



# LIQUOR CONTROL DIVISION

## *Frequently Asked Questions*

### **Catering Tailgate Parties:**

- Q. What is catering?**
- A. An all-beverages licensee or a beer or beer/wine license may obtain a catering endorsement with the payment of an annual fee. A catering endorsement allows a licensee to sell and serve alcoholic beverages at a special event.
- 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.
- Q. Who may cater a special event?**
- A. A beer or beer/wine licensee or an all-beverages licensee who has been granted a catering endorsement may cater a special event upon premises not otherwise licensed for the sale of alcoholic beverages. Only the licensee or the licensee's employees or agents are Authorized to sell and serve alcoholic beverages at the event.
- Q. Where and when can a licensee cater a special event?**
- A. A licensee who holds a catering endorsement may cater an event within 100 miles of their regular place of business. A licensee may not cater an event in which the licensee is a sponsor. The sale, service, and consumption of alcoholic beverages must be confined to the specified premises or designated enclosure described in the notice given to local law enforcement.
- Q. Are there other requirements a licensee must follow before catering an event?**
- A. Yes. A licensee must notify the local law enforcement agency that has jurisdiction over the premises that the catered event is to be held. A fee of \$35.00 is to be paid to the appropriate law enforcement agency. In addition, the licensee must have a written contract with the individual or entity that is hosting the event.
- Q. Can a licensee give the proceeds from the sale of alcoholic beverages to the sponsor of the special event?**
- A. The proceeds from the event may be shared with the sponsor of the event if the sponsor is the state of Montana, a political subdivision of the state, or a qualified nonprofit entity under section 501(c) of the Internal Revenue Service.
- Q. Can a catering endorsement be used at a tailgate party for a football game?**
- A. Yes, if the licensee follows the criteria outlined above. A licensee may not sell or give away alcoholic beverages without a written contract with the individual or entity hosting the tailgate party. Alcoholic beverages may not be sold or given to members of the general public. Alcoholic beverages may be provided to guests or patrons of the special event.
- Q. Can a licensee sell tokens at the bar that can be exchanged at the tailgate party?**
- A. No, all sales and service of alcoholic beverages must occur within the enclosure where the event is being held. The licensee may not attempt to extend his premises by selling tokens to be exchanged for alcoholic beverages that will be consumed at the tailgate party. The licensee may not sell or give away alcoholic beverages to anyone other than the members of the private party that hosted the event.
- Q. Are there any other requirements for using a catering endorsement?**
- A. Every licensee granted a catering endorsement must, on or before the 15<sup>th</sup> day of each month, report in writing to the department the events the licensee catered in the previous month. The report shall include the date, time and place of the catered event.
- Q. Is there any other way to sell or give away alcoholic beverages at a tailgate party?**
- A. A private citizen or group may provide alcoholic beverages to others at no charge. It is unlawful to sell alcohol without a catering endorsement or a special permit.