The Off-Premises Beer & Table Wine License

What is it?
How do I get one?
What can I do with it?
**What is an off-premises beer & table wine license?**

An off-premises beer and table wine license allows the licensee to sell beer and table wine at retail for off-premises consumption between 8 a.m. and 2 a.m. An off-premises beer and table wine license may operate as a specialty store, a grocery store or a licensed pharmacy.

If the license operates as a grocery store, it must maintain a $3,000 inventory of at least three of each of the following:

- meats
- vegetables
- fruits
- bakery items
- dairy products
- household

**Where do I start?**

You can apply electronically at [https://app.mt.gov/epass](https://app.mt.gov/epass). If you do not already have an ePass account, create one. Next, click on the ‘eSTOP Licensing Portal’ in the bottom right hand column. Then click on ‘License a New eStop Business.’

**What are the associated costs?**

- One-time off-premises beer license processing fee: $200.
- Annual off-premises beer license: $200.
- Annual wine license: $200.
- Fingerprint card fee for each individual with 10% or more interest in the business. Price is subject to change.
WHAT DO I NEED TO APPLY?

When applying for an off-premises beer and table wine license, you need to provide the following:

• A completed e-STOP master application which includes an Off-Premises liquor license application.

• Copy of grocery inventory or pharmaceutical license, if applicable.

• A completed liquor authorization to disclose tax information form.

• A floor plan that includes the business name and physical address, areas where you intend to store or sell alcoholic beverages, external dimensions, entry ways and other customer service areas in which you have possessory interest. Do not send in the original blueprints, only a copy of the floor plan.
Financial records showing purchase of the license and/or building, including:

- Signed copies of all loan agreements, contracts, notes and all related security agreements, guarantees and trust indentures.

Note: You must file the noninstitutional loan (NIL) form with the application if any lenders or other sources of financing are not state or federally regulated financial institutions, including gifting statements.

- Authorization for examination and release of information for each NIL.

- Personal criminal history statement form for each NIL.

- Two fingerprint cards and fees for each NIL.

- Copy of the bank account agreement showing the applicant’s name and tax ID number.

- Copy of the lease, rent or purchase agreement or other evidence of ownership for the premises (e.g., buy/sell agreement, contract for deed, warranty deed, bill of sale, current property tax bill).

Ownership information (if applicable), including:

- Copy of Certificate of Fact (for LLCs and LLPs) or Certificate of Existence (for Montana corporations).

- Documentation from the Secretary of State verifying the assumed business name (ABN) has been approved.

- Personal criminal history statement form for each individual with 10% or more interest in the business.
• Two fingerprint cards and fees for each individual with 10% or more interest in the business.

**Management information, including:**

• Personal criminal history statement form for each location manager.

• Two fingerprint cards and fees for each location manager.

**WHAT ARE THE STEPS IN THE APPLICATION PROCESS?**

• The application process takes about 45 days after the department receives a completed application package. The department will send a letter requesting any additional documents needed.

• The Liquor Control Division (LCD) notifies local law enforcement, health departments and other officials that we received your application. They have 30 days to advise the department if the applicant and the premises meet all laws and ordinances.
**What are the rules for an off-premises beer and table wine license?**

- All licensees, their agents, and employees must conduct the licensed premises in compliance with all:
  - alcohol-related provisions of the laws of Montana and the United States.
  - county and city or town ordinances.
  - Indian alcohol beverage laws applicable within the areas of Indian country.
  - rules of the department.

**An off-premises beer and table wine license can:**

- sell beer and table wine between 8 a.m. and 2 a.m. for off-premises consumption.

- only sell and store beer and table wine that comes from a beer wholesaler, table wine distributor, brewery or winery.

- sell kegs in their original packaging for off-premises consumption.

- give away free beer and table wine samples if they are in their original, unopened packaging.

- close for up to 90 consecutive days without department approval.

**An off-premises beer and table wine license cannot:**

- accept money from a distributor to advertise.

- sell beer or table wine through a drive-up window.
• offer table wine tastings at off-premises locations.

• fill or refill growlers, but you can sell growlers from a brewery in the original package.

• sell beer or table wine to any person who is actually, apparently or obviously intoxicated.

• have a wholesaler, distributor, winery or brewery take inventory back if they are a seasonal license or on nonuse status. The establishment can continue to store its inventory on the licensed premises.

• transport beer or table wine products from one licensed premises to any other licensed premises.

• temporarily move an alcoholic beverage license to another location.

• allow alcoholic beverages to be opened, served or consumed on the licensed premises or adjacent customer service areas, including in the seating area of a deli.
An off-premises beer and table wine license must:

- give law enforcement access to their licensed premises at all times.
- notify the department when there is a change in manager for the location.
- ensure that all employees who serve or sell alcohol and their immediate supervisors:
  - obtain state-approved training within 60 days of hire
  - complete renewal training every three years

You can find a list of approved training providers online at www.AlcoholServerTraining.mt.gov.

Miscellaneous:

- If you decide to remodel your establishment, you will need to send an alteration request form to the department along with a copy of the existing floor plan and a proposed floor plan showing the alterations. Once the department reviews and approves the request, you may begin the alteration without it affecting your license.

- Additional fees for this type of license can be charged by local city and county agencies. All license renewal fees are due whether the license is on nonuse status or active.

- If a licensed establishment, such as a dude ranch, resort, park hotel, tourist facility or similar seasonal business, would like to begin operating its license on a seasonal basis, it needs to send a written request that includes the type of business, justification for operating seasonally and the general dates of operation.
If approved, the license closure is effective from the date of the department’s letter of authorization through the end of the specified period. Once approved, a licensee must notify the department before changing general dates of operation.