



ILCC News

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FREE classes part of state's preparation for new BASSET law



New regulations will take effect impacting all Beverage Alcohol Sellers/Servers Education & Training (BASSET) trainees throughout the state as well as Cook County bars and restaurants.

Beginning on July 1, 2015 all current and future BASSET cardholders will need to renew their certification every three years. In addition, all Cook County servers and “bouncers” (ie, those whose job description entails the checking of identification when alcohol is consumed on the premises) must be trained and certified.

“Why did the hospitality industry support these new measures? Simply put, having a professionally-trained staff is good for business,” says Education Manager Ted Penesis for the Illinois Liquor Control Commission (ILCC). “This is especially critical during tough economic times. But even more importantly, BASSET is designed to protect the health, safety, and welfare of the general public.”

To help achieve this critical safety goal, a growing list of local jurisdictions in Illinois—over 200 and counting—have passed BASSET ordinances (visit the “Local Survey” results page on the web at www.illinois.gov/ILCC/SitePages/Survey.aspx to determine whether your community requires BASSET). To ease the transition for BASSET trainees and liquor establishments, monetary penalties for non-compliance with the new provisions will commence in January.

Updated procedures for BASSET providers, trainees

Also easing the transition is the ILCC's development of a new sales/server certification database, which will allow BASSET cardholders to view and print their certification via a secured *BASSET Card Lookup* system on the web at www.illinois.gov/ILCC/CardLookup. To access these records, registration into database is required by both the BASSET licensee (trainer) and student (trainee).

Once registered, BASSET cardholders will have the ability to print out their card at any time, and without the need to pay the \$15 card replacement fee.

Additionally, this new and improved procedure will allow liquor retailers to instantly

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KNOW THE LAWS



A recap of new laws, cost adjustments for 2015

Below are details on new 2015 regulations and annual cost adjustments required under the law:

Social host law expands beyond the home

The Liquor Control Act now prohibits parents and guardians from knowingly allowing minor drinking in any vehicle, conveyance, or watercraft under his or her control (235 ILCS 5/6-16). Any person can still be charged under the law if they knowingly allow minors to drink in their residence.

Additional e-cigarette regulations

All e-cigarette packages must now be sold from behind the counter, in an age-restricted area, or in a sealed display case, and “e-liquid” refills must be sold in special packaging.

Retailer underage sales, inspections

Multiple underage sales violations by a Retailer within five years may be considered by the Illinois Liquor Control Commission (ILCC) when hearing the case (235 ILCS 5/3-12). It also states that ILCC agents must have a reasonable suspicion or warrant to inspect private areas (agents will continue to routinely inspect public and non-public areas of a licensed establishment even if part of the establishment is locked).

Dram shop liability limit now \$211,094.19

The Illinois Liquor Control Act [235 ILCS 5/6-21(a)] requires the Illinois Comptroller to determine each year the liability limits for causes of action brought under the Act based upon the consumer price index (CPI-U) during the preceding 12-month calendar year.

According to the Bureau of Labor Statistics of the U.S. Department of Labor, the CPI-U increased 0.76 percent during the preceding calendar year. Based upon the previous determinations, the 2015 dram shop liability limits have been adjusted as follows:

- For causes of action involving persons injured or killed on or after January 20, 2015, the judgment or recovery under the Liquor Control Act for injury to the person shall not exceed \$65,511.99 for each person incurring damages;

- For causes of action involving persons incurring property damage on or after January 20, 2015, the judgment or recovery under the Liquor Control Act of 1934 for property of any person shall not exceed \$65,511.99 for each person incurring damages; and
- For causes of action under the Liquor Control Act of 1934 for either loss of means of support or loss of society resulting from the death or injury of any person on or after January 20, 2015, the judgment or recovery shall not exceed \$80,070.21.

Minimum purchase requirements for wine and spirits

The Liquor Control Act requires Distributors who sell wine and spirits to deliver to Retailers within the distributors' territory once every two weeks if the Retailer places a minimum order (235 ILCS 5/6-9.1). Below are the current minimum order dollar figures (with the next 2-year adjustment set for 2016):

- \$276.86 for Chicago and adjacent counties;
- \$69.21 for all other counties.

