



DEPARTMENT OF REVENUE

NOTICE OF ADOPTION

MAR NOTICE NO. 2025-304.2

Summary

Adoption of New Rules and Rule Amendments to Implement Alcoholic Beverage Industry Legislation Enacted by the 69th Montana Legislature Under House Bills 123 (HB 123), 211 (HB 211), 491 (HB 491), and 882 (HB 882)

Previous Notice(s) and Hearing Information

On November 21, 2025, the department published MAR Notice No. 2025-304.1 pertaining to the proposed adoption and amendment in the 2025 Montana Administrative Register, Issue Number 22. No persons attended the December 15, 2025, public hearing, and the department did not receive any comments on the proposed rulemaking.

Final Rulemaking Action – Effective January 24, 2026

ADOPT AS PROPOSED

The agency has adopted the following rules as proposed:

42.12.155 THIRD-PARTY DELIVERY LICENSE AND THIRD-PARTY DELIVERY DRIVERS

42.13.1108 SELF-POUR DEVICES

AMEND AS PROPOSED

The agency has amended the following rules as proposed:

42.12.101 APPLICATION FOR LICENSE

42.12.106 DEFINITIONS

42.12.111 APPLICATION FEES AND PROCESSING FEES FOR OTHER REQUESTS

42.12.145 ON-PREMISES CONSUMPTION BEER AND ALL-BEVERAGE LICENSE - PREMISES SUITABILITY REQUIREMENTS

42.12.146 RESTAURANT BEER AND WINE LICENSE - PREMISES SUITABILITY REQUIREMENTS

42.12.149 WINERY, BREWERY, AND DISTILLERY - PREMISES SUITABILITY REQUIREMENTS

42.12.151 LIMITED ALL-BEVERAGES LICENSE FOR CONTINUING CARE RETIREMENT COMMUNITY - PREMISES SUITABILITY REQUIREMENTS AND CONDITIONS FOR OPERATING

42.12.152 NONCONTIGUOUS ALCOHOLIC BEVERAGE STORAGE AREAS; RESORT ALTERNATE RETAIL ALCOHOLIC BEVERAGE STORAGE FACILITIES

42.12.153 ADDITIONAL RETAIL SERVICE BUILDINGS OR STRUCTURES

42.13.111 DEFINITIONS

42.13.1102 ALL-BEVERAGES LICENSE - CONDITIONS FOR OPERATING

42.13.1103 RESTAURANT BEER AND WINE LICENSE - CONDITIONS FOR OPERATING

42.13.1104 ON-PREMISES CONSUMPTION BEER AND WINE LICENSE - CONDITIONS FOR OPERATING

42.13.1105 OFF-PREMISES CONSUMPTION BEER AND TABLE WINE LICENSE - CONDITIONS FOR OPERATING

Statement of Reasons

No comments were received.

Contact

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Rule Reviewer

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Approval

Brendan Beatty, Director of Revenue