

Illinois Laws Regarding the Sale of Alcohol Beverages

The law in the State of Illinois is very clear when it comes to serving and selling alcohol beverages: Service to minors is clearly unlawful. All attempts must be made to avoid this. The following are highlights of pertinent alcohol beverage sales laws for the State of Illinois.

1. Sales to and possession by minors (persons under 21).
 - A. No one may sell, give or deliver alcoholic liquor to any person under the age of 21.
 - B. No person, after purchasing or otherwise obtaining alcoholic liquor, may sell, give or deliver such alcoholic liquor to a person under the age of 21.
 - C. Anyone who violates either of these two provisions is guilty of a Class A misdemeanor, and can be fined up to \$1,000 and sentenced up to one year in prison.
 - D. Any person under the age of 21 who has any alcohol beverage in his or her possession on any street or highway or in any public place is guilty of a Class B misdemeanor and may be fined up to \$500 and imprisoned for up to 6 months.
 - E. A person is guilty of a petty offense and can be fined up to \$500 if he or she allows a gathering at his or her residence of two or more persons when the persons are under 18 and drinking.
 - F. Any person who rents a hotel or motel room knowing that the room will be used for the consumption of alcohol beverages by a person under the age of 21 years is guilty of a Class C misdemeanor and is subject to a fine of not more than \$500 and not more than 30 days in jail. The hotels/motels themselves are subject to this penalty.
 - G. The consumption, possession, purchase, or acceptance as a gift of any alcohol beverage by any person under the age of 21 is forbidden, except during a religious ceremony or under parental supervision in the privacy of a home. The minor who violates this section is subject to a fine of not more than 30 days.
2. Other prohibited sales
 - A. No one may sell, give or deliver alcoholic liquor to any intoxicated person, to be known to be under legal disability, or to be in need of mental treatment.
3. No driver or passenger may transport, carry, possess or have any alcohol beverages in a motor vehicle except in the original sealed container. If convicted of illegal transportation, a person may be fined up to \$500 and a point-assigned violation will be entered on the driver's record. A second violation within a 12-month period will result in drivers license suspension or revocation.

4. Every licensee shall cause his license or licenses to be framed and hung in plain view in a conspicuous place on the licensed premises.
5. Every retail license holder shall display the following sign with the following message: "GOVERNMENT WARNING: ACCORDING TO THE SURGEON GENERAL, WOMEN SHOULD NOT DRINK ALCOHOLIC BEVERAGES DURING PREGNANCY BECAUSE OF THE RISK OF BIRTH DEFECTS."
6. Prohibitions on "happy hours" and promotional sales. It is unlawful to:
 - A. Serve 2 or more drinks at one time to one person for consumption for that one person.
 - B. Sell or serve an unlimited number of drinks during any set period of time for a fixed price to any person.
 - C. Sell or serve any drink to any person on any one date at a reduced price other than that charged other purchasers of drinks on that day where such reduced price is a promotion to encourage consumption
 - D. Increase the volume of alcoholic liquor contained in a drink, or the size of a drink, without increasing proportionally the price regularly charged for the drink on that day.
 - E. Encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or the awarding of drinks of alcoholic liquor as prizes for such game or contest.
 - F. A violation of any of the above is a Class B misdemeanor and grounds for suspension or revocation of a retailer's license.

Illinois Laws Regarding Driving Under the Influence (DUI)

Prior to 1982, the Illinois DUI law was one of the most complicated and least effective in the nation. Today Illinois has one of the nation's most effective DUI laws. The following is a summary of the Illinois DUI laws:

REMEMBER: The legal limit for intoxication in Illinois is 0.08 BAC.

1. DUI conviction for those age 21 and over.
 - A. First conviction
 - 1) Minimum one-year loss of full driving privileges.
 - 2) Possible imprisonment for up to one year.
 - 3) Maximum fine of \$1,000.
 - B. Second conviction
 - 1) Minimum three-year loss of full driving privileges for a second conviction in a 20-year period.

- 2) Mandatory 48 hours in jail or 10 days of community service for a second conviction in a five-year period.
 - 3) Possible imprisonment for up to one year and a maximum fine of \$1,000.
 - C. Third conviction
 - 1) Minimum six-year loss of full driving privileges.
 - 2) Classified as a Class 4 felony: possible imprisonment for one to three years and a maximum fine of \$10,000.
2. DUI convictions for those under age 21
 - A. First conviction
 - 1) Minimum two-year loss of full driving privileges
 - 2) Possible imprisonment for up to one year
 - 3) Maximum fine of up to \$1,000
 - B. Second conviction
 - 1) Loss of full driving privileges for a minimum of three years until reaching age 21, whichever is longer.
 - 2) Mandatory 48 hours in jail or 10 days of community service for a second conviction in a five-year period.
 - 3) Possible imprisonment for up to one year and a maximum fine of \$1,000.
 - C. Third conviction
 - 1) Minimum six-year loss of full driving privileges.
 - 2) Classified as a Class 4 felony: possible imprisonment for one to three years.
3. Summary suspensions
 - A. First offense
 - 1) Mandatory three-month driver license suspension for a chemical test indicating a BAC of 0.08 or higher.
 - 2) Mandatory six-month license suspension for refusing to submit to or failure to complete chemical testing.
 - 3) Mandatory three-month drivers license suspension regardless of offender status for a chemical test indicating any amount of a drug, controlled substance, or compound.
 - B. Subsequent offenses
 - 1) Mandatory 12-month drivers license suspension for a chemical test indicating a BAC of .08 or greater.

- 2) Mandatory 24-month suspension for refusing to submit or failure to complete chemical testing.
4. Driving on a suspended license
 - A. First conviction (if revocation was for DUI, leaving the scene of a personal injury or fatal accident, or reckless homicide)
 - 1) Extension of revocation or loss of full driving privileges if privileges have been reinstated.
 - 2) Mandatory seven days of imprisonment or 30 days of community service.
 - 3) Maximum fine of \$1,000 and possible imprisonment for up to one year.
 - B. Subsequent conviction
 - 1) Extension of revocation or loss of full driving privileges have been reinstated.
 - 2) Classified as a Class 4 felony: possible imprisonment for one to three years and a maximum fine of \$10,000.
5. Felony DUI (following a crash resulting in great bodily harm or permanent disfigurement)
 - A. Loss of full driving privileges for a minimum of one year.
 - B. Classified as a Class 4 felony: possible imprisonment for one to three years and a maximum fine of \$10,000.