



ILCC News

Volume 46
Fall 2014

Retailers achieve highest underage compliance rate in four years

Settlement conferences, staff training critical in avoiding future fines and penalties

The Illinois Liquor Control Commission’s (ILCC) increased use of compliance checks is starting to pay off. If you are liquor retailer, you know underage compliance check operations occur regularly throughout Illinois. These operations – conducted by state and local authorities both in tandem and separately – have proven to be successful at reducing underage sales, as this past year’s results clearly illustrate.

“We continue to see retailers cited for second or even third violations, but the number of repeat offenders has dropped considerably over the past few years,” states Brian Cooper, who serves as supervisor for both the ILCC field agents and Illinois Department of Revenue’s Bureau of Criminal Investigations.

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ILCC.illinois.gov

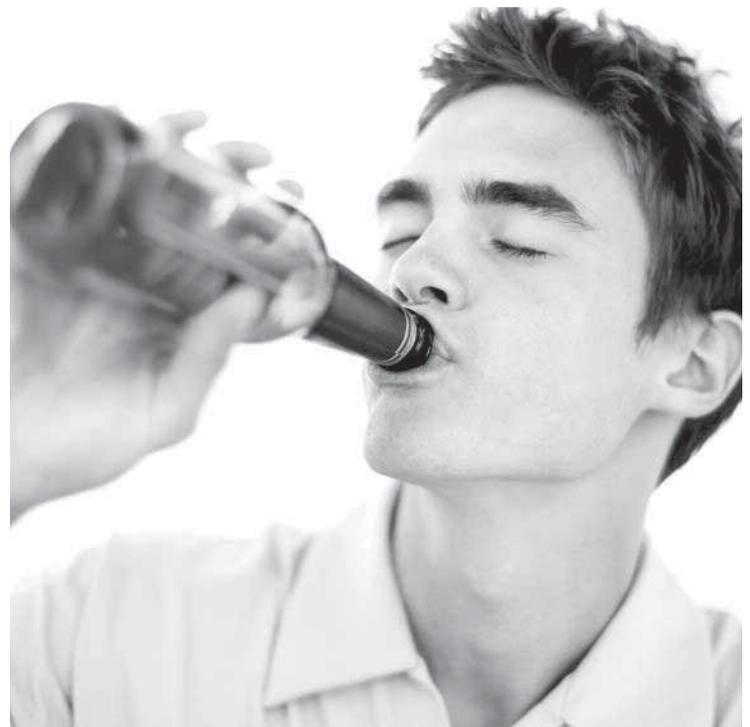
for our liquor retailers as well,” says ILCC Legal Counsel Tina Tsatsoulis, who prosecutes sales of alcohol to minor violations on behalf of the ILCC. She also conducts settlement conferences with first-time offenders, the vast majority of whom are required to pay a \$500 fine.

“Most understandably are quite upset, when their business fails a compliance check. While a fine certainly can be a deterrent on its own, I emphasize the possible consequences of further failures, as penalties can increase exponentially for multiple offenses.”

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While the results for FY2014 (July 2013-June 2014) show that Illinois retailers achieved their highest compliance rate in over four years, this should be tempered by the sobering fact that 16.1 percent still failed to pass these underage checks (see chart on page 7 for year-by-year results).

“That nearly one in six retailers sold alcohol to minors is certainly a cause for concern, not only for our youth, but also



Governor signs new state laws

A number of bills were recently signed into law by Illinois Governor Pat Quinn. Below are details on new laws relating to liquor, tobacco, and alternative nicotine product sales:

Social Host Law expands in Illinois

On August 22, Gov. Quinn signed House Bill 4745 into law (Public Act 098-1017) prohibiting parents and guardians from knowingly allowing underage drinking in any vehicle, conveyance, or watercraft under his or her control.

