

1 AMENDMENT TO HOUSE BILL 269

2 AMENDMENT NO. _____. Amend House Bill 269, AS AMENDED, in
3 the introductory portion to Section 5 by replacing "and 5-3"
4 with "5-3, and 6-2"; and

5 immediately before the beginning of Section 99 by inserting
6 the following:

7 "(235 ILCS 5/6-2) (from Ch. 43, par. 120)

8 Sec. 6-2. Issuance of licenses to certain persons
9 prohibited.

10 (a) Except as otherwise provided in subsection (b), no
11 license of any kind issued by the State Commission or any
12 local commission shall be issued to:

13 (1) A person who is not a resident of any city,
14 village or county in which the premises covered by the
15 license are located; except in case of railroad or boat
16 licenses.†

17 (2) A person who is not of good character and
18 reputation in the community in which he resides.†

19 (3) A person who is not a citizen of the United
20 States.†

21 (4) A person who has been convicted of a felony
22 under any Federal or State law, unless the Commission

1 determines that such person has been sufficiently
2 rehabilitated to warrant the public trust after
3 considering matters set forth in such person's
4 application and the Commission's investigation. The
5 burden of proof of sufficient rehabilitation shall be on
6 the applicant.†

7 (5) A person who has been convicted of being the
8 keeper or is keeping a house of ill fame.†

9 (6) A person who has been convicted of pandering or
10 other crime or misdemeanor opposed to decency and
11 morality.†

12 (7) A person whose license issued under this Act
13 has been revoked for cause.†

14 (8) A person who at the time of application for
15 renewal of any license issued hereunder would not be
16 eligible for such license upon a first application.†

17 (9) A copartnership, if any general partnership
18 thereof, or any limited partnership thereof, owning more
19 than 5% of the aggregate limited partner interest in such
20 copartnership would not be eligible to receive a license
21 hereunder for any reason other than residence within the
22 political subdivision, unless residency is required by
23 local ordinance.†

24 (10) A corporation, if any officer, manager or
25 director thereof, or any stockholder or stockholders
26 owning in the aggregate more than 5% of the stock of such
27 corporation, would not be eligible to receive a license
28 hereunder for any reason other than citizenship and
29 residence within the political subdivision.†

30 (10a) A corporation unless it is incorporated in
31 Illinois, or unless it is a foreign corporation which is
32 qualified under the Business Corporation Act of 1983 to
33 transact business in Illinois.†

34 (11) A person whose place of business is conducted

1 by a manager or agent unless the manager or agent
2 possesses the same qualifications required by the
3 licensee.†

4 (12) A person who has been convicted of a violation
5 of any Federal or State law concerning the manufacture,
6 possession or sale of alcoholic liquor, subsequent to the
7 passage of this Act or has forfeited his bond to appear
8 in court to answer charges for any such violation.†

9 (13) A person who does not beneficially own the
10 premises for which a license is sought, or does not have
11 a lease thereon for the full period for which the license
12 is to be issued.†

13 (14) Any law enforcing public official, including
14 members of local liquor control commissions, any mayor,
15 alderman, or member of the city council or commission,
16 any president of the village board of trustees, any
17 member of a village board of trustees, or any president
18 or member of a county board; and no such official shall
19 be interested directly in the manufacture, sale, or
20 distribution of alcoholic liquor, except that a license
21 may be granted to such official in relation to premises
22 that which are not located within the territory subject
23 to the jurisdiction of that official if the issuance of
24 such license is approved by the State Liquor Control
25 Commission and except that a license may be granted, in a
26 city or village with a population of 50,000 or less, to
27 any alderman, member of a city council, or member of a
28 village board of trustees in relation to premises that
29 are located within the territory subject to the
30 jurisdiction of that official if (i) the sale of
31 alcoholic liquor pursuant to the license is incidental to
32 the selling of food, (ii) the issuance of the license is
33 approved by the State Commission, (iii) the issuance of
34 the license is in accordance with all applicable local

1 ordinances in effect where the premises are located, and
2 (iv) the official granted a license does not vote on
3 alcoholic liquor issues pending before the board or
4 council to which the license holder is elected.;

5 (15) A person who is not a beneficial owner of the
6 business to be operated by the licensee.;

7 (16) A person who has been convicted of a gambling
8 offense as proscribed by any of subsections (a) (3)
9 through (a) (11) of Section 28-1 of, or as proscribed by
10 Section 28-1.1 or 28-3 of, the Criminal Code of 1961, or
11 as proscribed by a statute replaced by any of the
12 aforesaid statutory provisions.;

13 (17) A person or entity to whom a federal wagering
14 stamp has been issued by the federal government, unless
15 the person or entity is eligible to be issued a license
16 under the Raffles Act or the Illinois Pull Tabs and Jar
17 Games Act.

18 (b) A criminal conviction of a corporation is not
19 grounds for the denial, suspension, or revocation of a
20 license applied for or held by the corporation if the
21 criminal conviction was not the result of a violation of any
22 federal or State law concerning the manufacture, possession
23 or sale of alcoholic liquor, the offense that led to the
24 conviction did not result in any financial gain to the
25 corporation and the corporation has terminated its
26 relationship with each director, officer, employee, or
27 controlling shareholder whose actions directly contributed to
28 the conviction of the corporation. The Commission shall
29 determine if all provisions of this subsection (b) have been
30 met before any action on the corporation's license is
31 initiated.

32 (Source: P.A. 88-652, eff. 9-16-94; 89-250, eff. 1-1-96.)".