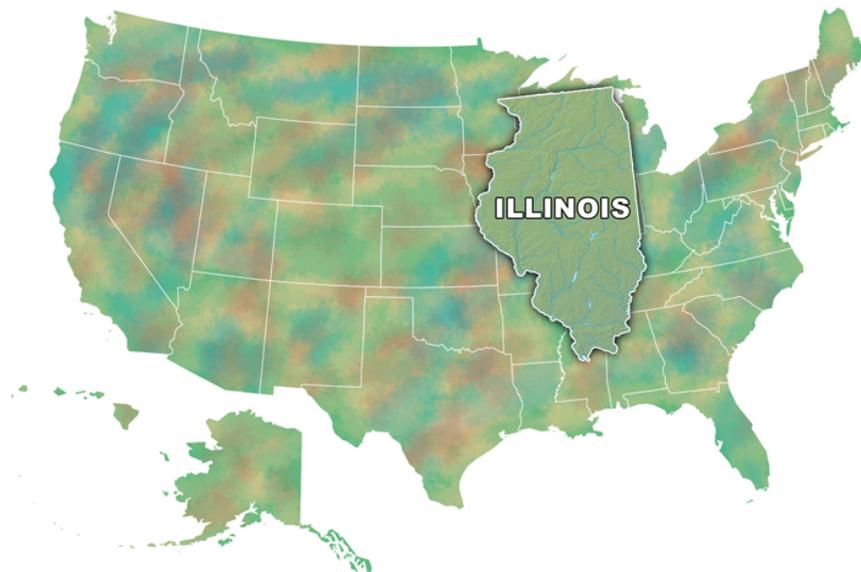


State Report

Illinois

This document is excerpted from:

The June 2015 Report to Congress on the Prevention and Reduction of Underage Drinking



Illinois

State Profile and Underage Drinking Facts*

State Population: 12,875,255
Population Ages 12–20: 1,623,000

| | Percentage | Number |
|--|---|---------------|
| Ages 12–20 | | |
| Past-Month Alcohol Use | 26.9 | 436,000 |
| Past-Month Binge Alcohol Use | 18.0 | 293,000 |
| Ages 12–14 | | |
| Past-Month Alcohol Use | 4.3 | 22,000 |
| Past-Month Binge Alcohol Use | 2.2 | 11,000 |
| Ages 15–17 | | |
| Past-Month Alcohol Use | 21.9 | 119,000 |
| Past-Month Binge Alcohol Use | 13.6 | 73,000 |
| Ages 18–20 | | |
| Past-Month Alcohol Use | 52.0 | 295,000 |
| Past-Month Binge Alcohol Use | 36.6 | 208,000 |
| Alcohol-Attributable Deaths (under 21) | | 192 |
| Years of Potential Life Lost (under 21) | | 11,614 |
| | Percentage of All Traffic Fatalities | Number |
| Traffic Fatalities, 15- to 20-Year-Old Drivers with BAC > 0.01 | 21.0 | 27 |

* See Appendix C for data sources.

Laws Addressing Minors in Possession of Alcohol

Underage Possession of Alcohol

Possession is prohibited with the following exception(s):

- Parent/guardian

Underage Consumption of Alcohol

Consumption is prohibited with the following exception(s):

- Private residence AND
- Parent/guardian

Internal Possession by Minors

Internal possession is not explicitly prohibited.

Underage Purchase of Alcohol

Purchase is prohibited, but youth may purchase for law enforcement purposes.

False Identification for Obtaining Alcohol

Provision(s) targeting minors

- Use of a false ID to obtain alcohol is a criminal offense.
- Penalty may include driver's license suspension through an administrative procedure.

Provision(s) targeting suppliers

- It is a criminal offense to lend, transfer, or sell a false ID.
- It is a criminal offense to manufacture or distribute a false ID.

Provision(s) targeting retailers

- Licenses for drivers under age 21 are easily distinguishable from those for drivers age 21 and older.
- Specific affirmative defense—the retailer inspected the false ID and came to a reasonable conclusion based on its appearance that it was valid.