Sponsored by State Representative Carol Sente and State Senator Julie Morrison, this bill (which takes effect on January 1, 2015) expands upon the current Social Host Law, which holds accountable any person who knowingly allows underage drinking in their residence. As in the current law, offenders are subject to felony charges if the activity results in great bodily harm or death to any person.

New e-cig laws

Gov. Quinn also signed into law new regulations to protect children from the negative effects of electronic cigarettes (or "e-cigs"). A recent study by the Center for Disease Control showed a three-fold increase in teen e-cig use from 2011-13, and these youths are two times more likely to say they would try conventional cigarettes in the next year.

With the signing of House Bill 5689 (sponsored by State Representative Robyn Gabel and State Senator John G. Mulroe), liquid refills can be sold only in special packaging (Public Act 098-1021). "E-liquids" are a potent form of nicotine, and ingesting only a small, highly diluted amount can cause vomiting, seizures, and even death.

Additionally, the signing of House Bill 5868 (sponsored by State Representative Kathleen Willis and Sen. Mulroe) requires all e-cig packages must be sold from behind the counter, in an age restricted area, or in a sealed display case (Public Act 098-0983).

KNOW THE LAWS



Both laws take effect on January 1, 2015. Retailers are also reminded that some local jurisdictions (including the city of Chicago) also ban indoor e-cig smoking, so please check your local ordinances.

Cigarette licensing

House Bill 2494, sponsored by State Representative Barbara Flynn Currie and State Senator John Cullerton, was signed into law on August 26. The new law (Public Act 098-1055), which takes effect January 1, 2016, requires retailers of cigarettes and other tobacco products to obtain a license from the Illinois Department of Revenue for an annual fee of \$75.

The law also provides for a suspension of the license when four or more underage sales occur at the licensed retailer, and increases the penalty for the sale of contraband cigarettes from a Class A misdemeanor to a Class 4 felony.

Multiple underage sales, inspection laws

Senate Bill 728 (Public Act 098-0941), sponsored by State Senator Terry Link and State Representative Arthur Turner, was signed into law on August 15 and takes effect January 1, 2015. This law clarifies procedures in inspecting private liquor retailer areas and the timeframe for penalizing underage liquor sales.

Under the new law, the Illinois Liquor Control Commission (ILCC) may consider a second or subsequent underage sales violation if it was committed within five years of the prior violation. It also states that ILCC agents must have a reasonable suspicion or warrant to inspect private areas such as

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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.

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safes, personal property, and locked office desks. Agents will continue to be authorized to routinely inspect public and non-public areas of a licensed establishment even if part of the establishment is locked.

Chicago closure law due to criminal activity

With the signing of Senate Bill 1463 (Public Act 098-1054) on August 26, the city of Chicago may now close a liquor establishment for 30 days (an increase from the previous seven days) when criminal activity occurs within its premises.

Sponsored by State Representative Esther Golar and State Senator William Delgado, the new law also allows a distributor (with

documented evidence and in coordination with the local liquor control commissioner and police department) to remove any unpaid products once the premises are closed.

New server training law

Beginning July 1, 2015 all servers and “bouncers” (ie, those whose job description entails the checking of identification for entry into a liquor-licensed premise) in Cook County bars and restaurants will need to complete a four-hour Beverage Alcohol Sellers/Servers Education & Training (BASSET) class within 120 days of employment.

Signed into law on August 15 (Public Act 098-0939) with the sponsorship of State

Representative Sara Feigenholtz and State Senator Napoleon Harris, House Bill 5926 also requires Cook County bouncers/servers to renew their training every three years.

Additionally, all licensed BASSET providers must resubmit their curriculum for state approval prior to teaching an alcohol training program anywhere in Illinois. The deadline for submission to the ILCC is October 1, 2015.

*See page 6 to learn more about the new server training law and the importance and benefits of responsible beverage service. You will also find registration information for the two late October **BASSET Summit** dates.*

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.
- ILCC/BASSET Rules and Regulations.
- “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” decal.
- “Kids Can’t Buy ‘em Here” tobacco kit order form.
- And much more!



