Amei Labo - 2023	r	Reading/2nd House-blue - Requested by: Ellie Boldman - (H)	Business and	
68th Legislature 2023		Drafter: Laura Sankey Keip, 406-444-4410	SB0543.002.002	
1		SENATE BILL NO. 543		
2		INTRODUCED BY E. BOLDMAN		
3				
4	A BILL FOR A	N ACT ENTITLED: "AN ACT ALLOWING OFF-PREMISES BEER AND WINE L	ICENSES TO	
5	DELIVER BEE	ER AND WINE; PROVIDING FOR LICENSING BY THE DEPARTMENT OF RE	VENUE;	
6	PROVIDING F	OR PAYMENT OF A FEE; AND AMENDING SECTION 16-4-115, MCA."		
7				
8	BE IT ENACTE	ED BY THE LEGISLATURE OF THE STATE OF MONTANA:		
9				
10	Sectio	on 1. Section 16-4-115, MCA, is amended to read:		
11	"16-4-	<b>115.</b> Beer and wine licenses for off-premises consumption <u> delivery</u> . (1	) A retail license to	
12	sell beer or table wine, or both, in the original packages for off-premises consumption may be issued only to a			
13	person, firm, or corporation that is approved by the department as a person, firm, or corporation qualified to sell			
14	beer or table wine, or both. If the premises proposed for licensing are operated in conjunction with another			
15	business, that	business must be a grocery store or drugstore licensed as a pharmacy. The nu	mber of licenses	
16	that the depart	tment may issue is not limited by the provisions of 16-4-105 but must be determ	ined by the	
17	department in	the exercise of its sound discretion, and the department may in the exercise of	its sound	
18	discretion grar	nt or deny an application for any license or suspend or revoke any license for ca	use.	
19	(2)	Upon On receipt of a completed application for a license under this section, a	ccompanied by	
20	the necessary	license fee as provided in 16-4-501, the department shall request that the department	artment of justice	
21	make a backgi	round investigation of all matters relating to the application.		
22	(3)	Based on the results of the investigation or in exercising its sound discretion	as provided in	
23	subsection (1)	, the department shall determine whether:		
24	(a)	the applicant is qualified to receive a license;		
25	(b)	the applicant's premises are suitable for the carrying on of the business; and		
26	(c)	the requirements of this code and the rules promulgated by the department a	re met and	
27	complied with.			



Amendment - 1st Reading/2nd House-blue - Requested by: Ellie Boldman - (H) Business and Labor						
- 2023 68th Legislature 2023		Drafter: Laura Sankey Keip, 406-444-4410 SB0543.002.	.002			
1	(4)	License applications submitted under this section are not subject to the provisions of 16-4-2	03			
2	and 16-4-207.					
3	(5)	A license issued under this section may offer curbside pickup between 8 a.m. and 2 a.m. in				
4	original packaging.					
5	<u>(6)</u>	A grocery store with a license to sell beer and TABLE wine in original packaging may apply to	2			
6	the department and pay a fee for an endorsement to, with the licensee's own agents or employees who are 21					
7	years of age or	r older, deliver beer and TABLE wine in original packaging if the delivery includes groceries in the	<u>heir</u>			
8	original packaging or food that is prepared by the licensee at the licensee's premises. The purchase price of the					
9	delivered beer and TABLE wine may not exceed the purchase price of the delivered food. Deliveries under this					
10	subsection may be made only to a residential or commercial address."					
11		- END -				