

1 AN ACT in relation to alcoholic 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 Section 6-2 as follows:

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

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

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

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

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

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

20 (4) A person who has been convicted of a felony  
21 under any Federal or State law, unless the Commission  
22 determines that such person has been sufficiently  
23 rehabilitated to warrant the public trust after  
24 considering matters set forth in such person's  
25 application and the Commission's investigation. The  
26 burden of proof of sufficient rehabilitation shall be on  
27 the applicant.

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

30 (6) A person who has been convicted of pandering or  
31 other crime or misdemeanor opposed to decency and

1 morality.

2 (7) A person whose license issued under this Act  
3 has been revoked for cause.

4 (8) A person who at the time of application for  
5 renewal of any license issued hereunder would not be  
6 eligible for such license upon a first application.

7 (9) A copartnership, if any general partnership  
8 thereof, or any limited partnership thereof, owning more  
9 than 5% of the aggregate limited partner interest in such  
10 copartnership would not be eligible to receive a license  
11 hereunder for any reason other than residence within the  
12 political subdivision, unless residency is required by  
13 local ordinance.

14 (10) A corporation, if any officer, manager or  
15 director thereof, or any stockholder or stockholders  
16 owning in the aggregate more than 5% of the stock of such  
17 corporation, would not be eligible to receive a license  
18 hereunder for any reason other than citizenship and  
19 residence within the political subdivision.

20 (10a) A corporation unless it is incorporated in  
21 Illinois, or unless it is a foreign corporation which is  
22 qualified under the Business Corporation Act of 1983 to  
23 transact business in Illinois.

24 (11) A person whose place of business is conducted  
25 by a manager or agent unless the manager or agent  
26 possesses the same qualifications required by the  
27 licensee.

28 (12) A person who has been convicted of a violation  
29 of any Federal or State law concerning the manufacture,  
30 possession or sale of alcoholic liquor, subsequent to the  
31 passage of this Act or has forfeited his bond to appear  
32 in court to answer charges for any such violation.

33 (13) A person who does not beneficially own the  
34 premises for which a license is sought, or does not have

1 a lease thereon for the full period for which the license  
2 is to be issued.

3 (14) Any law enforcing public official, including  
4 members of local liquor control commissions, any mayor,  
5 alderman, or member of the city council or commission,  
6 any president of the village board of trustees, any  
7 member of a village board of trustees, or any president  
8 or member of a county board; and no such official shall  
9 have a direct interest ~~be--interested--directly~~ in the  
10 retail ~~manufacture, sale,--or-distribution~~ of alcoholic  
11 liquor, except that a license may be granted to such  
12 official in relation to premises that are not located  
13 within the territory subject to the jurisdiction of that  
14 official if the issuance of such license is approved by  
15 the State Liquor Control Commission and except that a  
16 license may be granted, in a city or village with a  
17 population of 50,000 or less, to any alderman, member of  
18 a city council, or member of a village board of trustees  
19 in relation to premises that are located within the  
20 territory subject to the jurisdiction of that official if  
21 (i) the sale of alcoholic liquor pursuant to the license  
22 is incidental to the selling of food, (ii) the issuance  
23 of the license is approved by the State Commission, (iii)  
24 the issuance of the license is in accordance with all  
25 applicable local ordinances in effect where the premises  
26 are located, and (iv) the official granted a license does  
27 not vote on alcoholic liquor issues pending before the  
28 board or council to which the license holder is elected.

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

31 (16) A person who has been convicted of a gambling  
32 offense as proscribed by any of subsections (a) (3)  
33 through (a) (11) of Section 28-1 of, or as proscribed by  
34 Section 28-1.1 or 28-3 of, the Criminal Code of 1961, or

1 as proscribed by a statute replaced by any of the  
2 aforesaid statutory provisions.

3 (17) A person or entity to whom a federal wagering  
4 stamp has been issued by the federal government, unless  
5 the person or entity is eligible to be issued a license  
6 under the Raffles Act or the Illinois Pull Tabs and Jar  
7 Games Act.

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

22 (Source: P.A. 92-378, eff. 8-16-01.)

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