Have you visited our new website yet?

Whether you wish to download a license application, confirm existing laws and regulations, or request our FREE educational materials, the Illinois Liquor Control Commission's (ILCC) newly redesigned website is your "one-stop shop" for all liquor-related information.

You can navigate to all available website information and specific areas of interest via the ILCC home page as shown in the below illustration. Whether you are seeking a general summary of the Liquor

Commission or more specific and detailed information, you can find it simply by visiting ILCC.illinois.gov.

New "Local Ordinances" web feature now online!

Visit the new, easier-to-use **Local Survey** page on our website to compare how local municipalities regulate alcoholic liquor in their local communities.

This dynamic feature allows users to instantly find select regulatory data from

over 80 percent of the local liquor licensing authorities in Illinois. To review the local survey responses, visit our home page ILCC.illinois.gov and click on the Divisions tab on the menu bar (choose "Legal | Local Ordinances").

We want to hear from you!

To ensure our website remains as functional as possible, we need user feedback. Please send your suggestions to ILCC@illinois.gov for any ideas you may have in improving our site.

The screenshot shows the ILCC website homepage with several callout boxes pointing to specific features:

- Locate all ILCC educational programs here:** Points to the 'Education' menu item.
- Click for a summary of general ILCC information:** Points to the 'About' menu item.
- Quickly navigate to more information under all ILCC divisions:** Points to the 'Divisions' menu item.
- Find dates for board meetings and other ILCC events:** Points to the 'Calendar' menu item.
- Download liquor license applications and other forms:** Points to the 'Applications' menu item.
- Order materials, view educational videos, and more:** Points to the 'Resources' menu item.
- Interact with the ILCC on social media!** Points to the social media icons (YouTube, Facebook, Twitter, Instagram).
- Subscribers receive instantaneous updates on the latest news:** Points to the 'News' menu item.
- Click for answers to the most frequently asked questions of ILCC staffers:** Points to the 'FAQs' menu item.
- Scroll through the slide show to access hot topics and other timely info:** Points to the 'ONLINE LICENSE RENEWAL' banner.
- Click here to view general licensing information, including how to set up your online management account, how to apply for a liquor license, and more:** Points to the 'LICENSING INFORMATION' tile.
- All you need to know about ILCC hearings and meetings can be found by clicking here:** Points to the 'BOARD MEETINGS & HEARINGS' tile.
- How Do I...:** Points to the 'How Do I...' section.
- Get a liquor license:** Points to the 'Get a liquor license' section.
- Most Visited Site Pages:** Points to the 'Most Visited Site Pages' section.
- Liquor laws, rules and regulations, local ordinances, and more can be found here:** Points to the 'LEGAL' tile.
- Parents can click here to access resources on underage drinking prevention:** Points to the 'PARENT PORTAL' tile.
- Here you will find links providing instructions for common licensing procedures:** Points to the 'Get a liquor license' section.



