



Illinois Liquor Control  
Commission

# JUST THE FACTS

## Age requirements and ID laws for alcohol in Illinois

It is against Illinois law to sell or distribute alcoholic beverages to individuals under 21 years of age.

Liquor licenses may be revoked and criminal sanctions imposed on licensees and individuals for violating provisions of the law.

All alcohol sellers and servers have the right to refuse to sell or serve alcoholic beverages to anyone unable to produce adequate written proof of identity and age.

## Sales and Delivery:

- It is unlawful to sell, serve, deliver or give alcoholic beverages to a person under 21 years of age or to any intoxicated person. Violation of this provision is a Class A Misdemeanor.  
**Penalty:** *Minimum \$500.00 fine (maximum \$2,500.00); jail sentence of up to one year. Liquor licenses can also be fined, suspended, or revoked.*
- Illinois law prohibits any person, after purchasing or obtaining alcoholic beverages, from selling, giving or delivering those alcoholic beverages to any individual under the age of 21 years. Violation of this provision is a Class A Misdemeanor.  
**Penalty:** *Minimum \$500.00 fine (maximum \$2,500.00); jail sentence of up to one year. Liquor licenses can also be fined, suspended, or revoked.*
- It is unlawful to sell, give or deliver alcohol to an intoxicated person. Violation of this provision is a Class A Misdemeanor.  
**Penalty:** *Minimum \$500.00 fine (maximum \$2,500.00); jail sentence of up to one year. Liquor licenses can also be fined, suspended, or revoked.*

## Purchase/Possession/Consumption:

- Illinois law prohibits the consumption of alcoholic liquor by any person under 21 years of age, which is a Class C Misdemeanor.  
**Penalty:** *The person under 21 years of age may be fined up to \$500.00 and receive a jail sentence of up to 30 days.*
- A person under the age of 21 is prohibited from possessing alcoholic beverages on the street, highway or any public place or in any place open to the public. Violation of this provision is a Class B Misdemeanor.  
**Penalty:** *The underage person may be fined up to \$500.00 and sentenced up to six months in jail. Additional enhanced penalties exist for illegal transportation of open liquor for persons under 21 years of age.*
- Illinois law prohibits persons under 21 years of age from purchasing, possessing, consuming and/or accepting a gift of alcoholic beverages, except under the direct supervision and approval of the parent(s) in the privacy of a home or during a religious ceremony. A person under the age of 21, which is a Class C Misdemeanor.  
**Penalty:** *The person under 21 years of age may be fined up to \$500.00 and receive a jail sentence of up to 30 days.*



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## Private Residence Use:

- It is unlawful for any parent or guardian to permit his/her residence to be used by any person under the age of 21 who is in possession of — or is consuming — any alcoholic beverage as prohibited by Illinois law. Violation of this provision is a Class A Misdemeanor.

**Penalty:** *Minimum \$500.00 fine (maximum \$2,500.00); jail sentence of up to one year.*

## False Identification:

- To prevent sales and/or service of alcoholic beverages to individuals under the age of 21, the licensee, its agent, or an employee has the **right to refuse to sell or serve alcoholic beverages** to anyone unable to produce adequate written proof of identity and age.
  - Adequate proof of age and identity of an individual in Illinois is a document issued by a federal, state, county or municipal government including, but not limited to, a driver's license, selective service card or an Armed Services identification card.

**Note:** *As of January 1, 2005, Illinois driver's licenses and identification cards issued to persons under 21 years of age include a vertical design and distinctive color pattern across the front. Illinois ID's issued prior to 2005 are horizontal with a red photo backdrop and red head bar.*
  - Proof that written identification was demanded, shown and reasonably relied upon may be used as a defense in criminal and/or license revocation proceedings unless the identification shown was known by the licensee to be fraudulent when shown.
  - Illinois law prohibits any person under the age of 21 to possess, present or offer any written, printed or photostatic evidence of age and identity which is false, fraudulent or not actually his/her own for the purpose of ordering, purchasing, attempting to purchase or otherwise procure, or attempt to procure, the serving of any alcoholic beverage.

**Penalty:** *Underage person's sentence includes at least a fine of \$250.00 or 25 hours of community service, preferably performed for an alcohol abuse prevention program.*
- Additional penalties exist for fraudulently obtaining an Illinois ID card or an Illinois driver's license, and for knowingly allowing another to use identification documents for an Illinois driver's license or ID card.

**Remember: When in doubt about a customer's age, carefully checking identification is the most direct way to prevent illegal underage sales of alcoholic beverages.**

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