Laws Targeting Underage Drinking and Driving

BAC Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)

- BAC limit: 0.00
- Any detectable alcohol in the blood is per se (conclusive) evidence of a violation
- Applies to drivers under age 21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose Laws”)

Use/lose penalties apply to minors under age 21.

Type(s) of violation leading to driver's license suspension, revocation, or denial

- Underage purchase
- Underage possession
- Underage consumption

Authority to impose driver’s license sanction

- Mandatory

Length of suspension/revocation

- 180 days

Graduated Driver’s License***Learner stage***

- Minimum entry age: 15
- Minimum learner stage period: 9 months
- Minimum supervised driving requirement: 50 hours, of which 10 must be at night

Intermediate stage

- Minimum age: 16
- Unsupervised night driving
 - Prohibited after: 10 p.m.—11 p.m. on Friday and Saturday
 - Primary enforcement of the night-driving rule
- Passenger restrictions exist: No more than one passenger under 20, except for siblings and children
 - Primary enforcement of the passenger-restriction rule

License stage

- Minimum age to lift restrictions: 18—passenger restrictions expire 12 months after issuance of license; unsupervised night-driving restrictions remain until age 18

Laws Targeting Alcohol Suppliers

Furnishing of Alcohol to Minors

Furnishing is prohibited—no explicit exceptions noted in the law.

Compliance Check Protocols***Age of decoy***

- Minimum: 18
- Maximum: 19

Appearance requirements

- Age-appropriate dress; no clothing with alcohol logos
- Female: No heavy makeup, excessive jewelry, wedding bands, or suggestive clothing

ID possession

- Required

Verbal exaggeration of age

- Prohibited

Decoy training

- Mandated

Penalty Guidelines for Sales to Minors

- Time period/conditions: Not specified
- First offense: \$500 fine
- Second offense: \$2,500 fine and 3-day suspension
- Third offense: \$10,000 fine and 10-day suspension
- Fourth offense: License revocation

Note: Mitigating and/or aggravating circumstances may be considered.

Responsible Beverage Service

Voluntary beverage service training

- Applies to both on-sale and off-sale establishments.
- The law does not specify new or existing outlets.

Minimum Ages for Off-Premises Sellers

- Beer: 18
- Wine: 18
- Spirits: 18

Minimum Ages for On-Premises Sellers

- Beer: 18 for both servers and bartenders
- Wine: 18 for both servers and bartenders
- Spirits: 18 for both servers and bartenders

Distance Limitations for New Alcohol Outlets near Universities and Schools

Colleges and universities

- No distance limitation

Primary and secondary schools

- Prohibitions against outlet siting:
 - Off-premises outlets: Yes—within 100 feet
 - On-premises outlets: Yes—within 100 feet
 - Alcohol products: Beer, wine, spirits

Note: Exceptions include (1) hotels with restaurant service, regularly organized clubs, certain restaurants; (2) food shops and other places where alcohol sales is not principal business and location is not a municipality of more than 500,000 persons.

Dram Shop Liability

Statutory liability exists subject to the following conditions:

- Limitations on damages: For causes of action involving persons injured or killed, shall not exceed \$64,057 for each person incurring damages. For causes of action involving persons incurring property damage, shall not exceed \$64,057 for each person incurring damages. For causes of action for either loss of means of support or loss of society, the judgment or recovery shall not exceed \$78,291.89.

Note: Illinois law requires the state comptroller to determine each year the liability limits for causes brought under the statute in accordance with the consumer price index during the preceding 12 months.

Social Host Liability Laws

There is no statutory liability.

