

his license may not authorize him to transact business for a full year under same.

May 6, 1933.

You request an opinion on the right of the board to refund to a licensee, under the Beer Act, Chapter 106, Laws of 1933.

I am unable to find any authority in the law to authorize the return of any portion of the license fee. "In the absence of a provision for a pro rata license, a person taking out a license must pay the full amount prescribed even though he takes out his license after the beginning of the license year." (37 C. J. 250)

I therefore conclude that no portion of such license fee may be returned to applicant although his license may not authorize him to transact business for a full year under same.

Opinion No. 196

Beer—Licenses—Refunds.

HELD: No portion of a license fee paid under the Montana Beer Act may be returned to the applicant although