

## Delivery and Pre-stocking Alcoholic Beverages to Accommodation Units

Starting July 1, 2021, beer, wine and spirits may be delivered to pre-stock accommodation units by resort retail all-beverage licenses located within the resort area.

Starting July 1, 2021, beer, wine and spirits (depending on the license type) may be delivered to or pre-stock in accommodation units by licensees operating within a hotel or similar short-term lodging facility within the property.

### Process to get approval before delivering alcohol:

- Fill out the accommodation unit delivery request form.
- Pay a \$100 application fee.
- Pay a processing fee.
- Send the form and fees to the department for approval.
- Resort licensees: Do not begin pre-stocking until the department approval has been granted and the new license has been printed indicating approval to do so.
- Other licensees: Do not begin pre-stocking or delivering until the department approval has been granted and the new license has been printed indicating approval to do so.

### Requirements:

- Licensee must apply for and get approval from the department to deliver alcoholic beverages to guests and to pre-stock guest rooms prior to doing so.
- Delivery may only occur by licensee or licensee's employees who are 21 years of age or older and server trained. You may not use 3rd party delivery services to deliver alcohol (such as Uber Eats, Grubhub, Door Dash, etc.).
- Licensee may deliver to guests of accommodation units within the property.
- Licensee may pre-stock accommodation units within the property.
- Licensee must verify purchaser is 21 years of age or older and not intoxicated.
- If pre-stocking accommodation units, licensee must have adequate safeguards in place to prevent underage service.

## Delivery of Beer and Wine Off-Site with Food

Starting October 1, 2021, beer and wine may be delivered by certain licensed alcoholic beverage establishments.

### Licensees allowed to deliver beer and wine:

- Entities licensed under 16-4-105, MCA (On-premises beer licenses).
- Entities licensed under 16-4-201, MCA (Resort all-beverage licenses see above).
- Entities licensed under 16-4-420, MCA (Restaurant beer and wine licenses).

### Excludes the Following License Types:

- Airport all-beverages
- Golf course beer/wine
- Resort (no delivery outside the resort area)
- Nonprofit arts
- Yellowstone airport beer/wine
- Montana heritage
- Sacramental wine
- Academic brewer (Flathead Valley Community College (FVCC) and MSU-Billings)
- Continuing Care Retirement Center
- Beer wholesaler and table wine distributor

### Requirements:

- Licensee must apply for and get approval for an alcohol delivery endorsement.
- Delivery may only occur by licensee or licensee's employee's who are 21 years of age or older and server trained. May not use 3rd party delivery services to deliver alcohol (such as Uber Eats, Grubhub, Door Dash, etc.).
- Beer and wine must be in original packaging. Liquor delivery is not allowed.
- The delivery must include food prepared by the licensee.
- The purchase price of the delivered beer and wine may not exceed the purchase price of the delivered food items.
- Licensee must verify purchaser is 21 years of age or older and not intoxicated.

## Process to get approval for a delivery endorsement:

- Fill out the delivery endorsement request form.
- Pay an application fee.
- Pay a processing fee.
- Send the form and fees to the department for approval.
- Do not begin delivering alcohol until the department approval has been granted and the new license has been printed indicating approval to do so.

## Amended Sections of Title 16 Effective Date

\*Effective July 1, 2021 with the passage of House Bill 705 during the 2021 Legislative Session.

\*\*Effective October 1, 2021 with the passage of Senate Bill 320 during the 2021 Legislative Session.

---

AMENDING SECTIONS 16-4-105, 16-4-201, 16-3-311, 16-4-213, 16-4-420, MCA.

New sections and newly amended sections to Title 16 will not be available for print until approximately October 2021. Click [here](#) to read full version of SB 320. Click [here](#) to read full version of HB 705.

8.2021 (Please note that information in Department Communications may have been modified, superseded, or made obsolete by changes in federal or state law or the Administrative Rules of Montana. If you need to verify the current validity of any Department Communications, contact us.)