Host Party Laws

Social host law is not specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Possession, consumption
- Property type(s) covered by liability law: Residence
- Standard for hosts' knowledge or action regarding the party: Knowledge—host must have actual knowledge of the occurrence
- Preventive action by the host negates the violation
- Exception(s): Family, resident

Note: An individual will not be in violation of 235 Ill. Comp. Stat. 5/6-16(c) if he or she requests assistance from a law enforcement agency to help end the possession or consumption of alcohol by persons under age 21 in a residence that he or she occupies. This assistance must be requested before any other person makes a formal complaint to a law enforcement agency about the activity.

Law Applicable to Parents/Guardians

Social host law is not specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Consumption
- Property type(s) covered by liability law: Residence, outdoor, other
- Standard for hosts' knowledge or action regarding the party: Knowledge—host must have actual knowledge of the occurrence
- Exception(s): Family

Note: A person commits a social host offense if one is a parent or guardian and permits one's residence, or any other property under one's control, to be used by an underage invitee of one's child or ward in a manner that violates the statute. An offense is deemed to have occurred if a parent or guardian knowingly authorizes or permits the prohibited use to occur.

Law Applicable to Hotel or Motel Rooms

Social host law is not specifically limited to underage drinking parties.

- Action by underage guest that triggers violation: Consumption
- Property type(s) covered by liability law: Other
- Standard for hosts' knowledge or action regarding the party: Overt act—host must have actual knowledge and commit an act that contributes to the occurrence

Note: A person commits a social host offense by renting a hotel or motel room for the purpose of or with the knowledge that such room be used for the consumption of alcoholic liquor by underage persons.

Retailer Interstate Shipments of Alcohol

Retailer interstate shipments are prohibited for all types of beverages.

Direct Sales/Shipments of Alcohol by Producers

Direct sales/shipments from producers to consumers are permitted for wine with the following restrictions:

Age verification requirements: None

State approval/permit requirements

- Producer/shipper must obtain state permit.

Reporting requirements

- Producer must record/report purchaser's name.
- Common carrier must record/report purchaser's name.

Shipping label statement requirements

- Contains alcohol
- Recipient must be 21

Keg Registration

Registration is not required.

Home Delivery

- Beer: Permitted
- Wine: Permitted
- Spirits: Permitted

Alcohol Pricing Policies

Alcohol Tax

Beer (5 percent alcohol)

- Specific excise tax: \$0.23 per gallon

Wine (12 percent alcohol)

- Specific excise tax: \$1.39 per gallon

Spirits (40 percent alcohol)

- Specific excise tax: \$8.55 per gallon
- Additional taxes: \$1.39 per gallon for alcohol content of more than 14 percent and less than 20 percent.

Drink Specials

- Free beverages: Prohibited
- Multiple servings at one time: Prohibited
- Multiple servings for same price as single serving: Not prohibited
- Reduced price, specified day or time: Prohibited
- Unlimited beverages: Prohibited
- Increased volume: Prohibited

Wholesale Pricing

Pricing restrictions exist.

Beer (5 percent alcohol)

- Retailer credit: Not permitted

Wine (12 percent alcohol)

- Retailer credit: Restricted—30 days maximum

Spirits (40 percent alcohol)

