

1 SENATE BILL 423

2 **51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

3 INTRODUCED BY

4 Phil A. Griego

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10 AN ACT

11 RELATING TO ALCOHOLIC BEVERAGES; AUTHORIZING THE ISSUANCE OF A
12 SPECIAL BED AND BREAKFAST DISPENSING LICENSE FOR BEER AND WINE.

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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

15 SECTION 1. A new section of the Liquor Control Act is
16 enacted to read:

17 "[NEW MATERIAL] SPECIAL BED AND BREAKFAST DISPENSING
18 LICENSE--FEES--LIMITATIONS.--

19 A. The director is authorized to issue a special
20 bed and breakfast dispensing license to an owner or operator of
21 a bed and breakfast in accordance with rules promulgated by the
22 director to protect public health and safety. The license
23 shall be limited to the serving of wine and beer in conjunction
24 with food to the guests of the bed and breakfast.

25 B. A bed and breakfast establishment may apply for

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1 a special bed and breakfast dispensing license by submitting to
2 the department a fee of one hundred dollars (\$100) and such
3 information as the director may require. A license shall be
4 valid for one year from the date that it is issued and may be
5 renewed for a fee of one hundred dollars (\$100). The license
6 shall allow the owner, operator or employee of a bed and
7 breakfast who holds a server permit to dispense only wine or
8 beer only to guests of the bed and breakfast in conjunction
9 with the serving of food in a common area of the bed and
10 breakfast.

11 C. The issuance of a bed and breakfast license for
12 beer and wine service shall be contingent on the approval of
13 the local public governing body or local option district of the
14 jurisdiction in which the business is domiciled.

15 D. Service of beer or wine with food to guests at a
16 bed and breakfast shall be limited to two twelve-ounce servings
17 of beer or two six-ounce servings of wine per guest.

18 E. A special bed and breakfast dispensing license
19 shall not be transferable from person to person or from one
20 location to another.

21 F. An owner, operator or employee of a bed and
22 breakfast who holds a server permit shall comply with the
23 provisions of the Alcohol Server Education Article of the
24 Liquor Control Act.

25 G. For the purposes of this section, "bed and

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1 breakfast" means a business establishment that offers temporary
2 lodging with meals included and has a guest capacity of twenty
3 or fewer persons."

4 SECTION 2. EFFECTIVE DATE.--The effective date of the
5 provisions of this act is July 1, 2013.

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