1	HOUSE BILL NO. 279
2	INTRODUCED BY S. KERNS, F. ANDERSON, E. BUTTREY, D. LOGE, C. HINKLE, J. BERGSTROM, W.
3	MCKAMEY, D. BARTEL, D. ZOLNIKOV, T. SMITH
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5	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO RESPONSIBLE SERVER AND
6	SALES TRAINING PROGRAMS CONCERNING ALCOHOL; REQUIRING TWO TRAINING PROGRAMS
7	RELATED TO WHETHER THE SERVER IS EMPLOYED AT A LICENSED LOCATION WHERE ON-
8	PREMISES CONSUMPTION OF ALCOHOL IS ALLOWED; REQUIRING THAT A PROGRAM FOR
9	EMPLOYEES OF LICENSEES ONLY PROVIDING OFF-PREMISES CONSUMPTION MUST TAKE LESS
10	TIME: SPECIFYING THE MINIMUM REQUIREMENTS FOR THE TRAINING PROGRAMS; AND AMENDING
11	SECTION 16-4-1006, MCA."
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13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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15	Section 1. Section 16-4-1006, MCA, is amended to read:
16	"16-4-1006. Responsible server and sales training program. (1) The SUBJECT TO SUBSECTION (2),
17	THE department shall certify all responsible server and sales training programs that include the following:
18	(a) effects of alcohol on the human body, including behavioral cues and absorption rates;
19	(b) standard drink size and equivalency;
20	(c) methods to identify and prevent sales to underage or intoxicated persons;
21	(d) strategies used by underage persons to obtain alcohol;
22	(e) acceptable forms of identification AND PROCEDURES FOR CHECKING IDENTIFICATION;
23	(f) actions that can be taken to prevent an alcohol-related incident from occurring;
24	(g) maintenance of documentation that may affect liability, including an incident log and house
25	policies;
26	(h) techniques for denying alcohol sales;
27	(I) INFORMATION, INCLUDING CRIMINAL, CIVIL, AND ADMINISTRATIVE PENALTIES, RELATED TO 27-1-710
28	AND THIS CODE;



1	(b) information, including criminal, civil, and administrative penalties, related to 27-1-710 and this
2	code;
3	(c) procedures for checking identification;
4	(d) procedures for gathering proper documentation that may affect the licensee's liability;
5	(e) training for skills to handle difficult situations and to learn evaluation techniques regarding
6	intoxicated persons or others that pose potential liability;
7	(f)(i)(J) a final test; and
8	(g)(j)(K) a certificate of completion, which must be provided to participants who pass the final test.
9	(2) THE DEPARTMENT SHALL CERTIFY TWO CLASSES OF TRAINING PROGRAMS BASED ON THE NATURE OF
10	EMPLOYMENT OF THE INDIVIDUAL AS FOLLOWS:
11	(A) PROGRAMS FOR EMPLOYEES OF LICENSED LOCATIONS THAT PROVIDE FOR ON-PREMISES
12	CONSUMPTION; AND
13	(B) PROGRAMS FOR EMPLOYEES OF LICENSEES THAT ONLY PROVIDE FOR OFF-PREMISES CONSUMPTION. A
14	TRAINING PROGRAM UNDER THIS SUBSECTION (2)(B) MUST BE COMPLETED WITHIN LESS TIME THAN FOR PROGRAMS
15	UNDER SUBSECTION (2)(A).
16	(2) <u>A</u> responsible server and sales training program's minimum requirements may not exceed 2
17	hours for employees within 60 days of hire and at renewal. Each certification expires after 3 years.
18	(3) (A) A RESPONSIBLE SERVER AND SALES TRAINING PROGRAM'S PROGRAM MUST BE COMPLETED:
19	(I) WITHIN 60 DAYS OF HIRE; AND
20	(II) AT RENEWAL.
21	(B) THE MINIMUM REQUIREMENTS FOR A TRAINING PROGRAM MAY NOT BE LESS THAN:
22	(I) 2 HOURS FOR EMPLOYEES WHO PROVIDE FOR ON-PREMISES CONSUMPTION; OR
23	(II) 1 HOUR FOR EMPLOYEES WHO PROVIDE FOR OFF-PREMISES CONSUMPTION WITHIN 60 DAYS OF HIRE
24	AND AT RENEWAL.
25	(C) EACH CERTIFICATION EXPIRES AFTER 3 YEARS.
26	(3)(4) The department may not provide a responsible server and sales training program."
27	- END -

