

Disclaimer:

This document is not intended to provide legal advice. Laws on alcohol sales and service may vary greatly by city, county or state. For complete information on the alcohol laws in effect in your region, please contact the liquor authority in your state and/or municipality.

Illinois

STATE LIQUOR AUTHORITY	State of Illinois Illinois Liquor Control Commission 100 West Randolph Street, Suite 5-300 Chicago, Illinois 60601 Phone: 312-814-2206 Fax: 312-814-2241 Email: ilcc_info@mail.state.il.us Website: www.state.il.us/lcc
AGE TO CONSUME	21
AGE TO SERVE	18 (unless local ordinance has higher age requirement)
AGE TO POUR	21
AGE TO SELL (PACKAGED LIQUOR)	18 (unless local ordinance has higher age requirement)
MINORS ALLOWED ON PREMISE?	Set by local ordinance. Local ordinance may not prohibit minors from entering the premise if alcohol is not the primary item for sale.
CAN PARENTS SERVE?	No, unless during a religious ceremony or under parental supervision in the privacy of a home.
HOURS OF SERVICE	Set by local ordinance. No Sunday sales unless allowed by local ordinance. No election day restrictions.
ACCEPTED ID'S	Illinois allows ID's issued by a federal, state, county, or municipal government, or subdivision or agency. These include, but are not limited to: <ul style="list-style-type: none"> • Motor vehicle operator's license, • Registration certificate issued under the Federal Selective Service Act, • Military ID
LEGAL LEVEL OF INTOXICATION WHILE DRIVING	.08 BAC
DRAM SHOP LAW	Illinois dram shop law is lengthy and complex (see below). In brief, owners and servers carry extensive liability for injuries or damages caused by a minor or intoxicated guest who was served. There is no limit set for the amount of damages a jury may award.
ID CONFISCATION	Operator may confiscate fake ID's, if comfortable doing so, and turn in to local law enforcement. But not officially regulated by state.
HAPPY HOUR & OTHER SERVICE RESTRICTIONS	Illinois happy hour laws prohibit the following: <ul style="list-style-type: none"> • May not serve more than 1 drink at a time (except during product sampling) • May not serve unlimited drinks for a fixed price (except at private function) • May not offer reduced price drinks for certain time on the same day prices for the same drink are higher, or to promote alcohol consumption • May not increase the amount of alcohol or size of drink without proportionately increasing the price • May not allow alcohol drinking games or award alcohol as prizes for any game on premise, or advertise or promote these practices. Licensees are allowed to: <ul style="list-style-type: none"> • Offer free food or entertainment at any time • Include alcoholic drinks as part of a meal package • Include alcoholic drinks as part of a hotel package • Negotiate alcoholic drinks as part of a contract between a hotel or multi-use establishment and another group for the holding of any function, meeting, convention or trade show.

PENALTIES FOR SERVING OR SELLING TO A MINOR	Discretionary: Revocation, suspension up to 30 days. A fine between \$500 and \$1000 and/or up to one year in jail.
WARNING SIGNS REQUIRED ON EFFECTS OF ALCOHOL ON FETUS?	Every retail license holder must hang a sign that reads: "A Government Warning: According to the Surgeon General, Women Should not Drink Alcoholic Beverages During Pregnancy Because of the Risk of Birth Defects."

ADDENDUM: ILLINOIS DRAM SHOP LAW

(235 ILCS 5/6 21) (from Ch. 43, par. 135)

