

Catering Endorsement (for alcoholic beverages)

A catering endorsement on an alcoholic beverage license allows the catering and the sale of alcohol to people attending the catered event at a place not licensed to sell alcohol. This may happen at a special event. **"Special event"** definition: a short, infrequent, out-of-the-ordinary occurrence such as a picnic, fair, festival, reception, seasonal event, or sporting event for which there is an outcome, conclusion, or result.

Catering in the Cannabis & Alcohol Regulation Division (CARD) world only relates to alcohol, not food.

Who can get one?

- All-Beverage Licenses [16-4-204, MCA](#).
 - Food is not required to be served at event.
- Beer and Wine Licenses [16-4-111, MCA](#)
 - Food is not required to be served at event.
- Restaurant Beer and Wine (RBW) Licenses [16-4-111, MCA](#).
 - Must serve food at the catered event.

What can you do with it?

- Sell and serve alcoholic beverages for on-premises consumption to persons attending the catered event.
- Alcoholic beverages **must be consumed** within the designated area(s) where the event is held.
- All proceeds for the alcohol sales go to the licensee. **See the sharing revenue* exception below.**

Cater an event if it is:

- Within 100 miles of the licensed premises.
- Not held at a location already licensed for alcohol sales.
- Sponsored by someone other than the licensee with a written agreement. (**An entity formed by members of the license is not allowed to sponsor the catered event.**)

Allowed:

- May cater an event within 600 feet of, **and** on the same street, as a church or school, if the church or school gives the **written approval** for the on-premises sale of alcohol where the event is to be held.
- May only **share revenue*** with the following sponsors:
 - the State of Montana,
 - a political subdivision of the state,
 - a nonprofit business qualified under section 501(c), or
 - a Montana University when you have catered at an event held at a Montana University.

Alcohol may be stored at the event:

- One day before the event.
- During the event.
- One day following the conclusion of the event.

Catering Endorsement



- **EXCEPTION:** If the licensee has a written agreement with the state of Montana, a political subdivision of the state, or a Montana university to sell and serve alcoholic beverages **for multiple catered events at the premises**, then the licensee may:
 - Store alcoholic beverages on the premises of the fairground, public sports arena, or Montana University for the length of the written agreement, if the alcoholic beverages can be stored in a secure location preventing access by anyone other than the licensee or the licensee's employees.

NOTE: Only the licensee and their employees may have access to the alcohol storage in a secured location to prevent access by anyone other than the licensee or the licensee's employees.

Not Allowed:

- May not have other alcohol in the event area that was purchased somewhere else.
- May not **share revenue*** with others not listed above.
- May not sell alcohol "to go".
- May not cater an event if you are a concessionaire. **EXCEPTION:** Licensees with a Guest Ranch Catering Endorsement in accordance to 16-4-111 and 16-4-204, MCA.
- May not cater an event when your license is on **nonuse status**.
- May not cater an event on premises where an alcoholic beverage license is on **nonuse status**.

RBW aka "Cabaret" Licenses:

- May sell and serve beer and wine to people attending a catered event for on-premises consumption.
- Food sales at the event must equal in cost to 65% of the total gross revenue from the catering contract.
- Most of the sales must be food at the catered event.
- Alcoholic beverages must be consumed within the designated area(s) where the event is held.

Licenses Designated as a Guest Ranch Holding a Catering Endorsement:

- May sell and serve alcoholic beverages to persons attending an event on the guest ranch other than at the licensed premises for on-premises consumption.
- Alcoholic beverages must be consumed within the designated area(s) where the event is held.
- The event may be sponsored by the concessionaire of the guest ranch licensee that holds the catering endorsement.

Who can serve at a catered event?

Employees of the licensee.

- Volunteers of the licensee.
- Alcoholic beverage manufacturers or vendors, their employees, or registered vendor representatives if:
 - The licensee allows them.
 - They have a current license, registration, or permit from the department.
 - They have server training before the commencement of the catered event.

Reporting (only required when serving alcoholic beverages)

- To Local Law Enforcement
 - Notify local law enforcement using the [CARD Catering Event Local Law Enforcement Notification form \(Form LLC\)](#) and **pay \$35 before the event** if required by the law enforcement agency. **EXCEPTION:** Licensees with a Guest Ranch Catering Endorsement do not need to notify local law enforcement.
 - Specifics needed on form:
 - If there are multiple dates:
 - **list each date with the name of the event(s).**
 - The sponsor may not be the licensee. Please list the name used on the catering contract. The person or organization asking you to provide the alcohol service.
 - Event location(s) to include physical address. Be specific. For example, if the event is in the parking lot of a licensed premises list the address and add the area, the parking lot.
 - The payment to local law enforcement must come from the licensee catering the event and not paid by another entity.
- To CARD
 - To avoid penalties, report the event to the department **on or before the 15th day of the following month** not in advance of the event through the TransAction Portal (TAP) at <https://tap.dor.mt.gov/>
 - For each specific date the name of the event
 - **Example of what is not acceptable:**
 - "Various Dinners", generic wording: retirement, wedding, birthday, concert, etc.
 - **Acceptable specific event wording:**
 - "Summer Solstice" Dinner, "May" Art Walk, "Name of Wedding Party" Wedding, "Name of Person" Retirement Dinner, "Artist Name" Concert, etc.
 - List start time **AND** end time
 - Name of sponsor (*someone other than the licensee with a written agreement*).
 - You must keep catering contracts on file for at least 3 years in case you are audited by CARD.
 - Location of the event to include the physical address
 - If the location of the event is in the parking lot next to a licensed premises:
 - List the physical address
 - Designate "parking lot next to business name"

Catering Farmers Markets

- Each day of the farmers market must be unique.
 - i.e. a different concert performer each week, themed weekly markets, and it must have a conclusion date.
- The market must have a perimeter barrier, or the service, and consumption area must have a perimeter barrier.

Multiple Caterers at Large Events

- Each licensed caterer must have a perimeter barrier around their own service and consumption area.
- Each licensed caterer must have control of their own alcohol consumption area.
- Each licensed caterer must prevent the consumption of alcoholic beverages within their catered event service area they did not provide.

Common Mistakes

- Not having a sponsor and written contract.
- Sponsoring your own event as a license holder.
- Not having a catering agreement.
- Not notifying local law enforcement.
- Not reporting the catered event.
- Reporting the catered event late.
- Not providing the correct times of the event, address of the event, and sponsor of the event.
- Catering on a licensed premises.
- Allowing customers to bring their own alcoholic beverage on the catered event premises.
- Allowing customers to leave the catered event premises with their alcoholic beverages.
- Not having the proper signage:
 - Catering Endorsement **and**
 - Required Blue Underage Consequence sign
 - Order signs on our website here: www.abc.mt.gov or clicks [signs](#).

All licensees must comply with all Federal and Montana alcoholic beverage laws and rules.
SECTIONS [16-4-111](#), [16-4-204](#), MCA and ARM [42.12.128](#)

[12.2024](#) 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.

