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Bulletin

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Chair, Illinois Liquor Control
Commission

Penalty Changes for Importation of Liquor into Illinois

To: All licensees under the Liquor Control Act

This bulletin is written to inform you of recent changes; it does not replace statutes, rules and regulations, or court decisions.

For information or forms

Visit our website at:
ILCC.illinois.gov

Call us at:

312 814-2206 or
217 782-2136

Effective with the implementation of PA 99-904, changes have been made regarding criminal charges, based on the amount of liquor, for any persons who transport and distribute liquor into Illinois without first obtaining the required licenses from the Illinois Liquor Control Commission (ILCC).
235 ILCS 5/10-1, et seq.

Overview of the law on liquor importation

Beginning January 1, 2017, any person who transports liquor into this state is guilty of a Class 4 felony if he/she does not have one of the appropriate liquor license(s) issued by the ILCC:

- Manufacturer's Liquor License;
- Distributor's Liquor License;
- Winery Shipper's License;
- Importing Distributor's Liquor License; or
- Non-resident Dealer's Liquor License.



The felony applies when the quantity is at least:

- 108 liters/28.53 gal/12 cases
(12 - 750ml bottles per case) of wine
- 45 liters/11.88 gal/5 cases
(12 - 750ml bottles per case) of distilled spirits
- 118 liters/31.17 gal/13 cases
(24 - 12oz cans per case) of beer

What if I transport less than the above listed amounts?

You are guilty of a business offense and fined not more than \$1,000 for the first offense. For each subsequent offense, you are guilty of a Class 4 felony.

What happens if my license just expired?

If your license expired within 30 days prior to the violation, you are guilty of a business offense and fined not more than \$1,000 for the first offense. For each subsequent offense, you are guilty of a Class 4 felony.

Have penalties increased for wine shipments?

Yes. If you illegally ship wine into Illinois, are sent a cease and desist notice from the ILCC, and continue to ship wine into Illinois, you also are guilty of a Class 4 felony for each offense.

What other penalties are there for retailers?

Properly licensed retailers are not allowed to sell liquor products unless they were purchased from a duly licensed Illinois distributor, importing distributor, or manufacturer. In addition to the above charges, retailers who knowingly furnish, give, sell, or otherwise bring alcoholic liquor into Illinois shall have their liquor license(s) suspended for seven days for the first offense and have their license revoked for the second offense by the ILCC.

What could happen to the business' liquor license if an individual transports liquor to the business?

If any owner, manager or officer in the business is convicted of any felony under any federal or state law the Illinois liquor license for the business is immediately subject to license revocation proceedings.

How can I file a report on a possible violation?

The ILCC Enforcement Division is working in partnership with the Illinois Department of Revenue Criminal Investigations Division and other state, county and federal law enforcement units to patrol and investigate tips and complaints regarding illegal alcohol shipments into and out of Illinois. Anyone with information regarding this or other suspected violations should visit our website at: **ILCC.illinois.gov**. Under the Divisions heading, click on "Investigations" for the online complaint form.

For more information

To review these and other changes to the Liquor Control Act of 1934 (*235 ILCS 5/1.1 et seq.*) under PA 99-904, visit our website at **ILCC.illinois.gov**.