

1 HOUSE BILL NO. 279
2 INTRODUCED BY S. KERNS, F. ANDERSON, E. BUTTREY, D. LOGE, C. HINKLE, J. BERGSTROM, W.
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4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO RESPONSIBLE SERVER AND
6 SALES TRAINING PROGRAMS CONCERNING ALCOHOL; REQUIRING TWO TRAINING PROGRAMS
7 RELATED TO WHETHER THE SERVER IS EMPLOYED AT A LICENSED LOCATION WHERE ON-
8 PREMISES CONSUMPTION OF ALCOHOL IS ALLOWED; REQUIRING THAT A PROGRAM FOR
9 EMPLOYEES OF LICENSEES ONLY PROVIDING OFF-PREMISES CONSUMPTION MUST TAKE LESS
10 TIME; SPECIFYING THE MINIMUM REQUIREMENTS FOR THE TRAINING PROGRAMS; AND AMENDING
11 SECTION 16-4-1006, MCA."
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13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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15 **Section 1.** Section 16-4-1006, MCA, is amended to read:

16 **"16-4-1006. Responsible server and sales training program.** (1) The Subject to subsection (2), the
17 department shall certify all responsible server and sales training programs that include the following:

18 (a) effects of alcohol on the human body, including behavioral cues and absorption rates;

19 (b) standard drink size and equivalency;

20 (c) methods to identify and prevent sales to underage or intoxicated persons;

21 (d) strategies used by underage persons to obtain alcohol;

22 (e) acceptable forms of identification and procedures for checking identification;

23 (f) actions that can be taken to prevent an alcohol-related incident from occurring;

24 (g) maintenance of documentation that may affect liability, including an incident log and house
25 policies;

26 (h) techniques for denying alcohol sales;

27 (i) information, including criminal, civil, and administrative penalties, related to 27-1-710 and this
28 code;

1 (b) information, including criminal, civil, and administrative penalties, related to 27-1-710 and this
2 code;

3 (c) procedures for checking identification;

4 (d) procedures for gathering proper documentation that may affect the licensee's liability;

5 (e) training for skills to handle difficult situations and to learn evaluation techniques regarding
6 intoxicated persons or others that pose potential liability;

7 (f)(i) a final test; and

8 (g)(k) a certificate of completion, which must be provided to participants who pass the final test.

9 (2) The department shall certify two classes of training programs based on the nature of
10 employment of the individual as follows:

11 (a) programs for employees of licensed locations that provide for on-premises consumption; and

12 (b) programs for employees of licensees that only provide for off-premises consumption. A training
13 program under this subsection (2)(b) must be completed within less time than for programs under subsection
14 (2)(a).

15 (2) A responsible server and sales training program's minimum requirements may not exceed 2
16 hours for employees within 60 days of hire and at renewal. Each certification expires after 3 years.

17 (3) (a) A responsible server and sales training program's program must be completed:

18 (i) within 60 days of hire; and

19 (ii) at renewal.

20 (b) The minimum requirements for a training program may not be less than:

21 (i) 2 hours for employees who provide for on-premises consumption; or

22 (ii) 1 hour for employees who provide for off-premises consumption within 60 days of hire and at
23 renewal.

24 (c) Each certification expires after 3 years.

25 (3)(4) The department may not provide a responsible server and sales training program."

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