



ADMINISTRATIVE RULES OF MONTANA

42.12.143 RESTRICTION ON INTEREST IN OTHER LICENSES

- (1) For purposes of this rule, any ownership interest in a business that operates a license issued under the Montana Alcoholic Beverage Code is considered to be an ownership interest in the license itself.
- (2) A Montana all-beverages licensee may not:
 - (a) possess a financial or ownership interest in:
 - (i) a Montana agency liquor store;
 - (ii) possess an ownership interest in more than the limit for Montana all-beverages licenses established in 16-4-205, MCA; or
 - (iii) more than half the total number of Montana all-beverages licenses in any quota area described in 16-4-201, MCA;
 - (b) through a business or family relationship, share in the profits or liabilities in more than half the total number of Montana all-beverages licenses in the specific quota area in which the licenses will be held; or
 - (c) individually or through the person's immediate family, receive financing from or have any affiliation to:
 - (i) an alcoholic beverage manufacturer or importer of alcoholic beverages, except as provided in 16-4-401(8)(e) and (9), MCA; or
 - (ii) a distributor of alcoholic beverages, including a Montana combined beer wholesaler and table wine distributor and a Montana agency liquor store.
- (3) All other Montana retail on-premises consumption alcoholic beverages licensees may not:
 - (a) possess a financial or ownership interest in a Montana agency liquor store; or
 - (b) individually or through the person's immediate family, receive financing from or have any affiliation to:
 - (i) an alcoholic beverage manufacturer or importer of alcoholic beverages, except as provided in 16-4-401(8)(e) and (9), MCA; or
 - (ii) a distributor of alcoholic beverages, including a Montana combined beer wholesaler and table wine distributor and a Montana agency liquor store.
- (4) A Montana retail off-premises consumption beer and table wine licensee may not:

- (a) possess a financial or ownership interest in a Montana agency liquor store; or
 - (b) individually or through the person's immediate family, receive financing from or have any affiliation to:
 - (i) an alcoholic beverage manufacturer or importer of alcoholic beverages; or
 - (ii) a distributor of alcoholic beverages, including a Montana combined beer wholesaler and table wine distributor and a Montana agency liquor store.
- (5) A Montana combined beer wholesaler and table wine distributor may not:
- (a) possess a financial or ownership interest in a Montana agency liquor store, a Montana alcoholic beverages retailer, an alcoholic beverages manufacturer, or another Montana combined beer wholesaler and table wine distributor;
 - (b) have any affiliation with a Montana alcoholic beverages retailer, or the immediate family of a Montana alcoholic beverages retailer; or
 - (c) be owned or controlled by an alcoholic beverages manufacturer or an importer of alcoholic beverages.
- (6) A Montana alcoholic beverage manufacturer may not possess a financial or ownership interest in:
- (a) a distributor of alcoholic beverages, including a Montana beer wholesaler, a Montana table wine distributor, and a Montana agency liquor store; or
 - (b) a Montana alcoholic beverages retailer, except as provided in 16-4-401, MCA.
- (7) When a licensed retailer and a licensed manufacturer operate a colocated license, the following restrictions apply in addition to those in (1) through (6):
- (a) a person with an ownership interest in a licensed brewery or licensed winery may hold complete ownership of up to a combined total of three on-premises consumption beer and wine licenses or all-beverage licenses;
 - (b) a person with an ownership interest in a licensed distillery may hold complete ownership of up to three all-beverage licenses;
 - (c) a person with an ownership interest in an all-beverage license and a Montana distillery license may hold complete ownership interest in up to two additional all-beverage licenses; and
 - (d) a person with an ownership interest in an on-premises consumption beer and wine license or all-beverage license and a Montana brewery license or Montana winery license may hold complete ownership interest in up to two additional on-premises consumption beer and wine licenses or all-beverages licenses.

Authorizing statute(s): 16-1-303, MCA

Implementing statute(s): 16-4-201, 16-4-205, 16-4-401, MCA

History: NEW, Eff. 11/3/75; AMD, 1985 MAR p. 167, Eff. 2/15/85; AMD, 1985 MAR p. 1632, Eff. 11/1/85; AMD, 2012 MAR p. 1846, Eff. 9/21/12; AMD, 2014 MAR p. 1277, Eff. 6/13/14; AMD, 2022 MAR p. 1932, Eff. 9/26/22; AMD, 2024 MAR p. 2303, Eff. 9/21/24.