

The Legislature  
of the  
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER 86

HOUSE BILL 478

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Introduced by

REPRESENTATIVE JIM R. TRUJILLO

REPRESENTATIVE CARL TRUJILLO  
REPRESENTATIVE DEBBIE A. RODELLA  
REPRESENTATIVE DONA G. IRWIN



# CHAPTER 86

## AN ACT

1  
2 RELATING TO ALCOHOLIC BEVERAGE LICENSES; REPEALING AND  
3 REENACTING CERTAIN SECTIONS OF THE LIQUOR CONTROL ACT;  
4 PROVIDING FOR PRORATION OF FEES AND STAGGERED LICENSE RENEWAL  
5 DATES.

6  
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

8 SECTION 1. Section 60-6A-16 NMSA 1978 (being Laws 1981,  
9 Chapter 39, Section 33, as amended) is repealed and a new  
10 Section 60-6A-16 NMSA 1978 is enacted to read:

11 "60-6A-16. PRORATION OF FEES.--

12 A. License fees for new licenses issued after the  
13 beginning of the license year shall be prorated.

14 B. Dispenser, retailer, restaurant, club and  
15 public service license fees shall be prorated as follows:

16 (1) licenses issued in the first quarter of  
17 the license year for each license type shall be subject to the  
18 full amount of the annual license fee;

19 (2) licenses issued in the second quarter of  
20 the license year for each license type shall be subject to  
21 three-fourths of the annual license fee;

22 (3) licenses issued in the third quarter of  
23 the license year for each license type shall be subject to  
24 one-half of the annual license fee; and

25 (4) licenses issued in the fourth quarter of

1 the license year for each license type shall be subject to  
2 one-fourth of the annual license fee.

3 C. License fees for all new licenses not provided  
4 for in Subsection B of this section, except nonresident  
5 licenses and common carrier registrations, shall not be  
6 prorated but shall be subject to payment of the full amount of  
7 the annual license fee.

8 D. Nonresident licenses and common carrier  
9 registrations shall be issued for a three-year period. The  
10 three-year license for nonresident licenses and for common  
11 carrier registrations begins July 1, 2013 and every third year  
12 subsequently. Nonresident licenses and common carrier  
13 registrations issued at any time during the:

14 (1) first license year shall be subject to  
15 payment of the full amount of the three-year license fee;

16 (2) second license year shall be subject to  
17 payment of two-thirds of the three-year license fee; and

18 (3) third license year shall be subject to  
19 payment of one-third of the three-year license fee."

20 SECTION 2. Section 60-6B-5 NMSA 1978 (being Laws 1981,  
21 Chapter 39, Section 41, as amended) is repealed and a new  
22 Section 60-6B-5 NMSA 1978 is enacted to read:

23 "60-6B-5. EXPIRATION AND RENEWAL OF LICENSES.--

24 A. All licenses provided for in the Liquor  
25 Control Act, except for nonresident licenses and common

1 carrier registrations, shall be issued for a one-year period  
2 except for new licenses issued after the beginning of the  
3 license year. Nonresident licenses and common carrier  
4 registrations shall be issued for a three-year period.

5 B. The license year for dispenser, retailer and  
6 canopy licenses shall end on June 30 of each year. All  
7 dispenser, retailer and canopy licenses shall expire on June  
8 30 unless renewed. The annual renewal application and renewal  
9 fee are due on April 1 of each year.

10 C. The license year for restaurant, club,  
11 wholesaler and manufacturer licenses shall end on October 31  
12 of each year. All restaurant, club, wholesaler and  
13 manufacturer licenses shall expire on October 31 unless  
14 renewed. The annual renewal application and renewal fee are  
15 due on August 1 of each year.

16 D. All licenses not provided for in Subsections B  
17 and C of this section, except nonresident licenses and common  
18 carrier registrations, shall expire on February 28 of each  
19 year. The annual renewal application and renewal fee are due  
20 on December 1 of each year.

21 E. Nonresident licenses and common carrier  
22 registrations shall expire on June 30 every three years. The  
23 renewal application and renewal fee are due on April 1 of each  
24 third year.

25 F. A license shall not be issued or renewed if the

1 applicant or licensee is delinquent in payment of any taxes  
2 administered by the taxation and revenue department.

3 G. The director shall also determine whether there  
4 exists any other reason why a license should not be renewed.

5 H. If the director determines that the license  
6 should not be renewed, the director shall enter an order  
7 requiring the licensee, after notice, to show cause why the  
8 license should be renewed, and the director shall conduct a  
9 hearing on the matter. If, after the hearing, the director  
10 finds that no reason exists why the license should not be  
11 renewed, the director shall renew the license."

12 SECTION 3. TEMPORARY PROVISION.--

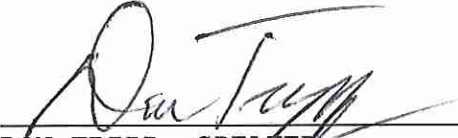
13 A. License renewal fees due on August 1, 2015  
14 shall include an additional one-third of the annual license  
15 fee for the period from July 1, 2015 through October 31, 2015.  
16 All restaurant, club, wholesaler and manufacturer licensees  
17 shall be issued temporary licenses prior to June 30, 2015 that  
18 shall expire on October 31, 2015 unless renewed. New  
19 restaurant or club licenses issued between April 1, 2015 and  
20 June 30, 2015 shall require payment of an initial license fee  
21 of one-fourth of the annual renewal fee.


22 B. License renewal fees due on December 1, 2015  
23 shall include an additional two-thirds of the annual license  
24 fee for the period of time from July 1, 2015 through February  
25 28, 2016. All licensees that are required to file a renewal

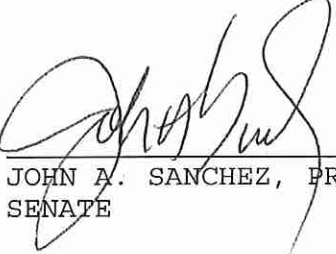
1 application and pay the renewal fee on December 1, 2015 shall  
2 be issued temporary licenses prior to June 30, 2015 that  
3 expire on February 28, 2016 unless renewed. Public service  
4 licenses issued between April 1, 2015 and June 30, 2015 shall  
5 require payment of an initial license fee of one-fourth of the  
6 annual renewal fee. \_\_\_\_\_

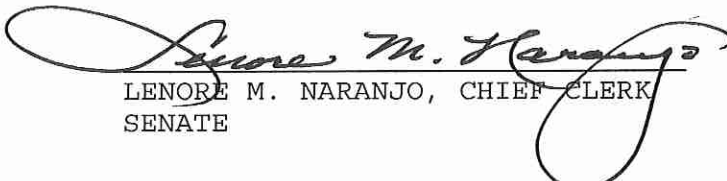
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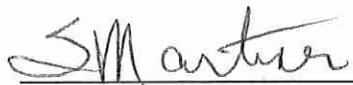
  
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SENATE

  
LENORE M. NARANJO, CHIEF CLERK  
SENATE

Approved by me this 24th day of April, 2015

  
SUSANA MARTINEZ, GOVERNOR  
STATE OF NEW MEXICO