

For Immediate Release: July 8, 2007

Illinois Strips Consumers of Access To Wine with New Law

—Illinois Lawmakers Invite Lawsuit by Disregarding Supreme Court Ruling with Passage of HB 429—

(SACRAMENTO, Calif)—In complete disregard for Illinois consumers Tuesday, the Illinois Senate voted to strip Illinoisans of the right to buy wine from out-of-state retailers in a 49-5 vote that will send HB 429 to the Governor who is expected to sign it into law. The result will be higher prices for wine in Illinois where competition is restricted by this bill, severely decreased access to thousands of wines and a lawsuit to address the blatantly unconstitutional protectionism of HB 429.

“It’s shameful that to-date, no legislator has offered any justification or explanation as to why they would strip their own constituents of a right they’ve had for 15 years to buy wines from out-of-state wine stores where they often find lower prices and have access to an array of wines that are not available in Illinois,” said Tom Wark Executive Director of the Specialty Wine Retailers Association. “It’s as though the Illinois distributors, who supported this bill strongly and have donated \$5.4 Million to politicians since 2000, are more important than their own constituents.”

Legislators and alcohol distributors were both warned that HB 429 would result in a lawsuit if passed with language that allowed Illinoisans to purchase from in-state wine stores but prohibited purchase of wine from out-of-state retailers. The 2005 *Granholm v. Heald* Supreme Court decision that forced Illinois to change its wine shipping laws was clear that this kind of discrimination was unconstitutional when Justice Anthony Kennedy wrote:

“The mere fact of nonresidence should not foreclose a producer in one State from access to markets in other States. States may not enact laws that burden out-of-state producers or shippers simply to give a competitive advantage to in-state businesses.”

Specialty Wine Retailers Association is currently considering the best way to advance litigation.

Senators Offer No Justification for Anti-Consumer Legislation

“HB 429 is nothing more than a alcohol distributor protection act that could only be passed in state in which those same distributors have taken control of the state's alcohol policy making,” said Wark. “While hundreds of Illinois consumers contacted their legislators to voice their opposition to the bill, it appears that \$5.4 Million speaks with a louder voice. This is made all the more shameful by the fact that when Senators were asked for an explanation for their support of the legislation at a Senate Executive

Committee hearing on the bill on Monday, not one was able to muster a word in defense of their anti-consumer position.”

Specialty Wine Retailers Association represents wine retailers across the country and fights to assure consumers and retailers have access to a free market in wine. More information on the Association is available at www.specialtywineretailers.org.

#

Contact:

Tom Wark

Specialty Wine Retailers Association

707-935-4424 - twark@specialtywineretailers.org