

DIVISION OF ALCOHOL AND TOBACCO CONTROL

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INDUSTRY CIRCULAR 24-01

Bartending Services without a License

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The Division of Alcohol and Tobacco Control receives regular inquiries from the public about whether a license is required to provide bartending services at private events.

There is no requirement that a person, who solely provides bartending services, must get a state liquor license to do so. There *is* a requirement that anyone who makes a “sale” of intoxicating liquor must get a liquor license (§ 311.050). Thus, bartending services provided without a liquor license must be careful not to make a sale.

How to Avoid Making a “Sale”

The Division has interpreted a “sale” by its commonly understood definition: the exchange of money for a commodity. In this case, the commodity is intoxicating liquor. Freelance bartenders/servers not associated with a liquor licensee at a particular event/location cannot sell intoxicating liquor. The most common way around this issue is for the host of the event to provide the intoxicating liquor. Even where the host provides the intoxicating liquor, unlawful sales might still occur. Some examples of sales that are often overlooked include:

- Event fees where the event serves intoxicating liquor
- Tips, gratuities or donations
- Additional fees or surcharges for intoxicating liquor or its delivery

Thus, there is a lawful way to provide bartending services without violating § 311.050. Unlicensed bartending services cannot: make sales, direct or indirect, of beverages containing intoxicating liquor. Otherwise, the bartending service must obtain the relevant liquor license to serve intoxicating liquor.

Some localities require a bartending license/server permit, but there is no state-required bartending license.

Individuals seeking information about food trucks/mobile bars should alternatively review this [circular](#).