which the planned attendance is 20 or more persons, and if the person or facility 6 selling or dispensing the alcoholic liquor has provided dram 7 8 shop liability insurance in maximum limits so as to hold harmless the Village of Dolton and the State from all financial 9 loss, damage and harm. 10

Alcoholic liquors may be delivered to and sold at retail in any building used as an Illinois State Armory provided:

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

16 (ii) the alcoholic liquor is sold or dispensed only in 17 connection with organized functions held on special 18 occasions;

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

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

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

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

30 (ii) the alcoholic liquor is sold or dispensed only in 31 connection with organized functions held on special 32 occasions;

33 (iii) the organized function is one for which the 34 planned attendance is 25 or more persons;

(iv) the facility selling or dispensing the alcoholic 1 liquors has provided dram shop liability insurance in 2 3 maximum limits so as to hold harmless the Civic Center, the City of Chicago and the State from all financial loss, 4 5 damage or harm; and

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(v) all applicable local ordinances are complied with. 7 Alcoholic liquors may be delivered or sold in any building 8 belonging to or under the control of any city, village or incorporated town where more than 75% of the 9 physical 10 properties of the building is used for commercial or recreational purposes, and the building is located upon a pier 11 extending into or over the waters of a navigable lake or stream 12 or on the shore of a navigable lake or stream. Alcoholic liquor 13 14 may be sold in buildings under the control of the Department of Natural Resources when written consent to the issuance of a 15 license to sell alcoholic liquor in such buildings is filed 16 17 with the Commission by the Department of Natural Resources. 18 Alcoholic liquor may be served or delivered in buildings and facilities under the control of the Department of Natural 19 20 Resources upon the written approval of the Director of Natural 21 Resources acting as the controlling government authority. The Director of Natural Resources may specify conditions on that 22 23 including but not limited to requirements approval, for 24 insurance and hours of operation. Notwithstanding any other 25 provision of this Act, alcoholic liquor sold by a United States 26 Army Corps of Engineers or Department of Natural Resources 27 concessionaire who was operating on June 1, 1991 for 28 on-premises consumption only is not subject to the provisions 29 of Articles IV and IX. Beer and wine may be sold on the premises of the Joliet Park District Stadium owned by the 30 31 Joliet Park District when written consent to the issuance of a 32 license to sell beer and wine in such premises is filed with the local liquor commissioner by the Joliet Park District. Beer 33 and wine may be sold in buildings on the grounds of State 34

veterans' homes when written consent to the issuance of a 1 2 license to sell beer and wine in such buildings is filed with 3 the Commission by the Department of Veterans' Affairs, and the 4 facility shall provide dram shop liability in maximum insurance coverage limits so as to save the facility harmless from all 5 financial loss, damage or harm. Such liquors may be delivered 6 7 to and sold at any property owned or held under lease by a Metropolitan Pier and Exposition Authority or Metropolitan 8 Exposition and Auditorium Authority. 9

10 Beer and wine may be sold and dispensed at professional and at professional concerts and other 11 sporting events entertainment events conducted on premises owned by the Forest 12 13 Preserve District of Kane County, subject to the control of the 14 District Commissioners and applicable local law, provided that 15 dram shop liability insurance is provided at maximum coverage limits so as to hold the District harmless from all financial 16 17 loss, damage and harm.

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

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

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

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

32 c. the alcoholic liquors are sold by the State park 33 lodge or restaurant concessionaire only during the hours 34 from 11 o'clock a.m. until 12 o'clock midnight. 1

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Notwithstanding any other provision of this Act, alcoholic liquor sold by the State park or restaurant concessionaire is not subject to the provisions of Articles IV and IX.

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

8 a. the property has overnight lodging facilities with 9 some restaurant facilities or, not having overnight 10 lodging facilities, has restaurant facilities which serve 11 complete luncheon and dinner or supper meals,

b. consent to the issuance of a license to sell alcoholic liquors in the buildings has been filed with the commission by the Historic Sites and Preservation Division of the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum, and

17 c. the alcoholic liquors are sold by the lodge or 18 restaurant concessionaire only during the hours from 11 19 o'clock a.m. until 12 o'clock midnight.

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

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

a. the request is from a not-for-profit organization;
b. such sales would not impede normal operations of the
departments involved;

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

5 6 d. no such sale shall be made during normal working hours of the State of Illinois; and

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e. the consent is in writing.

8 Alcoholic liquors may be sold at retail in buildings in 9 recreational areas of river conservancy districts under the 10 control of, or leased from, the river conservancy districts. 11 Such sales are subject to reasonable local regulations as 12 provided in Article IV; however, no such regulations may 13 prohibit or substantially impair the sale of alcoholic liquors 14 on Sundays or Holidays.

15 Alcoholic liquors may be provided in long term care facilities owned or operated by a county under Division 5-21 or 16 17 5-22 of the Counties Code, when approved by the facility 18 operator and not in conflict with the regulations of the 19 Illinois Department of Public Health, to residents of the 20 facility who have had their consumption of the alcoholic 21 liquors provided approved in writing by a physician licensed to practice medicine in all its branches. 22

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

Alcoholic liquors may be sold at retail or dispensed at the Willard Ice Building in Springfield, at the State Library in Springfield, and at Illinois State Museum facilities by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the 09400HB3022ham001

1 controlling government authority, or by (2) a not-for-profit 2 organization, provided that such organization:

a. Obtains written consent from the controllinggovernment authority;

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

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

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

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

The controlling government authority for the Willard Ice Building in Springfield shall be the Director of the Department of Revenue. The controlling government authority for Illinois State Museum facilities shall be the Director of the Illinois State Museum. The controlling government authority for the State Library in Springfield shall be the Secretary of State.