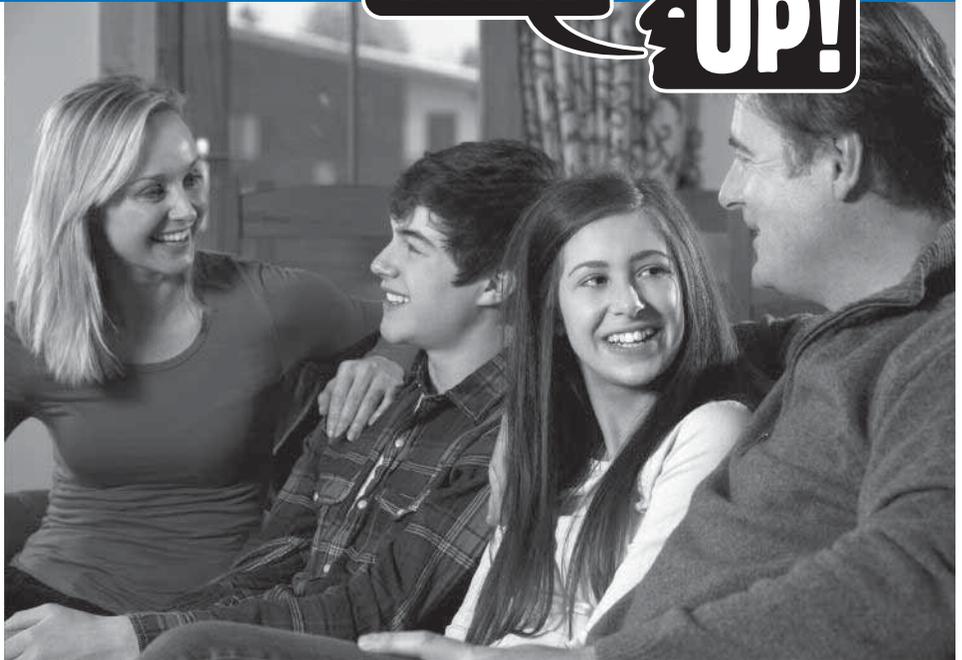
It's time to "Talk It Up" with your kids...

The Illinois Liquor Control Commission (ILCC) has launched **Talk It Up!** – a parental responsibility campaign to combat high rates of underage drinking in Illinois.

Why involve parents? Because research shows that contrary to popular opinion, kids **DO** listen to their parents. Parents who are involved in their children's lives on a day-to-day basis, who talk with their kids about good decision-making, who give them the support to say no, and provide fun alternatives to alcohol have remarkable success rates.

Start the conversation early!

Talk It Up! is aimed at parents of 8th grade students, and taps into the power of parents to make positive change. The campaign gives parents the education, resources, and tools to get talking – and keep talking – with their kids.



To get the word out, we are employing a variety of communication vehicles: Radio ads and TV spots, billboards and bus cards, social media community engagement, blog posts, a redesigned website and more.

*To learn more about the ILCC's Parental Responsibility program, please visit ILCC.illinois.gov and click on the **Education** tab (choose the "Parental Responsibility" link) on the menu bar.*

Next College Town Summit set for November 18



Space is still available, but limited, for the 6th Annual College Town Summit on Tuesday, November 18, 10am-3pm in Springfield. All college town stakeholders – including state/local elected officials, school administrators, prevention professionals, hospitality industry employees, and law enforcement personnel – are invited to attend.

The agenda will feature a discussion on potential laws, ordinances, and school policies to address high-risk alcohol use by college students. Lunch will be provided for FREE to all attendees.

Remember, space is very limited, so visit www.DontBeSorry.org today to register for the November 18 College Town Summit. For more information on this event, please call 312-814-4802 or send an email to ted.pensis@illinois.gov.

New BASSET requirement for Cook County servers

by Lee J. Roupas, ILCC BASSET Program Manager

Cook County is the second largest county in the United States with over 5 million residents. It also encompasses a large part of the hospitality industry in the state of Illinois with over 8,000 liquor licensed retailers, more than half of which are bars or restaurants.

As in other professions, training plays an integral role in ensuring public safety, professional competence, and compliance with the law. This is especially true for business owners in the hospitality industry, which experiences an incredibly high turnover rate when it comes to the sales and service of food and beverages.

With the signing of House Bill 5926, all servers of alcoholic beverages in Cook County will need to become BASSET-certified as of July 1, 2015. Training will be required not only for servers, but also security detail or anyone who checks for age verification as part of their employment duties.

