

**State of Montana**  
**Combined Amended Liquor and Gambling License Short Form**  
**for Transfers of Ownership among Licensees**

Death of Licensee – Divorce among Licensees – Gifting among Licensees – Sales among Existing Owners

**Fees**

**Processing Fee:** None

**Fingerprint Fee:** \$29.25 per set when required by the instructions on the reverse side of this application.

Effective 10/01/03, two properly completed fingerprint cards must be returned to this office. The individual can take the cards to a local law enforcement agency or to the Montana Department of Justice ID Bureau for fingerprinting. Please note that some law enforcement agencies charge a fee for this service. Enclose the completed fingerprint cards and attach a check payable to the Gambling Control Division. Once a criminal background check has been completed, the fingerprint cards will be destroyed.

**Check the Appropriate Box to Designate the Purpose of this Application**

The use of this short application is limited to report a change in ownership due to the death of a licensee and transfer of ownership interest to an estate, or to a joint tenant with right of survivorship; transfer of interest resulting from divorce if the spouse to whom the interest is transferred is already identified as an owner of the license; transfers of ownership by sale if the person to whom the interest is sold is already identified as an owner of the license; or transfer of ownership interest by gift if the person to whom the interest is transferred is already identified as an owner of the license. In addition, transfers under any of the above circumstances must be to a person already disclosed in a liquor only or combined application owning at least 10% of the license in order to use this form. An ownership interest in a licensed gambling and/or liquor licensed operation may not be transferred to a complete stranger to the license (someone not already listed and approved as an owner in the licensed operation) or a person holding a less than 10% interest unless a new Alcoholic Beverage/Gambling Operator Combined License Application reflecting the proposed transfer is sent to and approved by the divisions. **NOTE:** See the reverse side of this application for a checklist of the documents and information that will be required with this application.

☐ Death of Licensee      ☐ Sale among Licensees      ☐ Divorce among Licensees      ☐ Gifting among Licensees

**Explain briefly the reason for change in ownership:**

\_\_\_\_\_  
\_\_\_\_\_

**General Information**

**Account ID** \_\_\_\_\_ **FEIN** \_\_\_\_\_ **Liquor License No.** \_\_\_\_\_

**Name of Licensee** \_\_\_\_\_

**Business/Trade Name** \_\_\_\_\_

**Mailing Address** \_\_\_\_\_

**Address of Licensed Premise** \_\_\_\_\_

**City, State, Zip** \_\_\_\_\_

**Business Phone** \_\_\_\_\_ **Cell Phone** \_\_\_\_\_

**Authorization**

I affirm I am authorized to make this application for the applicant and that the answers contained herein are true and complete. If this application or attachments contain false information, I understand I may be subject to the criminal penalties of Mont. Code Ann. § 45-7-202, 45-7-203, 45-7-208, 16-4-402 and/or revocation of any gambling and/or liquor licenses granted pursuant to this application.

**Signature of Licensee/Authorized Agent** \_\_\_\_\_ **Date** \_\_\_\_\_

**Print Full Name of Licensee/Authorized Agent** \_\_\_\_\_

## Death of a Licensee

Gambling and liquor activity may continue pending approval of transfers to estates or joint tenants. Please send the following documents, if applicable, to facilitate the review and approval of the transfer.

1. Copy of Death Certificate or Court Order certifying death of licensee.
2. A copy of the will.
3. Formal appointment of person(s) to manage estate whether he/she is court appointed or named in licensee's will (i.e. executor of estate, conservator, personal representative, power of attorney, or trustee), where applicable.
4. The FEIN for the estate (supply appropriate documents).
5. Unless already identified as an owner of the license, a personal history statement, two fingerprint cards and fingerprint fee for each individual appointed to manage the estate.
6. Bylaws if the licensee is a corporation or limited liability company.
7. Operating agreement if the licensee is a LLC or Partnership as registered with the Secretary of State.
8. Current financial statements or most recent tax returns of the licensed operation.

**Please note:**

- Whether or not there is a will, the decedents' interest in the liquor and gambling license will be placed into the name of the estate showing the Personal Representative as the responsible party until the estate is settled and the interest distributed to the designated heir(s).
- If the interest is held in joint tenancy with right of survivorship, this application will be sufficient to transfer both the liquor and gambling operator interests to the survivor.
- If the estate plans to sell the liquor license, an Alcoholic Beverage/Gambling Operator Combined License Application is required to be completed following approval of this amended application.

## Sale of Interests among Licensees

Gambling and liquor activity may continue pending approval of the sale of interests among licensees. Please send the following documents, if applicable, to facilitate the review and approval of the transfer.

1. Copy of the purchase/sale documents that include all terms and prices.
2. Copies of all documents verifying the source of funding for amounts to be paid to the seller.
3. If the purchase involves a loan, copies of the all loan documents including all security agreements.
4. If the transfer involves corporate shares, copies of the cancelled and new issue stock certificates and an updated stock ledger.
5. Minutes of meetings during which the sale and terms of sale are approved, if applicable.
6. Current financial statements or most recent tax returns of the licensed operation.
7. If the owner transferring an interest is being completely removed from ownership provide letters from creditors, and lessors if applicable, removing the seller(s) from all liability.
8. Copy of new bank signature cards with updated signatures.

## Divorce among Licensees

Gambling and liquor activity may continue pending approval of transfers to an ex-spouse. Please send the following documents, if applicable, to facilitate the review and approval of the transfer.

1. Copy of the final decree of dissolution of marriage and property settlement agreement.
2. Source of funding documents, if any, if the transfer requires a buyout, .e.g., bank statements supporting cash payments, loan and security agreements, installments payment agreement, etc.
3. If the spouse transferring the interest is to be completely removed from ownership and is to be no longer responsible for contractual obligations of the licensed operation, supply letters and related documents from banks, landlords, and vendors that release the departing spouse from liability (or converting him/her to a guarantor), and updated bank signature cards.
4. Current financial statements or most recent tax returns of the licensed operation.
5. You may not use this form if the spouse to whom an interest is to be transferred is not already approved and listed as an owner. In that circumstance, an Alcoholic Beverage/Gambling Operator Combined License Application must be filed and approved before the transfer takes place.

## Gifting among Licensees

Gambling and liquor activity may continue pending approval of the transfer via gift to an existing owner. Please send the following documents to facilitate the review and approval of the transfer.

1. Gifting statement that identifies both parties to the transaction, the intention of the transaction, and % of ownership being transferred.
2. If the gift is shares in a corporation or limited liability company:
  - a. Copies of canceled stock certificates;
  - b. Copies of new stock certificates;
  - c. Corporate Minutes approving gift and transfer of stock ; and
  - d. Stock Registry.
3. Current financial statements or most recent tax return for the licensed entity.

***The Division(s) may require the applicant to send additional documents or information.***

***This application and your submitted documents and information will be reviewed under an amended license process and final approval shall correspond with those procedures.***

***If you have any questions, please contact the Gambling Control Division, Licensing Section.***