Cost adjustment for signs and other advertising materials

The Liquor Control Act permits Distributors/Manufacturers to give Retailers indoor and outdoor, permanent and temporary signs that promote the brands sold by the Distributor/Manufacturer (235 ILCS 5/6-6). Giving signage to a Retailer is not a violation of the Act's tied-house provisions if the value of all signs per manufacturer and in use at any given time does not exceed the below adjusted maximum amounts for 2015:

- \$2,256.45 for permanent outside signs;
- \$5,055.42 for permanent inside signs; and
- \$825.91 for temporary inside signs and other advertising materials.

See our cover story for the new server training law going into effect on July 1. If you have any questions regarding the above information, please contact the Liquor Commission at 312-814-2206 or ILCC@illinois.gov.

ILCC News Article suggestions are welcome!

The Commission welcomes your input to enhance the *ILCC News* publication. If you have a suggestion for an article topic or a helpful hint to share with other licensees, please contact the Commission's Chicago Office.

ILCC News is published by the Illinois Liquor Control Commission for state liquor licensees, local government leaders, industry associations, prevention professionals, elected officials, and other interested parties.

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List of common violations

Below are brief descriptions of some of the more typical retail licensee violations. Please keep in mind, this is not a comprehensive list and all laws are subject to change without notice:

- ✓ Sales to/from another retailer.
- ✓ State liquor license not displayed.
- ✓ State liquor license not valid.
- ✓ Local liquor license not available.
- ✓ Illinois Business Tax (IBT) certificate not available.
- ✓ Information on documents (state/local license, IBT certificate, stamps, etc.) are not consistent.
- ✓ Pregnancy warning sign not displayed.
- ✓ Happy Hours Prohibited Law violation.
- ✓ Pre-mixed drinks not destroyed weekly, receptacle not cleaned, or cleaning record not kept.
- ✓ Sanitation violation.
- ✓ Unsanitary taps.
- ✓ Taps not cleaned weekly, cleaning record not kept.
- ✓ Brands and taps do not agree.
- ✓ Advertised brands not available.
- ✓ Taps not visible from 10 feet.
- ✓ Shot glasses less than one ounce.
- ✓ Contaminated liquor found.
- ✓ Marrying like brands.
- ✓ Offering or using any unlabeled liquor bottles for service.
- ✓ Purchases without valid license.
- ✓ Transfer of liquor to/from another location.
- ✓ Liquor brought from out of state.
- ✓ 90 days of invoices or waiver not available.
- ✓ Purchased alcoholic liquor, other than beer, while delinquent.
- ✓ Giving away of alcoholic beverages and advertising of same.
- ✓ Warehousing of alcoholic liquor off the premises.
- ✓ No access or refused access to liquor storage.
- ✓ Gambling.
- ✓ Violation of the Cash Beer Law.
- ✓ Sale of 50/100ml in violation of City of Chicago ordinance.
- ✓ Received something of value from distributor.
- ✓ Impermissible signage and/or advertising materials.
- ✓ Sale to minors.
- ✓ Sale of single containers less than 16 oz. in violation of City of Chicago ordinance.
- ✓ Purchases outside designated territory.
- ✓ Civil Rights violation on licensed premises.
- ✓ Failure to produce requested books and records.
- ✓ Cigarette packs do not have proper revenue stamps.
- ✓ Coin operated amusement device(s) without revenue certificates attached.
- ✓ Advertisement containing the terms “free” or “complimentary.”

To gain more confidence in your ability to comply with the law, please consider enrolling your staff in a Beverage Alcohol Seller/Server Education & Training (BASSET) class. Visit ILCC.illinois.gov/basset to learn more.

Connect with us via ILCC eNews, social media sites

Have you subscribed to our FREE ILCC eNews service yet? If not, you're missing out on the latest news!

