



Sen. Napoleon Harris, III

**Filed: 5/1/2014**

09800HB5926sam001

LRB098 20305 RPS 58969 a

1 AMENDMENT TO HOUSE BILL 5926

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5926 as follows:

3 on page 1, by replacing lines 4 and 5 with the following:

4 "Section 5. The Liquor Control Act of 1934 is amended by  
5 changing Sections 1-3.25, 3-12, and 3-14 and by adding Section  
6 6-27.1 as follows:

7 (235 ILCS 5/1-3.25) (from Ch. 43, par. 95.25)

8 Sec. 1-3.25. "Hotel" means every building or other  
9 structure kept, used, maintained, advertised and held out to  
10 the public to be a place where food is actually served and  
11 consumed and sleeping accommodations are offered for adequate  
12 pay to travelers and guests, whether transient, permanent or  
13 residential, in which twenty-five (25) or more rooms are used  
14 for the sleeping accommodations of such guests and having one  
15 or more public dining rooms where meals are served to such

1 guests, such sleeping accommodations and dining rooms being  
2 conducted in the same building or buildings in connection  
3 therewith and such building or buildings, structure or  
4 structures being provided with adequate and sanitary kitchen  
5 and dining room equipment and capacity. All public dining  
6 rooms, banquet rooms, meeting rooms, room service areas,  
7 mini-bars, and other locations within a hotel wherein alcoholic  
8 liquors are stored, offered for sale, or sold at retail shall  
9 be considered part of the hotel's licensed premises if those  
10 locations within the hotel are owned or managed by the hotel  
11 operator. As part of the hotel's licensed premises, each and  
12 all of those locations within the hotel shall be maintained and  
13 managed pursuant to a single retailer's license issued by the  
14 State Commission to the hotel operator, regardless of the  
15 number of local retailer licenses mandated by the local unit of  
16 government having jurisdiction over the hotel. Public dining  
17 rooms and other locations within a hotel that are owned or  
18 managed by a person other than the hotel operator and are  
19 licensed by the local unit of government having jurisdiction  
20 over the hotel to a person other than the hotel operator are  
21 not considered part of the hotel's licensed premises for  
22 purposes of this Act and, as such, must be maintained and  
23 operated under separate retailer's licenses.

24 (Source: P.A. 82-783.)"; and

25 on page 16, immediately below line 25, by inserting the

1 following:

2 "(235 ILCS 5/3-14) (from Ch. 43, par. 109)

3 Sec. 3-14. Issuance of license by Commission. Nothing  
4 contained in this Act shall, however, be construed to permit  
5 the State Commission to issue any license, other than  
6 manufacturer's, foreign importer's, importing distributor's,  
7 non-resident dealer's, and distributor's, broker's and  
8 non-beverage user's license for any premises in any prohibited  
9 territory, or to issue any license other than manufacturer's,  
10 foreign importer's, importing distributor's, non-resident  
11 dealer's, distributor's, railroad's, airplane's, boat's, or  
12 broker's license, auction liquor license, or non-beverage  
13 user's license, unless the person applying for such license  
14 shall have obtained a local license for the same premises. For  
15 purposes of this Section and only in regards to a hotel, the  
16 local license issued for the same premises may include multiple  
17 local licenses issued to a hotel operator for various portions  
18 of the hotel building or structure owned or managed by the  
19 hotel operator wherein alcoholic liquors may be stored, offered  
20 for sale, and sold; provided, however, that all of those  
21 portions of the hotel building or structure shall be considered  
22 the hotel premises for purposes of the issuance of a retailer's  
23 license by the State Commission. When such person has obtained  
24 a local license and has made application to the State  
25 Commission in conformity with this Act and paid the license fee

1 provided, it shall be the duty of the State Commission to issue  
2 a retailer's license to him; provided, however, that the State  
3 Commission may refuse the issuance or renewal of a retailer's  
4 license, upon notice and after hearing, upon the grounds  
5 authorized in Section 6-3 of this Act, and, provided further,  
6 that the issuance of such license shall not prejudice the State  
7 Commission's action in subsequently suspending or revoking  
8 such license if it is determined by the State Commission, upon  
9 notice and after hearing, that the licensee has, within the  
10 same or the preceding license period, violated any provision of  
11 this Act or any rule or regulation issued pursuant thereto and  
12 in effect for 30 days prior to such violation. The Commission  
13 may also refuse to renew a license if the licensee has failed  
14 to pay an offer in compromise, pre-disciplinary settlement, or  
15 a fine imposed by order.

16 (Source: P.A. 89-250, eff. 1-1-96.)".