- Retailer credit: Restricted—30 days maximum

Illinois State Survey Responses

| State Agency Information | |
|---|--|
| <i>Agency with primary responsibility for enforcing underage drinking laws:</i> Illinois Liquor Control Commission (sales to minors only) | |
| Enforcement Strategies | |
| <i>State law enforcement agencies use:</i> | |
| Cops in Shops | No |
| Shoulder Tap Operations | Yes |
| Party Patrol Operations or Programs | Yes |
| Underage Alcohol–Related Fatality Investigations | No |
| <i>Local law enforcement agencies use:</i> | |
| Cops in Shops | No |
| Shoulder Tap Operations | Yes |
| Party Patrol Operations or Programs | Yes |
| Underage Alcohol–Related Fatality Investigations | No |
| <i>State has a program to investigate and enforce direct sales/shipment laws</i> | |
| Primary state agency responsible for enforcing laws addressing direct sales/shippments of alcohol to minors | Not applicable |
| Such laws are also enforced by local law enforcement agencies | Not applicable |
| Enforcement Statistics | |
| <i>State collects data on the number of minors found in possession</i> | |
| Number of minors found in possession by state law enforcement agencies | Not applicable |
| Number pertains to the 12 months ending | Not applicable |
| Data include arrests/citations issued by local law enforcement agencies | Not applicable |
| <i>State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors</i> | |
| Data are collected on these activities | Yes |
| Number of retail licensees in state ³ | Approximately 22,500 |
| Number of licensees checked for compliance by state agencies (including random checks) | 1,577 licensees visited |
| Number of licensees that failed state compliance checks | 347 |
| Numbers pertain to the 12 months ending | 6/30/2012 |
| Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments | Both on- and off-sale establishments |
| <i>State conducts random underage compliance checks/decoy operations</i> | |
| Number of licensees subject to random state compliance checks/decoy operations | Sometimes (with local law enforcement) |
| Number of licensees that failed random state compliance checks | No data |
| <i>Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors</i> | |
| Data are collected on these activities | Yes |
| Number of licensees checked for compliance by local agencies | No |
| Number of licensees that failed local compliance checks | Not applicable |
| Numbers pertain to the 12 months ending | Not applicable |
| Sanctions | |
| <i>State collects data on fines imposed on retail establishments that furnish minors</i> | |
| Number of fines imposed by the state ⁴ | Yes |
| Total amount in fines across all licensees | 606 |
| Smallest fine imposed | \$352,075 |
| Largest fine imposed | \$500 |
| Numbers pertain to the 12 months ending | \$7,500 |
| | 6/30/2012 |

| | |
|---|-----------|
| <i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i> | Yes |
| Number of suspensions imposed by the state ⁵ | 65 |
| Total days of suspensions across all licensees | 154 |
| Shortest period of suspension imposed (in days) | 1 |
| Longest period of suspension imposed (in days) | 10 |
| Numbers pertain to the 12 months ending | 6/30/2012 |
| <i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i> | Yes |
| Number of license revocations imposed ⁶ | 3 |
| Numbers pertain to the 12 months ending | 6/30/2012 |
| Additional Clarification | |
| No data | |

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

| | |
|--|--------------------|
| Underage Drinking Prevention Programs Operated or Funded by the State | |
| Partnerships for Success | |
| Program serves specific or general population | General population |
| Number of youth served | Not applicable |
| Number of parents served | Not applicable |
| Number of caregivers served | Not applicable |
| Program has been evaluated | Yes |
| Evaluation report is available | No |
| URL for evaluation report: | Not applicable |
| URL for more program information: | No data |
| Program Description: The Partnerships for Success program is designed to address gaps in prevention services and increase the ability of Illinois to help specific populations or geographic areas with serious, emerging substance abuse problems. The goals of the project are to use a data-driven process to leverage existing prevention dollars and to reduce underage drinking at the state level. Illinois is partnering with 20 subrecipient community coalitions to meet those targets. Subrecipient communities will implement at least two evidence-based environmental programs, policies, and practices guided by the five steps of the strategic prevention framework (SPF). | |
| Substance Abuse Prevention Program (SAPP) – Direct Service Grant | |
| Program serves specific or general population | General population |
| Number of youth served | Not applicable |
| Number of parents served | Not applicable |
| Number of caregivers served | Not applicable |
| Program has been evaluated | No data |
| Evaluation report is available | No data |
| URL for evaluation report: | No data |
| URL for more program information: | No data |
| Program Description: The goal of the Direct Service subgrant is to increase the availability of high-quality prevention services that have the greatest potential to impact factors that contribute to alcohol, tobacco and other drug (ATOD) consumption and consequences for 11- to 18-year-olds. Direct Service Program providers deliver one or more of the following approaches: Youth/Prevention Education, Parent/Family Education, Mentoring, and Communication Campaign. Providers may elect to conduct mobilization activities to create a new substance abuse prevention coalition or to enhance an existing substance abuse prevention coalition in the community. Grantees approved for creating a new coalition | |