Each month, ILCC eNews subscribers receive the latest alcohol and tobacco news direct to their email inbox, plus instantaneous updates on significant developments. When breaking news happens, you will be the first to hear about it!

It takes only seconds to activate your FREE subscription to ILCC eNews. Simply visit our home page at ILCC.illinois.gov then enter your email

address in the text box toward the top of the page and click “subscribe” (an email message will be sent to confirm your subscription).

If you decide to cancel or change your subscription, you can do so at any time with the click of a mouse. So what are you waiting for? Subscribe to ILCC eNews by visiting ILCC@illinois.gov today!

Visit us on social media

Lastly, keep up to date on our work here at the Illinois Liquor Control Commission by visiting us at the following social media sites:

Like us:

facebook.com/IllinoisLiquorControl

Engage with us:

twitter.com/illiquorcontrol

Watch our work:

youtube.com/channel/UC0TskxJQAngvsKXXH5WUxGw

Tag us:

instagram.com/IllinoisLiquorControl

Learn and pin with us:

pinterest.com/ILLiquorControl

Hashtag:

#IllinoisLiquorCC; #TalkItUp; #YourActionsMatter

New BASSET law (cont'd from p. 1)

check on a potential hire's BASSET certification status. If not certified, the employee will have 120 days to complete BASSET training.

“Being professionally-trained will now be even more valuable for those looking for work in the hospitality industry,” says Roupas. “We believe this new law will serve as an inducement to become BASSET-certified as it increases their marketability to potential employers.”

Implementation of the BASSET certification system will take effect once the updated BASSET Rules & Regulations are approved, which is expected by the new BASSET law's July 1 effective date.

Free Cook County BASSET class schedule announced

The Liquor Commission will be holding a FREE, ONE TIME ONLY series of

BASSET classes throughout Cook County ensure compliance with the new law (see page 5 at right for the schedule).

“We also hope to add more courses prior to the law taking effect on July 1,” adds ILCC Education Manager Ted Penesis. “BASSET courses often cost as much as \$50 or more, so we anticipate reaching full capacity at all our free sites.”

“These class offerings would not have been possible without the generosity and support from both our participating BASSET providers and site hosts,” he continues. “The Liquor Commission wishes to thank all its partners for delivering this valuable resource to hospitality workers in Cook County.”

To view the latest class schedule and register for one of the free training sessions, please visit the Liquor Commission's website at



ILCC.illinois.gov and click on the “Calendar” tab. You can also receive instantaneous scheduling updates, a monthly report, and other late-breaking Liquor Commission news by subscribing to the free **ILCC eNews** service. Simply enter your email address in the text box located at the upper right of the ILCC website and click “subscribe” (an email message will be sent to confirm your subscription).

To learn more about BASSET and view intervention strategies via ILCC-produced videos, please visit the BASSET home page at www.illinois.gov/ILCC/basset.

Retailers: Order your FREE informational packet today!

The following FREE Illinois Liquor Control Commission materials are available to all licensees by visiting ILCC.illinois.gov and choosing the **Resources** tab on the menu bar:

- Overview of the ILCC.
- Illinois Liquor Control Act.
- “Happy Hours Prohibited” and “Just the Facts” fliers.
- Alcohol “Proof of Age” and “Pregnancy Warning” signs.
- Past “ILCC News” quarterly newsletters.
- ID Checking Guide and BASSET Program brochure.
- “We Card Hard” door decal.
- “Kids Can’t Buy ‘em Here” tobacco kit order form.
- “Operation Straight ID” brochure.
- And much more!



