

1 SENATE BILL 525

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 John Arthur Smith

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10 AN ACT

11 RELATING TO LIQUOR CONTROL; PROVIDING FOR GOVERNMENTAL LICENSES  
12 TO BE ISSUED TO THE SPACEPORT AUTHORITY.

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

15 SECTION 1. Section 60-6A-10 NMSA 1978 (being Laws 1981,  
16 Chapter 39, Section 27, as amended) is amended to read:

17 "60-6A-10. GOVERNMENTAL LICENSE.--

18 A. Except as provided in Subsection G of this  
19 section, a governmental entity may sell alcoholic beverages  
20 directly or through its lessee at a governmental facility if  
21 the governing body applies to the director for a governmental  
22 license. The governmental entity and its lessee shall be  
23 subject to all state laws and regulations governing dispensers.

24 B. A governmental license may be leased to a  
25 qualified lessee and may only be used by the lessee for its

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1 operation during events authorized by the governmental entity  
2 at the governmental facility designated on the governmental  
3 license. The governmental entity and its lessee shall not sell  
4 alcoholic beverages for consumption off the licensed premises.  
5 On the licensed premises of a municipal baseball park, the sale  
6 or service of alcoholic beverages in unbroken packages is  
7 allowed. Alcoholic beverages shall not be removed from the  
8 licensed premises of a municipal baseball park. A server as  
9 defined in Section 60-6E-3 NMSA 1978 is not required to be  
10 present in a skybox to serve alcoholic beverages to the person  
11 leasing the skybox or ~~[his]~~ the person's guests.

12 C. A governmental entity holding a governmental  
13 license shall annually and not less than sixty days prior to  
14 the date for renewal of its license submit to the director  
15 documentary proof that its lessee is fully qualified to be a  
16 lessee of a governmental license. If the director finds that  
17 the lessee is qualified to lease a governmental license, the  
18 director shall renew the license for an additional period of  
19 one year. If the director determines that the proof is  
20 inadequate, ~~[he]~~ the director shall notify the governing body  
21 of ~~[his]~~ the decision and shall conduct a hearing as provided  
22 by law. If the director finds that the lessee does not qualify  
23 and the governmental entity does not change its lessee, the  
24 director shall revoke the license.

25 D. The provisions of Section 60-6A-18 NMSA 1978

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1 shall not apply to governmental licenses.

2 E. For the purposes of this section:

3 (1) "governmental entity" means a  
4 municipality, a county, a state fair that is held for [~~less~~]  
5 fewer than ten days per year, the state fair commission, a  
6 state museum, [~~or~~] a state university or the spaceport  
7 authority;

8 (2) "governmental facility" means locations on  
9 property owned or operated by a governmental entity, including  
10 county fairs; state fairs held for [~~less~~] fewer than ten days  
11 per year; convention centers; airports; civic centers; food  
12 service facilities in state museums; auditoriums; all  
13 facilities on the New Mexico state fairgrounds; facilities used  
14 for athletic competitions; golf courses, including golf courses  
15 required to be used for municipal purposes notwithstanding that  
16 there may be an existing club license at the same location  
17 operated by the same club licensee; [~~and~~] other facilities used  
18 for cultural or artistic performances; and spaceport authority  
19 facilities, but "governmental facility" does not include tennis  
20 facilities;

21 (3) "lessee" means an individual, corporation,  
22 partnership, firm or association that fulfills the requirements  
23 set forth in Subsections A through D of Section 60-6B-2 NMSA  
24 1978;

25 (4) "municipal baseball park" means a

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1 governmental facility owned by a government entity in a class A  
2 county having a population of three hundred fifty thousand or  
3 more pursuant to the most recent federal decennial census that  
4 is the home stadium of an affiliate of a professional baseball  
5 team and that may be used throughout the year for baseball  
6 games and other events; and

7 (5) "skybox" means a room or area of seating  
8 of a municipal baseball park, separated from the general  
9 seating and usually located in the upper decks of the park,  
10 leased to a person for that person's exclusive use during  
11 baseball games and at any other time throughout the year.

12 F. The provisions of Section 60-6B-10 NMSA 1978 as  
13 regards to golf courses owned by a governmental entity and  
14 civic centers owned and operated by a governmental entity shall  
15 not apply to governmental licenses.

16 G. A governmental entity that sells alcoholic  
17 beverages directly or indirectly through a lessee at a  
18 governmental facility that is a food service facility in a  
19 state museum or a golf course required to be used for municipal  
20 purposes may only sell beer and wine."

21 SECTION 2. EFFECTIVE DATE.--The effective date of the  
22 provisions of this act is July 1, 2015.