



## ILLINOIS LIQUOR CONTROL COMMISSION

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# COCKTAILS TO-GO EXTENSION

## ILLINOIS LIQUOR CONTROL COMMISSION 235 ILCS 6-28.8 EXTENDED UNTIL AUGUST 1, 2028

Section 6-28.8 of the Illinois Liquor Control Act (the “cocktails to-go law”) permits qualifying retailer licensees, which include restaurants and bars, to provide carryout and delivery of mixed drinks and single servings of wine for off-premises consumption. [[235 ILCS 6-28.8](#)]. On May 31, 2023, Governor JB Pritzker signed a bill into law that extends the cocktails to-go law until August 1, 2028; the law was originally set to expire on January 3, 2024. [[Public Act 103-0004](#)].

### REQUIREMENTS FOR THE SALE OF TO-GO COCKTAILS

Qualifying State of Illinois retailer licensees, except those with manufacturing privileges, may provide carryout, curbside pickup, and delivery of cocktails, mixed drinks, and single servings of wine (“to-go cocktails”) for off-premises consumption, subject to the following requirements:

- **TRANSFER TO CONSUMER:** To-go cocktails may be transferred to the consumer within the licensed premises for carryout, transferred via curbside pickup, or delivered by the retail licensee. **To-go cocktails may ONLY be sold or delivered by an employee of the retail licensee, who is at least 21, and has a valid Beverage Alcohol Sellers and Servers Education and Training (BASSET) license in accordance with Section 6-27.1 of the Illinois Liquor Control Act.**
  - **Age Verification:** Before transferring or delivering a to-go cocktail to a consumer, the employee must verify the consumer is at least 21 years-of-age. **If the employee cannot safely verify the consumer’s age or intoxication level upon delivery, the employee must cancel the sale of the to-go cocktails and return the drinks to the retail licensee’s location.**
  - **Employee Delivery / Curbside Pickup:** To-go cocktails must be placed in the trunk of the vehicle, or, if there is no trunk, in the vehicle's rear compartment that is not readily accessible to the passenger area. **To-go cocktails MUST NOT be placed or transported in the passenger area of a vehicle.**
- **CONTAINER / PACKAGING:** To-go cocktails must be packaged by the retail licensee at the licensee’s location in a *sealed, tamper-evident* container:
  - ***Sealed Container:*** A new container that is rigid, with a secured lid or cap designed to prevent consumption without removal of the tamper-evident lid or cap. “Sealed container” does NOT include a container with a lid with sipping holes or openings for straws or a container made of plastic, paper, or polystyrene foam.
  - ***Tamper-evident:*** The lid or cap must be sealed with a tamper-evident cover, such as wax dip or heat shrink wrap. Tamper-evident covers must be designed to make it apparent that the container has been opened or tampered with after the container was sealed by the retail licensee.

➤ **LABELING:** Each to-go cocktail container must have a label or tag attached that contains the following information:

- (1) The cocktail or mixed drink name and ingredients, including but not limited to the type(s) of the alcohol in the drink;
- (2) The name, State license number, and address of the retail licensee that filled the original container and sold the to-go cocktail;
- (3) The volume of the cocktail, mixed drink, or single serving of wine in the sealed container;

AND

- (4) Information showing that the sealed container was filled less than 7 days before the date of sale, such as a bottling date or packaging date.

➤ **VIOLATIONS:** Violations of Section 6-28.8 are subject to fine, license suspension, and/or license revocation.

**PLEASE NOTE: THIRD-PARTY DELIVERY SERVICES ARE NOT PERMITTED TO DELIVER TO-GO COCKTAILS.**

**For questions about the cocktails to-go law, contact: [LCC.industryeducation@illinois.gov](mailto:LCC.industryeducation@illinois.gov).**

**Attachments:**

- [235 ILCS 6-28.8](#)
- [Public Act 103-0004](#)