26 Alcoholic liquors may be delivered to and sold at retail or dispensed at any facility, property or building under the 27 28 jurisdiction of the Historic Sites and Preservation Division of 29 the Historic Preservation Agency or the Abraham Lincoln Presidential Library and Museum where the delivery, sale or 30 31 dispensing is by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency 32 33 first obtains written permission to sell or dispense alcoholic liquors from a controlling government authority, or by (2) a 34

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not-for-profit organization provided that such organization:

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 a. Obtains written consent from the controlling government authority;

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

c. Sells or dispenses alcoholic liquors only in connection with an official activity of the not-for-profit organization in the facility, property or building;

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

16 The controlling government authority for the Historic 17 Sites and Preservation Division of the Historic Preservation 18 Agency shall be the Director of the Historic Sites and 19 Preservation, and the controlling government authority for the 20 Abraham Lincoln Presidential Library and Museum shall be the 21 Director of the Abraham Lincoln Presidential Library and 22 Museum.

23 Alcoholic liquors may be delivered to and sold at retail or 24 dispensed for consumption at the Michael Bilandic Building at 25 160 North LaSalle Street, Chicago IL 60601, after the normal 26 business hours of any day care or child care facility located 27 in the building, by (1) a commercial tenant or subtenant 28 conducting business on the premises under a lease made pursuant 29 to Section 405-315 of the Department of Central Management Services Law (20 ILCS 405/405-315), provided that such tenant 30 31 or subtenant who accepts delivery of, sells, or dispenses 32 alcoholic liquors shall procure and maintain dram shop liability insurance in maximum coverage limits and in which the 33 carrier agrees to defend, indemnify, and save harmless the 34

State of Illinois from all financial loss, damage, or harm 1 arising out of the delivery, sale, or dispensing of alcoholic 2 3 liquors, or by (2) an agency of the State, whether legislative, 4 judicial, or executive, provided that such agency first obtains 5 written permission to accept delivery of and sell or dispense alcoholic liquors from the Director of Central Management 6 7 Services, or by (3) a not-for-profit organization, provided 8 that such organization:

9 10 a. obtains written consent from the Department of Central Management Services;

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

14 c. accepts delivery of and sells or dispenses alcoholic 15 liquors only in connection with an official activity in the 16 building; and

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

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

Alcoholic liquors may be sold at retail or dispensed at the James R. Thompson Center in Chicago, subject to the provisions of Section 7.4 of the State Property Control Act, and 222 South College Street in Springfield, Illinois by (1) a commercial tenant or subtenant conducting business on the premises under a lease or sublease made pursuant to Section 405-315 of the Department of Central Management Services Law (20 ILCS

405/405-315), provided that such tenant or subtenant who sells 1 or dispenses alcoholic liquors shall procure and maintain dram 2 3 shop liability insurance in maximum coverage limits and in 4 which the carrier agrees to defend, indemnify and save harmless 5 the State of Illinois from all financial loss, damage or harm arising out of the sale or dispensing of alcoholic liquors, or 6 7 by (2) an agency of the State, whether legislative, judicial or 8 executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the 9 10 Director of Central Management Services, or by (3) a not-for-profit organization, provided that such organization: 11

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

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

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

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

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

Alcoholic liquors may be sold or delivered at any facility owned by the Illinois Sports Facilities Authority provided that dram shop liability insurance has been made available in a form, with such coverage and in such amounts as the Authority reasonably determines is necessary. Alcoholic liquors may be sold at retail or dispensed at the Rockford State Office Building by (1) an agency of the State, whether legislative, judicial or executive, provided that such agency first obtains written permission to sell or dispense alcoholic liquors from the Department of Central Management Services, or by (2) a not-for-profit organization, provided that such organization:

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

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

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

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

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

26 Alcoholic liquors may be sold or delivered in a building that is owned by McLean County, situated on land owned by the 27 28 county in the City of Bloomington, and used by the McLean 29 County Historical Society if the sale or delivery is approved 30 by an ordinance adopted by the county board, and the 31 municipality in which the building is located may not prohibit 32 that sale or delivery, notwithstanding any other provision of 33 this Section. The regulation of the sale and delivery of alcoholic liquor in a building that is owned by McLean County, 34

situated on land owned by the county, and used by the McLean County Historical Society as provided in this paragraph is an exclusive power and function of the State and is a denial and limitation under Article VII, Section 6, subsection (h) of the Illinois Constitution of the power of a home rule municipality to regulate that sale and delivery.

Alcoholic liquors may be sold or delivered in any building situated on land held in trust for any school district organized under Article 34 of the School Code, if the building is not used for school purposes and if the sale or delivery is approved by the board of education.

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

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

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

Alcoholic liquors may be delivered to and sold at the building located at 446 East Hickory Avenue in Apple River, Illinois, owned by the Apple River Fire Protection District, and occupied by the Apple River Community Association if the alcoholic liquor is sold or dispensed only in connection with organized functions approved by the Apple River Community Association for which the planned attendance is 20 or more 09400HB3022ham001 -16- LRB094 08874 LJB 45084 a

1	persons and if the person or facility selling or dispensing the
2	alcoholic liquor has provided dram shop liability insurance in
3	maximum limits so as to hold harmless the Apple River Fire
4	Protection District, the Village of Apple River, and the Apple
5	River Community Association from all financial loss, damage,
6	and harm.
7	(Source: P.A. 92-512, eff. 1-1-02; 92-583, eff. 6-26-02;
8	92-600, eff. 7-1-02; 93-19, eff. 6-20-03; 93-103, eff. 1-1-04;
9	93-627, eff. 6-1-04; 93-844, eff. 7-30-04.)

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