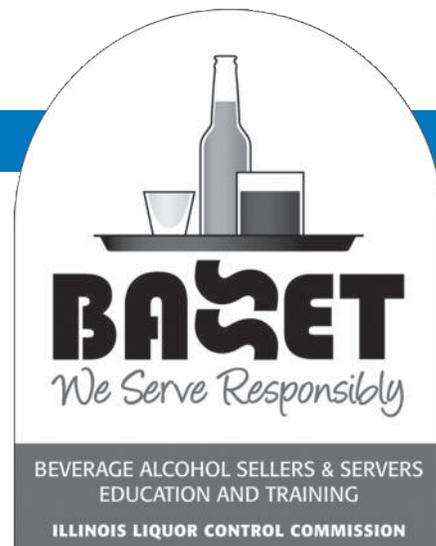
Additionally, all licensed BASSET providers must resubmit their curriculum for state approval prior to teaching an alcohol training program anywhere in Illinois.

Student requirements for Cook County alcohol servers

- BASSET-approved classes for on-premise service must be at least four hours in length.
- BASSET certification cards must be renewed every three years (cards issued between July 1, 2012 – July 1, 2015 will be grandfathered in as being BASSET-certified).
- Training must be completed within 120 days of employment.
- Certificate is property of the server and may be transferred to a different employer.

Instructor requirements for all BASSET-certified programs

- All server training programs, modules, and certification programs must be approved by the ILCC by October 1, 2015.
- Training and testing is based on a job task analysis that must coincide with knowledge, skills and abilities needed to serve alcohol responsibly.
- Best practices in instructional design and exam development must be used to ensure a fair and legally defensible program.
- Licensed programs must provide access on a 24-hour-per-day, 7-day-per-week basis to verify certificate authenticity.
- In-person classroom programs must be available in both English and Spanish and accompanied by an exam.



- Online or computer based programs must be designed in a way that ensures content is not skipped, is interactive, a test and audio.

For more information about the BASSET program – including a listing of licensed and approved BASSET courses – please visit the Commission’s website at www.illinois.gov/ilcc/BASSET.

Two “BASSET Summit” dates set for late October

With the passage of the new alcohol server training law, the Illinois Liquor Control Commission (ILCC) will be holding a BASSET Summit at the following two locations:

- **CHICAGOLAND: Wed, October 22, 6-8pm** at the Westchester Village Hall, 10300 West Roosevelt Road, Westchester, IL 60154 (co-hosted by the Village of Westchester).
- **SPRINGFIELD: Mon, October 27, 1-3pm** at the Illinois Department of Natural Resources Headquarters, One Natural Resources Way (on the State Fairgrounds), Springfield, IL 62702.

The BASSET Summit will provide details on the new law to interested BASSET providers, liquor retailers/servers, local officials, and others who wish to learn more about the importance and advantages of BASSET instruction. All BASSET providers – including those outside of Cook County – are strongly encouraged to attend this seminar (as a reminder, any server training program being utilized by BASSET providers must be recertified by the ILCC).

*To register, please visit our home page at ILCC.illinois.gov and click on the **Calendar** tab (choose either the October 22 or October 27 “BASSET Summit” event listing to access the registration form).*

UAC Operation *(from p. 1)*

In addition to the potential arrest of the person serving/selling the alcohol, these penalties can include suspensions and, in some cases, even a revocation. “The Illinois Liquor Control Act provides that a person whose license issued under this Act has been revoked for cause becomes ineligible to be licensed,” Tsatsoulis explains. “Suddenly, they realize their livelihood is at stake, and they appreciate the recommendations provided in the settlement conferences to prevent a future violation.”

One recommendation shared with retailers in the settlement conferences is enrolling their staff in a Beverage Alcohol Sellers/Servers Education & Training (BASSET) class, which features a section focusing on proper age-verification techniques.

“Enforcement alone will not result in a lower compliance rate,” says Education Manager Ted Penesis. “Communities requiring BASSET instruction have seen their licensees pass underage sales checks at a higher rate than those who do not require training.”



DO NOT throw away your current 2014 “Proof of Age” signs, as these signs are no longer distributed to licensees.

