



Illinois Liquor Control
Commission

HAPPY HOUR LAW

Applicable during ALL hours of operation

The Happy Hour Law **ALLOWS** the following:

- Selling pitchers (or the equivalent, including but not limited to buckets, carafes or bottles) of alcohol, customarily sold in that manner and delivered to 2 or more persons.
- Offering free food or entertainment.
- Including drinks as part of a meal package.
- Increasing drink prices in lieu of cover charge to offset the cost of special entertainment not regularly scheduled.

The Happy Hour Law **PROHIBITS** the following:

- Serving two or more drinks to one person for consumption by that person (exception for wine by the bottle or carafe).
Promotions such as: 2-for-1 drinks, or any type of promotion which discounts drinks at a 2-for-1 or greater (3-1, etc.) price, are prohibited.
- Serving an unlimited number of drinks during a set period of time for a fixed price (the exception is for **private functions*** not open to the public).
Promotions such as: "\$5 all you can drink;" "\$5 unlimited beer from 5:00 to 7:00 pm;" etc., promotions are prohibited.
- Reducing or fluctuating prices during the licensed premises' normal operation hours (from opening until closing). Prices must be the same for **all** customers, for all purchases for the whole day.
Promotions such as: "Brand 'X' beer is \$1.50 from 5:00 to 7:00 pm;" "Monday is Ladies' Night — All Drinks for Women are \$1" specials are prohibited.
- Increasing the volume of alcoholic liquor contained in a drink or the size of a drink, without proportionally increasing the price regularly charged for that drink on that given day — this applies to mixed drinks.
For promotions such as: Mixed Drinks — "Double the shot in your drink for 25¢ more" is prohibited.
- Any game or contest which involves drinking alcoholic liquor or awards drinks as prizes.
For example: Anyone drinking four shots of liquor within ten minutes gets a free t-shirt, is not allowed.
- Advertising, on or off premises, any of the practices prohibited by this law.

***Private Function** (defined per 235 ILCS 5/1-3.36), means a prearranged private party, function or event for a specific social or business occasion, either by invitation or reservation and not open to the general public, where the guests in attendance are served in a room or rooms designated and used exclusively for the private party, function or event.



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Questions and Answers:

Q Can a retail licensee offer a 2-drink-for-the-price-of-1 promotion?

A NO. However, a retail establishment may offer products at half price, as long as the price for that product (or products) is charged the whole day. Further, a retailer may highlight a product by discounting the regular price, as long as the discounted price is offered all day to all patrons.

Q Can a retail licensee offer promotions such as: \$5 all you can drink from 5:00 to 7:00 pm?

A NO. Offering unlimited drinks for a fixed price is prohibited. The only exception is for a private function not open to the public; for example, weddings, Christmas Parties, etc. (see definition at bottom of reverse side).

Q Can a retail licensee change the price of an alcoholic drink during a given day?

A NO. However, the retail licensee can change the price of the product(s) from one day to the next. A "day" is defined as from the time the licensee is allowed to open, until the time the licensee must close.

Q Can a retail licensee give away drinks as prizes to a game or contest held on the premises?

A NO. Drinks may not be awarded as prizes and games cannot involve alcohol consumption.

Q Can a retail licensee increase the volume of alcohol contained in a drink or the size of a drink?

A Yes, however, the price of the drink must also be increased to reflect the added alcohol.

Q Can a retailer offer "bucket" promotions, such as six long neck bottles for \$6?

A Yes, as long as the promotion (e.g. price of the "bucket") is offered all day to everyone.

Q Can a retail licensee sell a "shot and a beer"?

A Yes. "Boilermakers" are considered to be one drink.

Q Can I charge one price for a drink in the restaurant and a different price in the adjoining lounge?

A Yes. Multi-use establishments may charge different prices in different rooms, provided the prices remain the same all day, and a separate price schedule is kept for each room.

Q What is the penalty for violating Happy Hour Law?

A Violation of this law (235 ILCS 5/6-28) can result in a FINE or the license being SUSPENDED or REVOKED. This is a Class B Misdemeanor.

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