Sec. 6 21. (a) Every person who is injured within this State, in person or property, by any intoxicated person has a right of action in his or her own name, severally or jointly, against any person, licensed under the laws of this State or of any other state to sell alcoholic liquor, who, by selling or giving alcoholic liquor, within or without the territorial limits of this State, causes the intoxication of such person. Any person at least 21 years of age who pays for a hotel or motel room or facility knowing that the room or facility is to be used by any person under 21 years of age for the unlawful consumption of alcoholic liquors and such consumption causes the intoxication of the person under 21 years of age, shall be liable to any person who is injured in person or property by the intoxicated person under 21 years of age. Any person owning, renting, leasing or permitting the occupation of any building or premises with knowledge that alcoholic liquors are to be sold therein, or who having leased the same for other purposes, shall knowingly permit therein the sale of any alcoholic liquors that have caused the intoxication of any person, shall be liable, severally or jointly, with the person selling or giving the liquors. However, if such building or premises belong to a minor or other person under guardianship the guardian of such person shall be held liable instead of the ward. A married woman has the same right to bring the action and to control it and the amount recovered as an unmarried woman. All damages recovered by a minor under this Act shall be paid either to the minor or to his or her parent, guardian or next friend as the court shall direct. The unlawful sale or gift of alcoholic liquor works a forfeiture of all rights of the lessee or tenant under any lease or contract of rent upon the premises where the unlawful sale or gift takes place. All actions for damages under this Act may be by any appropriate action in the circuit court. An action shall lie for injuries to either means of support or loss of society, but not both, caused by an intoxicated person or in consequence of the intoxication of any person resulting as hereinabove set out. "Loss of society" means the mutual benefits that each family member receives from the other's continued existence, including love, affection, care, attention, companionship, comfort, guidance, and protection. "Family" includes spouse, children, parents, brothers, and sisters. The action, if the person from whom support or society was furnished is living, shall be brought by any person injured in means of support or society in his or her name for his or her benefit and the benefit of all other persons injured in means of support or society. However, any person claiming to be injured in means of support or society and not included in any action brought hereunder may join by motion made within the times herein provided for bringing such action or the personal representative of the deceased person from whom such support or society was furnished may so join. In every such action the jury shall determine the amount of damages to be recovered without regard to and with no special instructions as to the dollar limits on recovery imposed by this Section. The amount recovered in every such action is for the exclusive benefit of the person injured in loss of support or society and shall be distributed to such persons in the proportions determined by the verdict rendered or judgment entered in the action. If the right of action is settled by agreement with the personal representative of a deceased person from whom support or society was furnished, the court having jurisdiction of the estate of the deceased person shall distribute the amount of the settlement to the person injured in loss of support or society in the proportion, as determined by the court, that the percentage of dependency of each such person upon the deceased person bears to the sum of the percentages of dependency of all such persons upon the deceased person. For all causes of action involving persons injured, killed, or incurring property damage before September 12, 1985, in no event shall the judgment or recovery under this Act for injury to the person or to the property of any person as hereinabove set out exceed \$15,000, and recovery under this Act for loss of means of support resulting from the death or injury of any person, as hereinabove set out, shall not exceed \$20,000. For all causes of action involving persons injured, killed, or incurring property damage after September 12, 1985 but before July 1, 1998, in no event shall the judgment or recovery for injury to the person or property of any person exceed \$30,000 for each person incurring damages, and recovery under this Act for loss of means of support resulting from the death or injury of any person shall not exceed \$40,000. For all causes of action involving persons injured, killed, or incurring property damage on or after

July 1, 1998, in no event shall the judgment or recovery for injury to the person or property of any person exceed \$45,000 for each person incurring damages, and recovery under this Act for either loss of means of support or loss of society resulting from the death or injury of any person shall not exceed \$55,000. Beginning in 1999, every January 20, these liability limits shall automatically be increased or decreased, as applicable, by a percentage equal to the percentage change in the consumer price index u during the preceding 12 month calendar year. "Consumer price index u" means the index published by the Bureau of Labor Statistics of the United States Department of Labor that measures the average change in prices of goods and services purchased by all urban consumers, United States city average, all items, 1982 84 = 100. The new amount resulting from each annual adjustment shall be determined by the Comptroller and made available to the chief judge of each judicial circuit. The liability limits at the time at which damages subject to such limits are awarded by final judgment or settlement shall be utilized by the courts. Nothing in this Section bars any person from making separate claims which, in the aggregate, exceed any one limit where such person incurs more than one type of compensable damage, including personal injury, property damage, and loss to means of support or society. However, all persons claiming loss to means of support or society shall be limited to an aggregate recovery not to exceed the single limitation set forth herein for the death or injury of each person from who support or society is claimed.

Nothing in this Act shall be construed to confer a cause of action for injuries to the person or property of the intoxicated person himself, nor shall anything in this Act be construed to confer a cause of action for loss of means of support or society on the intoxicated person himself or on any person claiming to be supported by such intoxicated person or claiming the society of such person. In conformance with the rule of statutory construction enunciated in the general Illinois saving provision in Section 4 of "An Act to revise the law in relation to the construction of the statutes", approved March 5, 1874, as amended, no amendment of this Section purporting to abolish or having the effect of abolishing a cause of action shall be applied to invalidate a cause of action accruing before its effective date, irrespective of whether the amendment was passed before or after the effective date of this amendatory Act of 1986.

Each action hereunder shall be barred unless commenced within one year next after the cause of action accrued.

However, a licensed distributor or brewer whose only connection with the furnishing of alcoholic liquor which is alleged to have caused intoxication was the furnishing or maintaining of any apparatus for the dispensing or cooling of beer is not liable under this Section, and if such licensee is named as a defendant, a proper motion to dismiss shall be granted.

(b) Any person licensed under any state or local law to sell alcoholic liquor, whether or not a citizen or resident of this State, who in person or through an agent causes the intoxication, by the sale or gift of alcoholic liquor, of any person who, while intoxicated, causes injury to any person or property in the State of Illinois thereby submits such licensed person, and, if an individual, his or her personal representative, to the jurisdiction of the courts of this State for a cause of action arising under subsection (a) above.

Service of process upon any person who is subject to the jurisdiction of the courts of this State, as provided in this subsection, may be made by personally serving the summons upon the defendant outside this State, as provided in the Code of Civil Procedure, as now or hereafter amended, with the same force and effect as though summons had been personally served within this State.

Only causes of action arising under subsection (a) above may be asserted against a defendant in an action in which jurisdiction over him or her is based upon this subsection.

Nothing herein contained limits or affects the right to serve any process in any other manner now or hereafter provided by law.

(Source: P.A. 90 111, eff. 7 14 97.)