FREE Cook County BASSET Class Schedule

- 1 Mon-Tue, April 13-14, 1-5pm: **Chinatown**
Two Chinese language classes: Cantonese and Mandarin
- 2 Wed, April 22, 10am-2pm: **Northwest Side**
- 3 Wed-Thu, April 22-23, Noon-4pm: **Chinatown**
- 4 Thu, April 23, 6-10pm: **Glenwood**
- 5 Mon, April 27, 10am-2pm: **Wrigleyville**
- 6 Mon, April 27, 5:30-9:30pm: **Matteson**
- 7 Tue, April 28, 6-10pm: **Matteson**
- 8 Wed, April 29, 11am-3pm: **Matteson**
- 9 Tue, May 5, Noon-4pm: **Orland Park**
- 10 Wed, May 6, 10am-2pm: **Northwest Side**
Two classes: English and Spanish
- 11 Thu, May 7, Noon-4pm: **Orland Park**
- 12 Tue, May 12, 2-6pm: **Harwood Heights**
- 13 Wed, May 13, 10am-2pm: **Harwood Heights**
- 14 Thu, May 14, 1-5pm: **Southwest Side**
Spanish class only
- 15 Sat, May 16, 10am-2pm: **Dolton**
- 16 Mon, May 18, Noon-4pm: **Skokie**
- 17 Tue, May 19, 9am-1pm: **Wheeling**
- 18 Wed, May 20, 10am-2pm: **Des Plaines**
- 19 Thu, May 21, 9am-1pm and 2-6pm: **Westchester**
Two classes conducted in both English and Spanish
- 20 Thu, May 28, 11am-3pm: **Hanover Park**
- 21 Tue, June 2, 10am-2pm: **Hickory Hills**
- 22 Thu, June 4, Noon-4pm: **Barrington**
- 23 Tue, June 9, Noon-4pm: **Far South Side**



Visit the web at ILCC.illinois.gov and click on the "Calendar" tab to register for any of the classes

Schedule is subject to change. Limit one class per person.

All classes conducted in English unless indicated otherwise.

Fireworks and novelty items



From the State Fire Marshal's Office

There is a lot of confusion as to what fireworks can be sold at Illinois retail businesses. The Office of the State Fire Marshal (OSFM) is in charge of regulating fireworks, and is providing the below information as a guide so you can stay within the law.

The Fireworks Use Act specifically excludes "novelty" items from the definition of regulated (or "consumer") fireworks. Novelty fireworks that are permitted for sale and use include snake or glow worm pellets; smoke devices; trick noisemakers (known as party poppers, booby traps, snappers, trick matches, cigarette loads, and auto burglar alarms); sparklers; toy pistols, toy canes, toy guns; or other devices in which paper or plastic caps containing twenty-five hundredths (0.25) grains or less of explosive compound are used.

However, the Fireworks Use Act states that "a municipality may, by ordinance, prohibit the sale and use of sparklers on public property" so please check with your local jurisdiction first before selling or using sparklers.



The OSFM maintains a list of approved consumer fireworks on their website: www.state.il.us/osfm (click on the "Commercial" tab then "Pyrotechnics/Fireworks").

Consumer items that are prohibited for sale and use in Illinois include (but are not limited to) the following: hand held fireworks, bottle rockets, firecrackers of any size or type, sky rockets, roman candles, chasers, buzz bombs, ground items (other than those identified as "Approved Consumer Fireworks" on the OSFM website), helicopters, missiles, pin wheels (or any other twirling device whether on the ground or mounted above the ground), and planes.

Novelty lighter ban

With the passage of the Retail Sale and Distribution of Novelty Lighters Prohibition Act in 2010, it is now illegal to sell or distribute for retail "novelty lighters." Failure to comply with this prohibition could result in legal enforcement actions and a fine not to exceed \$500 for each day of noncompliance.

What is a novelty lighter? The types banned by the Act include a mechanical or electric device typically used for lighting cigarettes, cigars, or pipes that is designed to resemble a cartoon character, toy, gun, watch, musical instrument, vehicle, animal, food or beverage, or similar articles. Additionally, lighters that play musical notes, have flashing lights, or other similar entertaining features are also banned. A novelty lighter may operate on any fuel, including butane, isobutene, or liquid fuel.



Please note that standard disposable and refillable lighters (for example, those printed or decorated with logos, labels, decals, or artwork, or heat-shrinkable sleeves) will continue to be allowed for sale.

Questions?

The majority of questions you may have about fireworks and lighters can be answered by visiting the OSFM's website at www.state.il.us/osfm. For any other questions, please call 217-785-0969 and be specific with your questions so we can direct you to the proper person.