However, 2x4 labels with the year “1994” (for placement over the old year) will be made available in December along with printable 2015 signs. Please visit our home page ILCC.illinois.gov

FY2011-2014 compliance rates

The Illinois Liquor Control Commission conducts regular undercover operations featuring minors attempting to purchase alcohol from liquor-licensed retailers throughout the state. While most visits are scheduled at random, some operations target high-risk areas (such as college communities and other locales with historically lower compliance rates) ensuring they are visited throughout the year. The Commission continues to expand this operation, which has led directly to an increase in the liquor licensee compliance rate. Below is a review of underage compliance rate data for the past four fiscal years.

Results by fiscal year	FY2011	FY2012	FY2013	FY2014
Total minor visits to licensees	1020	1577	1905	2929
Number of failures (sale to minor)	216	347	407	472
Suspensions and revocations	43	65	53	75
Compliance rate	78.8%	78.0%	78.6%	83.9%

*Note: A fiscal year runs from July 1 to June 30.
All above data compiled from ILCC Board Hearing Dockets and Monthly Discipline Reports.*

“Additionally, since BASSET also provides details on various state laws and local ordinances, liquor establishments in BASSET communities receive fewer violations during our regular inspection process as well. Obviously, this saves retailers money.”

Another way BASSET can save business owners some cold hard cash is by lowering their insurance costs. Many insurance companies reduce liquor liability insurance premiums for their policyholders when

all liquor selling/serving staff are required to attend BASSET.

All Cook County alcohol servers will be required to attend BASSET beginning July 1, 2015. See page 6 to learn more about the new server training law and the importance and benefits of responsible beverage service. You will also find registration information on the upcoming **BASSET Summit**, which will be held in both Chicago’s western suburbs on October 22 and in Springfield on October 27.

2015 “Proof of Age” signs and “1994” stickers

(click on the menu bar’s **Resources** tab, then choose “Order Materials”) for links to the sticker order form, printable sign, and a variety of other educational materials and signage (including the required Government Warning Sign).

Again, the current “Order Materials” page contains links to this year’s 1993 labels and printable 2014 signs only. So, if ordering for next year, plan on

revisiting the Illinois Liquor Control Commission’s website this coming December, when you will be able to either print out your own 2015 Proof of Age signs or order 1994 stickers (for display in 2015).

If you have any questions regarding required signage in your establishment, please visit the **FAQs** tab on the ILCC.illinois.gov website.

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Is your license renewal coming up soon?

If so, then now is a good time to set up your online management account. When your renewal application arrives in the mail, an insert will be enclosed as a reminder to utilize the FREE online renewal option, which can save you time as well as money!

By setting up and managing your online account through [MyTax Illinois](#), you can do the following:

- Eliminate the hassle of mailing in a paper renewal.
- View all account information.
- Make payments.
- Check renewal status.
- Print out hard copy of liquor license (Note: the State license you receive in the mail is now printed on plain white paper).
- Change corporate officer and owner information.
- And much more!

To learn how to set up and use the MyTax Illinois online management system for your liquor license account, please visit ILCC.illinois.gov and click on the **Divisions** tab (choose the "Licensing | Online Renewal..." link).

A friendly reminder about our office hours

The Illinois Liquor Control Commission's Chicago and Springfield offices close at 5:00pm, and Licensing Division staff will not accept liquor license applications after 4:30pm. Please make note of this policy if you plan to visit our office to submit your liquor license application.

Additionally, if you are applying in person or by mail for a new Retailer or Speciality Retailer (ie, Brew Pub, Caterer Retailer, or Wine Maker Retailer) license, please allow at least 2-7 business days for review. Once your license has been approved, we will send you an email with confirmation of your preferred delivery method.



For additional licensing information, please visit our home page ILCC.illinois.gov and click on the "Licensing Information" box on the lower left of the page.