

## Guide for on-premises and off-premises retail licensees

If a retail licensee is unable to operate a going establishment\*, the licensee must notify ABCD with the nonuse form before the 90-day time period ends stated in [16-3-310, MCA](#).

### Nonuse applies to the following license types:

- On-Premises Licensees
- Off-Premises Beer/Wine Licensees

### What should I do?

- Fill out the non-use form available on our website, [MTRevenue.gov](#).
- List the date you stopped operating a going establishment, not the date you are filling out the form.
- Explain the circumstances beyond the licensee's control.
- Send it to your ABCD Licensing Specialist for review.
- If you have a gambling license, you must contact your Gambling Control Division Licensing Specialist to let them know of your non-use status.

### A Licensee with a Catering Endorsement on Nonuse Status May Not:

Cater any events when on nonuse status.

### A Licensee with a Catering Endorsement May Not:

Cater any events at licensed premises where the licensee is on nonuse status.

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All licensees must comply with all Federal and Montana alcoholic beverage laws and rules.

\*Going establishment means a business that (a) is open at least 20 hours per week for any four weeks in a 90-day period; (b) maintains an inventory of at least ten cases of alcoholic beverages for each day that the establishment is open; and (c) sells or provides a minimum of \$50, calculated at cost, of alcoholic beverages each week the establishment is open. [16-3-310, MCA](#) and ARM [42.13.107](#), [42.13.108](#) and [42.13.112](#)

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