| | |
|--|----------------------------------|
| <p>must develop a multisector coalition, and the coalition must agree to meet at least quarterly, develop a mission statement that includes reduction of youth substance use, and develop coalition capacity (clear roles and organizational structure, meeting and communication habits, decisionmaking and problemsolving process, leadership). Providers who have been approved to enhance an existing coalition must develop a subcommittee with multisector representation and/or assess an existing coalition’s representation and identify and recruit missing sectors. The coalition/subcommittee must agree to meet at least quarterly, review and adapt the mission statement to include reduction of youth substance use, develop a plan for gaining schools’ buy-in to administer the Illinois Youth Survey, assess current coalition capacity (clear roles and organizational structure, meeting and communication habits, decisionmaking and problemsolving process, leadership), and determine areas that need to be enhanced/strengthened and develop a plan to develop the gaps identified. Providers may also elect to engage in one or more of the following two optional activities: (1) recruitment of schools for participation in the 2012 and 2014 Illinois Youth Survey administration and/or (2) supplemental activities (e.g., summer programming).</p> | |
| <p>Substance Abuse Prevention Program (SAPP) – Strategic Prevention Framework (SPF)</p> | |
| Program serves specific or general population | No data |
| Number of youth served | No data |
| Number of parents served | No data |
| Number of caregivers served | No data |
| Program has been evaluated | No data |
| Evaluation report is available | No data |
| URL for evaluation report: | No data |
| URL for more program information: | No data |
| <p>Program Description: The goal of the SPF grant program is to reduce consumption of, consequences from, and contributing factors to alcohol, tobacco, marijuana, and prescription drug misuse/abuse among 11- to 20-year-olds in a targeted geographic community by following the SPF. This grant is designed to support the use of the SPF, developed by SAMHSA. SPF is a structured planning process that can be applied to prevention systems at both state and local levels. This process is an effective way for coalitions to address substance abuse issues within the community. SPF is intended to provide a structure or mechanism for multisector coalitions and other broadly represented community organizations to identify the most pressing substance abuse problems in their community. SPF uses a data-driven approach to understand what the most pressing problems are, who is affected most by the problems (consumption and consequences), why the problems are happening (contributing factors or intervening variables), and what programs, practices, and policies are most effective in addressing these problems and contributing factors.</p> | |
| <p>Additional Underage Drinking Prevention Programs Operated or Funded by the State</p> | |
| <p>No data</p> | |
| <p>URL for more program information: No data</p> | |
| <p>Program description: No data</p> | |
| <p>Additional Clarification</p> | |
| <p>No data</p> | |
| <p>Additional Information Related to Underage Drinking Prevention Programs</p> | |
| <p>State collaborates with federally recognized Tribal governments in the prevention of underage drinking</p> | No recognized Tribal governments |
| <p>Description of collaboration: Not applicable</p> | |

| | |
|---|-----|
| <i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i> | No |
| Program description: Not applicable | |
| <i>State has adopted or developed best practice standards for underage drinking prevention programs</i> | Yes |
| Agencies/organizations that established best practices standards: | |
| Federal agency(ies): Office of Juvenile Justice and Delinquency, Center for Substance Abuse Treatment (CSAT), and Substance Abuse and Mental Health Services Administration (SAMHSA) | Yes |
| Agency(ies) within your state: | No |
| Nongovernmental agency(ies): Center for Prevention Research and Development (CPRD) | Yes |
| Other: | No |
| Best practice standards description: The state requires the use of evidence-based programs, practices, and policies. In Illinois, evidence-based standards are also promoted and required if a provider decides to develop its own programming in the areas listed below. For example, if a community-based provider proposes an underage drinking communication campaign, the provider is expected to address all of the standards for communication campaigns. To review standards for communication campaigns and other evidence-based standards, visit http://www.cprd.illinois.edu/prevresearchbriefs . Evidence-based standard exists for the following approaches: | |
| <ul style="list-style-type: none"> • Social norms and communication campaigns • Mentoring • Parent/family education • Youth prevention education | |
| Evidence-based standards are also being developed for the following environmental strategies: | |
| <ul style="list-style-type: none"> • Public policy: Keg registration, local social host ordinance, mandatory responsible beverage service, advertising restrictions, alcohol location and density, event restrictions, local Minors In Possession (MIP) ordinance • Enforcement: Compliance checks with server merchant education, party prevention and dispersal, sobriety checkpoints, shoulder tap operations • School policy | |
| Additional Clarification | |
| No data | |

