



Montana Department of  
**REVENUE**

# LIQUOR CONTROL DIVISION

## *Frequently Asked Questions*

### Special Permits FAQs

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**Q. Who is eligible for special permits and how many special permits are allowed per year?**

**A.** The following types of entities qualify to have a special permit:

- 501(c)(3) organization (limit up to 3 per year)
  - 501(c)(3) intercollegiate athletic fund-raising organization (limit up to 12 per year)
  - 501(c)(4) civic league or organization (limit up to 12 per year)
  - 501(c)(6) chamber of commerce or business league (limit up to 12 per year)
  - Accredited Montana post secondary school (limit up to 3 per year)
  - An organization operated to raise funds for a needy person
  - Licensed veterans or fraternal organization (limit up to 3 per year)
  - Professional sports organization (seasonal)
  - Junior hockey team (seasonal)
  - Domestic Wineries
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**Q. Can an applicant for a special permit hold an ownership interest in a manufacturer, importer, table wine distributor, beer wholesaler, retail liquor license or agency liquor store?**

**A.** No, with the exception of a veterans or fraternal organization which must hold a retail liquor license to obtain a special permit.

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**Q. Can a special permit be issued at the same location as another special permit or retail license?**

**A.** No. Only one special permit can be issued for each location, enclosed area, booth or designated area. A special permit cannot be issued for an already licensed location.

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**Q. Where may a special permit holder sell beer or wine?**

**A.** A special permit allows the holder to sell and serve beer and/or wine at retail only at a booth, stand or fixed place of business within the exhibition enclosure, confined to a specified premises or designated areas, described in the application (including bleachers or grandstands). The location cannot be within 600 feet and on the same street as a school or church.

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Q. Where can the guests for a special event consume beer and wine?

A. Guests must consume beer and wine in the designated area where the special permit is issued.

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Q. Who must sell and serve beer and wine with a special permit?

A. The holder of a special permit, or its agents or employees, must sell and serve the beer and wine. The sale of beer and wine must only be sold to persons of at least 21 years of age.

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Q. Does the holder of a special permit, its employees or agents, have to be server trained?

A. No. The server training law does not apply to special permits.

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Q. Can a special permit holder use portable equipment furnished by a wholesaler?

A. Yes, a special permit holder may use portable equipment furnished by the wholesaler and the wholesaler can assist in setting up the equipment prior to the event.

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Q. Where can a special permit holder purchase beer and wine?

A. A special permit holder may purchase beer and/or wine from a beer wholesaler, table wine distributor, brewery or winery by presenting a copy of their permit.

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Q. Can a special permit holder receive beer and wine prior to the special event to get ready for the event?

A. No. The special permit holder is considered a beer and wine retailer ONLY for the dates and times represented on the application. The holder cannot have product delivered to the location of the event or pick up the product until the day the permit is issued for.

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Q. What is a special event?

A. A special event is a short, infrequent, out of the ordinary occurrence, such as a fair, wedding reception or sporting contest. (16-3-106, MCA)

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Q. If a special permit holder purchases a keg, who puts the keg tag on?

A. Only retail licensees are allowed to attach keg tags.

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**Q. Can a special permit holder sell distilled spirits?**

**A.** No, with the exception of special permits issued to Veterans' and Fraternal Organizations. Montana law states that Veterans' and Fraternal Organizations not otherwise licensed under the Montana Alcoholic Beverage Code may receive a special permit to sell beer and wine or a special permit to sell all alcoholic beverages at their post or lodge to members and their guests only. ([16-3-401](#), MCA)

The distilled spirits must be purchased from a state agency liquor store. The beer and wine must be purchased from a licensed beer wholesaler or table wine distributor.

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**Q. Can a beer wholesaler or table wine distributor accept return of or buy back product at the conclusion of a special event or catered event?**

**A.** No. Beer and wine cannot be sold on a consignment basis. Distributors and wholesalers are not allowed to buy back unused product at the conclusion of an event. Whatever product a special permittee, catering permittee or retail licensee purchases must be either sold during the event, taken home with them (for special permittee) or returned to the retailer's licensed premises at the end of the event. Conclusion of a special event does not fall into the scope of seasonal business or termination of retail business for purposes of buying back or returning product to a wholesaler or distributor.