

Disclaimer:

This document is not intended to provide legal advice. Laws on alcohol sales and service may vary greatly by city, county or state. For complete information on the alcohol laws in effect in your region, please contact the liquor authority in your state and/or municipality.

Montana

STATE LIQUOR AUTHORITY	State of Montana Montana Department of Revenue 2517 Airport Road Helena, MT 59601 Phone: 406-444-6900 Fax: 406-444-0722 General Email: Website: https://revenue.mt.gov/home/liquor
AGE TO CONSUME	21
AGE TO SERVE	18
AGE TO POUR	18
AGE TO SELL (PACKAGED LIQUOR)	18 – No age limit to sell closed container alcohol
MINORS ALLOWED ON PREMISE?	Nothing in the state law prohibits a minor from being in a licensed establishment.
CAN PARENTS SERVE?	Parents may provide their minor alcohol in the privacy of their own home as so long as it is non-intoxicating amount. - .05 or lower
HOURS OF SERVICE	On Premise Establishments and Off premise/retail Stores: Monday through Sunday 8:00 am - 2:00 am
ACCEPTED ID'S	Any unexpired state or Canadian province driver's license, armed service ID card, passport or US passport card, state or Canadian province issued ID card, or immigration card. An Montana tribal ID's
LEGAL LEVEL OF INTOXICATION WHILE DRIVING	.08 BAC
DRAM SHOP LAW	Montana holds the guest civilly liable, not the licensee or employees --- except if the licensee or server served a minor or visibly intoxicated guest or should reasonably have known that the guest was intoxicated. Also, any person, including the licensee or employee, is civilly liable if they cause or contribute to forcing a guest to drink alcohol in any manner or falsely represent a drink to be non- alcoholic.
ID CONFISCATION	Yes, operators should confiscate fake ID's and turn it over to the local authorities unless their life is threatened.
HAPPY HOUR & OTHER SERVICE RESTRICTIONS	Licensee may not sell liquor for less than the posted price. The law does not have any regulations regarding food and drink combination. Promotions are considered items such as neck hangers, coupons, rebates, etc. Every promotion must be approved by the state prior to conducting it. There are no definitions in the state statute for happy hour and drink specials.
PENALTIES FOR SERVING OR SELLING TO A MINOR	1st offense - \$250.00 fine 2 nd offense - \$1000.00 fine 3 rd offense - \$1500.00 fine or 20 day suspension
WARNING SIGNS REQUIRED ON EFFECTS OF ALCOHOL ON FETUS?	Not required, but recommended.

ADDENDUM: MONTANA'S DRAM SHOP LAW

27-1-710. Civil liability for injuries involving alcohol consumption. (1) The purpose of this section is to set statutory criteria governing the liability of a person or entity that furnishes an alcoholic beverage for injury or damage arising from an event involving the person who consumed the beverage.

(2) Except as provided in 16-6-305, a person or entity furnishing an alcoholic beverage may not be found liable for injury or damage arising from an event involving the consumer wholly or partially on the basis of a provision or a violation of a provision of Title 16.

(3) Furnishing a person with an alcoholic beverage is not a cause of, or grounds for finding the furnishing person or entity liable for, injury or damage wholly or partly arising from an event involving the person who consumed the beverage unless:

(a) the consumer was under the legal drinking age and the furnishing person knew that the consumer was underage or did not make a reasonable attempt to determine the consumer's age;

(b) the consumer was visibly intoxicated; or

(c) the furnishing person forced or coerced the consumption or told the consumer that the beverage contained no alcohol.

(4) A jury or trier of fact may consider the consumption of an alcoholic beverage in addition to the sale, service, or provision of the alcoholic beverage in determining the cause of injuries or damages inflicted upon another by the consumer.

(5) A civil action may not be brought pursuant to subsection (3) by the consumer or by the consumer's estate, legal guardian, or dependent unless:

(a) the consumer was under the legal age and the furnishing person knew or should have known that the consumer was under age; or

(b) the furnishing person forced or coerced the consumption or told the consumer that the beverage contained no alcohol while knowing that it did contain alcohol.

(6) A civil action may not be commenced under this section against a person who furnished alcohol unless the person bringing the civil action provides notice of an intent to file the action to the person who furnished the alcohol by certified mail within 180 days from the date of sale or service. The civil action must be commenced pursuant to this section within 2 years after the sale or service.

(7) In any civil action brought pursuant to this section, the total liability for noneconomic damages may not exceed \$250,000.

(8) In any civil action brought pursuant to this section, the total liability for punitive damages may not exceed \$250,000.

(9) Evidence of intentional or criminal activity by a person causing injury in connection with any event or injury commenced pursuant to this part is admissible in any action brought pursuant to this section.