

Guide for on-premises and off-premises retail licensees

If a retail licensee is unable to operate a going establishment*, the licensee must notify ABCD with the nonuse form before the 90-day time period ends stated in [16-3-310, MCA](#).

Nonuse applies to the following license types:

- On-Premises Licensees
- Off-Premises Beer/Wine Licensees

What should I do?

- Fill out the non-use form available on our website, [MTRevenue.gov](#).
- List the date you stopped operating a going establishment, not the date you are filling out the form.
- Explain the circumstances beyond the licensee's control.
- Send it to your ABCD Licensing Specialist for review.
- If you have a gambling license, you must contact your Gambling Control Division Licensing Specialist to let them know of your non-use status.

A Licensee with a Catering Endorsement on Nonuse Status May Not:

Cater any events when on nonuse status.

A Licensee with a Catering Endorsement May Not:

Cater any events at licensed premises where the licensee is on nonuse status.

All licensees must comply with all Federal and Montana alcoholic beverage laws and rules.

*Going establishment means a business that (a) is open at least 20 hours per week for any four weeks in a 90-day period; (b) maintains an inventory of at least ten cases of alcoholic beverages for each day that the establishment is open; and (c) sells or provides a minimum of \$50, calculated at cost, of alcoholic beverages each week the establishment is open. [16-3-310, MCA](#) and ARM [42.13.107](#), [42.13.108](#) and [42.13.112](#)

[1.2023](#) Please note that the information in department communications may have been modified, superseded, or made obsolete by changes in federal or state law or the Administrative Rules of Montana.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 of Revenue communication, please contact us

Scan QR code for more fact sheets