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

Committee contact information:

Name: Kim Fornero
 E-mail: Kim.Fornero@illinois.gov
 Address: 401 South Clinton, 4th Floor, Chicago, IL 60607
 Phone: 312-793-1628

Agencies/organizations represented on the committee:

Department of Human Services, Substance Abuse Prevention Program
 Center for Prevention Research and Development (CPRD)
 Operation Snowball
 Prevention First
 Illinois State Police
 Illinois National Guard
 Illinois Department of Public Health
 Illinois State Board of Education
 Chicago Police Department
 Illinois Department of Transportation
 Illinois Liquor Control Commission

| | |
|--|----|
| Department of Human Services, Division of Alcoholism and Substance Abuse Illinois Alcoholism and Drug Dependence Association Cebrin Goodman Teen Institute Students Against Destructive Decisions (SADD) Youth Network Council | |
| A website or other public source exists to describe committee activities | No |
| URL or other means of access: Not applicable | |

| Underage Drinking Reports | |
|--|-----|
| State has prepared a plan for preventing underage drinking in the last 3 years | Yes |
| Prepared by: A 5-year strategic plan was developed for the Strategic Prevention Enhancement grant and is being finalized with the members listed above. Plan can be accessed via: No data | |
| State has prepared a report on preventing underage drinking in the last 3 years | Yes |
| Prepared by: See list of agencies listed in question 2.c.1b Plan can be accessed via: No data | |
| Additional Clarification | |
| No data | |

| State Expenditures for the Prevention of Underage Drinking | |
|---|--------------------|
| <i>Compliance checks in retail outlets:</i> | |
| Estimate of state funds expended | No data |
| Estimate based on the 12 months ending | No data |
| <i>Checkpoints and saturation patrols:</i> | |
| Estimate of state funds expended | No data |
| Estimate based on the 12 months ending | No data |
| <i>Community-based programs to prevent underage drinking:</i> | |
| Estimate of state funds expended | \$1,865,317 |
| Estimate based on the 12 months ending | 6/30/2013 |
| <i>K-12 school-based programs to prevent underage drinking:</i> | |
| Estimate of state funds expended | Data not available |
| Estimate based on the 12 months ending | Data not available |
| <i>Programs targeted to institutes of higher learning:</i> | |
| Estimate of state funds expended | Data not available |
| Estimate based on the 12 months ending | Data not available |
| <i>Programs that target youth in the juvenile justice system:</i> | |
| Estimate of state funds expended | Data not available |
| Estimate based on the 12 months ending | Data not available |
| <i>Programs that target youth in the child welfare system:</i> | |
| Estimate of state funds expended | Data not available |
| Estimate based on the 12 months ending | Data not available |
| <i>Other programs:</i> | |
| Programs or strategies included: | |
| Estimate of state funds expended | Data not available |
| Estimate based on the 12 months ending | Data not available |

| Funds Dedicated to Underage Drinking | |
|--|---------|
| State derives funds dedicated to underage drinking from the following revenue streams: | |
| Taxes | Yes |
| Fines | No |
| Fees | Yes |
| Other: | No data |

Description of funding streams and how they are used:

The Illinois Liquor Control Commission collects alcohol license fees, of which a portion are used to support substance abuse prevention services. Taxes: The Substance Abuse Prevention Program is supported by General Revenue Funds.

Additional Clarification

No data