

Guide for retailers, alcohol manufacturers, wholesalers, agency liquor stores, nonprofit/tax-exempt organizations, and the public.

A nonprofit or tax-exempt organization may hold a raffle* or auction** of alcoholic beverages at fundraising events. Alcoholic beverages raffled or auctioned must still be sealed in their original packaging*** when delivered by the organization to the raffle or auction winner.

Events, where the non-profit organization wishes to sell and serve alcohol on non-licensed premises, must:

- Be catered by an on-premises alcoholic beverage licensee; or,
- Apply for a special event permit.

Alcohol may only be consumed on the premises if the event is catered, or a special permit approved by the Alcoholic Beverage Control Division (ABCD) has been received. Alcohol sold at the event for consumption may not be taken home.

You must take alcohol home if you have won it as a raffle or auction item; you **may not** consume it at the event.

Allowed

Alcoholic beverages used for raffle or auction must be:

- Purchased by or donated to the organization from a licensed retailer.
- Purchased by or donated to the organization from an agency liquor store.
- Received by the organization as a donation, at no cost to the organization from any other person except a licensed wholesaler or distributor.
- Purchased by the organization, that has been issued a special permit from ABCD, from a licensed wholesaler or distributor for not less than the ordinary price.

For an auction or raffle held at an on-premises licensed business, an alcoholic beverage that is present at a licensed business's premises solely for a fundraising event under this section does not constitute a violation by the licensee of [16-3-301\(1\)](#) or [16-6-303](#), MCA.

No more than four events per organization per calendar year are allowed at which alcoholic beverages are raffled or auctioned.

“Virtual (online) and In-person Auctions:

Alcohol and alcohol-type items may be auctioned at your virtual event. For example, you may auction a gift card to a brewery for three growler fills, gift baskets with alcohol in them, etc. Attendees receiving the item(s) they have won in the auction or raffle:

- The item(s) may be delivered.
 - Both the delivery driver and the individual receiving the item(s) must be at least 21 years of age.
- The item(s) may be picked up at the address of the “event,”
 - The individual picking up the item(s) must be at least 21 years of age.

Not Allowed

- Proceeds from the raffle or auction of alcoholic beverages may not go to anyone who provided the alcoholic beverages.
- Raffle tickets may not be sold to any person under 21 years of age.
- Auction bids may not be received from any person under 21 years of age.

* “Auction” means the sale of an item or items, which may include alcoholic beverages, whereby the item for sale is sold to the highest bidder at the bid price. An auctioned item or items may have a reserve price.

** “Raffle” means an event in which a nonprofit or tax-exempt organization sells tickets, and each ticket gives the purchaser of the ticket the chance to win a prize, which may include alcoholic beverages, with the winner determined by a random drawing.

*** “Original packaging” means the sealed container in which a manufacturer packages its product for retail sale. It includes bottles, cans, kegs, and growlers.

Questions? Contact a licensing specialist for your county ([Contact a Licensing Specialist list](#)).

All licensees must comply with all Federal and Montana alcoholic beverage laws and rules. SECTIONS [16-3-316](#), [16-4-111](#), [16-4-204](#), [16-4-301](#), MCA and ARM [42.12.128](#). See [HB95](#) for updates to 16-3-316, MCA.

[10.2023](#) Please note 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.

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