Thank you for helping to keep Illinois safe!

Educational opportunities for all members of the community

It should come as no surprise that springtime is a busy time of year for the Education Division at the Illinois Liquor Control Commission (ILCC).

Between prom and high school graduation parties, the number of teens who will drink alcohol for the first time skyrockets to its highest levels of the year. Even more distressing, these first-time drinkers often do so with parental approval.

Yes, retailers, there will be teens in your stores on April 23...

...but don't worry, they're "not up to no good" – they're "up to doing good work" as in educating the public on how parents and other adults play an important role in preventing underage drinking.



Thursday, April 23 is **YOUR ACTIONS MATTER DAY** in Illinois. During this day, thousands of youth and adult volunteers will visit local businesses to distribute bottle neckers, drink coasters, buttons, window decals, signs, and posters to participating stores that feature a final reminder to their adult patrons that "preventing underage drinking is EVERYONE'S responsibility."

The ILCC Education staff takes these words to heart. From pre-teens to parents and all ages in between, the Liquor Commission has tailored messages that will reach all audiences.



On March 25 in Taylorville, the Liquor Commission's Ted Penesis (standing) and Lee Roupas discuss spring partnership opportunities with Sheriff Bruce Kettelkamp (in back) and other members of the Christian County Prevention Coalition.



Arming parents with knowledge

While it is never too late to talk to your children about underage drinking, starting the conversation early has shown to be the most effective approach. And that is why the Liquor Commission has launched the **Talk It Up!** campaign, which provides parents with the education, resources, and tools to get talking – and keep talking – with their kids.

The **Talk It Up!** campaign is aimed at parents of 8th grade students, and taps into parents' power to make positive change. To share our message, we are employing a variety of communication vehicles this spring: Electronic media spots, outdoor media ads, social media engagement, a **free e-book** on the ILCC website, and more.

2015 College Town Summit

At the other end of the underage drinking spectrum, the ILCC will convene its 2015 College Town Summit Steering Committee shortly to decide the direction of future summits. If you wish to serve on the committee or have questions regarding the College Town Summit, please send an email message to ted.penesis@illinois.gov.



Illinois Liquor Control Commission

In addition to offering entertaining and thought-provoking presentations, the ILCC has developed a variety of alcohol education materials for teens, their parents, liquor retailers, and other members of your community. To arrange for an ILCC visit and to place your **FREE** order for materials, visit www.DontBeSorry.org.

Quick quiz for retailers

Restaurant patrons can take home their unfinished bottle of wine.

TRUE OR FALSE

TRUE. An Illinois liquor-licensed restaurant may permit a patron to remove one unsealed and partially consumed bottle of wine for off-premise consumption, provided that the patron has purchased a meal and consumed a portion of the wine.

Retailers must provide a dated receipt for the wine and securely seal the bottle in a transparent one-time use, tamper-proof bag. Patrons are advised not to transport the wine in the driver's compartment of their vehicle.

Illinois Liquor Control Commission



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Do you like waiting in long lines?

Then maybe online renewal is not for you. During the spring, the ILCC Licensing Division processes more new licenses and renewals than during any other time of the year. This translates into unavoidable long waits at our Chicago and Springfield offices.

For those who don't like standing in lines, the answer is right at your fingertips...on the computer keyboard. ALL Illinois liquor retailers can enjoy the benefits of online renewal from the comfort of their own home.

Even if you are not a [MyTax Illinois](#) user, setting up your ILCC account is easy. Once you do, you will join thousands of others who are already accruing the benefits of online renewal, which include instant 24/7 electronic access to a variety of important tasks (such as printing out your license whenever you wish), changing ownership information, submitting brand registrations, making payments, and more.

In short, managing your liquor license account online will save you time and money. Even if you love long lines, this should be reason enough to reconsider that drive into the city.

For more MyTax Illinois information and instructions on setting up your account, visit the [Licensing](#) tab on the ILCC.illinois.gov home page.



See page 5 for FREE training schedule

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