

Off-Premises Beer and/or Table Wine License



What is an off-premises beer and/or table wine license?

How do I get one?

What can I do with it?

What is an off-premises beer and/or table wine license?

An off-premises beer and/or table wine license allows the licensee to sell beer and/or table wine in original packages 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 stand-alone beer and/or table wine specialty store, a grocery store, or a drug store licensed as a pharmacy.

If the license operates as a specialty store, 95 percent of its gross income must come from beer and/or table wine sales

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

If the license operates as a drug store, it must have a pharmacy license.

Where do I start?

You can apply electronically through eStop Business Licenses at estop.mt.gov.

If you do not already have an eStop account, you will need to create one. Then click on “License a New eStop Business.”

What are the associated costs?

- One-time off-premises beer and/or table wine license processing fee: \$200.
- Annual off-premises beer license: \$200.
- Annual off-premises table wine license: \$200.
- Annual off-premises beer and table wine license: \$400.
- Fingerprint card fee for each individual with 10 percent or more ownership interest in the business. Price subject to change.



What do I need to apply?

When applying for an off-premises beer and/or table wine license, you must provide the following general information:

NOTE: You cannot exchange funds for the alcoholic beverage license beyond earnest money 5 percent of the license price without ABCD approval.

- A completed eStop master application.
- A completed Beer and Wine License Application (Retail Off-Premises Consumption) Form.
- Copy of grocery inventory or pharmaceutical license, if applicable.
- A completed Department of Revenue (DOR) Alcoholic Beverage Control Division (ABCD) authorization to disclose tax information form for each individual with ownership over 10 percent and each entity for the purchaser of the license. The form is available at [MTRevenue.gov](https://mtrevenue.gov).
- A floor plan that includes the business name and physical address, areas where you intend to store or sell alcoholic beverages, external dimensions, entryways, and other customer service areas in which you have possessory interest. Do not send in the original blueprints, just an 8 ½ -by-11-inch copy of the floor plan.

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

- Copies of any loan agreements, contracts, notes and all related security agreements, guarantees and trust indentures.
- If you used funds other than from a loan you must provide the last six months of bank statements from the bank account you are using to pay for the alcoholic beverage license, building, and/or start-up operating funds for the business.
- Other sources of funding. You must file the non-institutional 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. The form is available at [MTRevenue.gov](https://mtrevenue.gov) under forms.
 - Authorization for examination and release of information for each NIL.
 - Personal criminal history statement form for each NIL. The form is available at [MTRevenue.gov](https://mtrevenue.gov).
 - Two fingerprint cards and fees for each NIL.
- Copies of lease, rent, purchase options, financing agreements or other evidence showing possessory interest in the building (e.g., buy/sell agreement, contract for deed, warranty deed, bill of sale, current property tax bill).
- Copy of business's bank signature card.

When applying for off-premises beer and/or table wine license, you must provide the following ownership information (based on entity type applying), including:

- Copy of partnership agreement documentation.
- Copy of Certificate of Fact (for LLCs and LLPs).
- Copy of Certificate of Existence (for in-state corporations).
- Copy of authority to conduct business in Montana (for out-of-state corporations).
- Copy of documentation from the Secretary of State verifying that the Assumed Business Name (ABN) has been approved.
- Completed personal history statement form for each individual with 10 percent or more ownership interest in the business. The form is available at MTRevenue.gov under forms.
- Two fingerprint cards and fees for each individual with 10 percent or more ownership interest in the business.

When applying for an off-premises beer and/or table wine license, you must provide the following management information, including:

- Location Manager Form. The form is available at MTRevenue.gov under forms.
- Personal criminal history statement form for each location manager. The form is available at MTRevenue.gov.
- Two fingerprint cards and fees for each location manager.

What are the steps in the application process?

- The application process takes on average 45 days and begins when DOR receives a complete application package and all supporting documents.
- Application is reviewed by the DOR ABCD.
- ABCD sends a letter to the applicant requesting any additional documents needed.
- ABCD notifies local agencies with jurisdiction over the area (law enforcement, building department, fire department, health department, etc.) of the application in process. They have 14 days to advise the department if the applicant and the premises meet all laws and ordinances.
- Prior to final approval of any new location, it is the responsibility of the applicant to contact local building, health and fire code officials to schedule inspections. ABCD will not approve an application until:
 - Local officials have given notice that the licensed premises meet their requirements.
 - DOJ has conducted a background check of the applicant(s) and verified the location meets suitability requirements.
- After the completion of the investigation, ABCD conducts a final review of the application. If necessary, any additional documents will be requested.

What are the rules for an off-premises beer and/or 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/or table wine licensee may:

- Sell beer (if licensed to sell beer) and table wine (if licensed to sell table wine) between 8 a.m. and 2 a.m. for off-premises consumption.
- Only sell and store beer (if licensed to sell beer) that comes from a beer wholesaler and brewery and table wine (if licensed to sell table wine) that comes from a table wine distributor and winery.
- Sell kegs of beer (if licensed to sell beer) in their original packaging for off-premises consumption.
- Close for up to 90 consecutive days without department approval. The Non-use form is available at [MTRevenue.gov](https://mtrevenue.gov).

An off-premises beer and/or table wine licensee may not:

- Accept money from a distributor to advertise.
- Allow anyone (licensee, employee, customer) to consume alcoholic beverages on the licensed premises.
- Offer table wine tastings at off-premises locations.
- Fill or refill growlers (but you can sell growlers from a brewery in the original package.)
- Allow any alcoholic products that you did not purchase from a beer wholesaler, table wine distributor, brewery, or winery on the licensed premises.
- Move product between locations if you own more than one license.
- Sell alcoholic beverages through a drive-up window or vending machines.
- Own any interest in a manufacture license, agency liquor store or a wholesale distributor license.



An off-premises beer and/or table wine licensee must:

- Give law enforcement access to their licensed premises at all times.
- Notify the department when there is a change in manager within 30 days of hire for the location.
- Notify the department regarding most changes to the existing license before the change occurs. Contact your ABCD Licensing Specialist for more information.
- Ensure that all employees who serve or sell alcoholic beverages and their immediate supervisors:
 - Obtain state-approved training (Responsible Alcohol Sales and Service Training [RASS]) within 60 days of hire.
 - Complete renewal training every three years.

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



Miscellaneous:

- Additional fees for this type of license may be charged by local city and county agencies.
- All license renewal fees are due whether the license is on nonuse status or active.
- Alterations
 - If you decide to remodel your establishment, you need to send ABCD an alteration request form along with a copy of the existing floor plan and a proposed floor plan showing the alterations before starting the alteration. The form is available at [MTRevenue.gov](https://mtrevenue.gov).
 - Once the department reviews and approves the request, you can begin the alteration without it affecting your license. You can request to have your license placed on a non-use status while under construction. You cannot use altered areas until the department has approved them and they have passed building, health, fire, and DOJ premises inspections.
- Seasonal Status
 - If a licensed establishment—such as a dude ranch, resort, park hotel or tourist facility—would like to begin operating its license on a seasonal basis, it must send a written request to the department that includes the type of business, justification for operating seasonally and the general dates of operation.
 - If approved, the license closure is only effective from the date of the department's letter of authorization through the end of the specified period. A licensee must notify the department before changing general dates of operation.



Department of Revenue

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