

The Legislature
of the
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER 117

SENATE BILL 300, as amended

Introduced by

SENATOR JACOB R. CANDELARIA AND REPRESENTATIVE ANTONIO "MOE" MAESTAS



CHAPTER 117

AN ACT

RELATING TO LIQUOR CONTROL; PROVIDING THAT A MUNICIPAL GOLF COURSE AND A STATE MUSEUM MAY SELL BEER, WINE AND DISTILLED SPIRITS.

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

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

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

A. A governmental entity may sell alcoholic beverages directly or through its lessee at a governmental facility if the governing body applies to the director for a governmental license. The governmental entity and its lessee shall be subject to all state laws and regulations governing dispensers.

B. A governmental license may be leased to a qualified lessee and may only be used by the lessee for its operation during events authorized by the governmental entity at the governmental facility designated on the governmental license. The governmental entity and its lessee shall not sell alcoholic beverages for consumption off the licensed premises. On the licensed premises of a municipal baseball park, the sale or service of alcoholic beverages in unbroken packages is allowed. Alcoholic beverages shall not be removed from the licensed premises of a municipal baseball

1 park. A server as defined in Section 60-6E-3 NMSA 1978 is
2 not required to be present in a skybox to serve alcoholic
3 beverages to the person leasing the skybox or the person's
4 guests.

5 C. A governmental entity holding a governmental
6 license shall annually and not less than sixty days prior to
7 the date for renewal of its license submit to the director
8 documentary proof that its lessee is fully qualified to be a
9 lessee of a governmental license. If the director finds that
10 the lessee is qualified to lease a governmental license, the
11 director shall renew the license for an additional period of
12 one year. If the director determines that the proof is
13 inadequate, the director shall notify the governing body of
14 the decision and shall conduct a hearing as provided by law.
15 If the director finds that the lessee does not qualify and
16 the governmental entity does not change its lessee, the
17 director shall revoke the license.

18 D. The provisions of Section 60-6A-18 NMSA 1978
19 shall not apply to governmental licenses.

20 E. For the purposes of this section:

21 (1) "governmental entity" means a
22 municipality, a county, a state fair that is held for less
23 than ten days per year, the state fair commission, a state
24 museum or a state university;

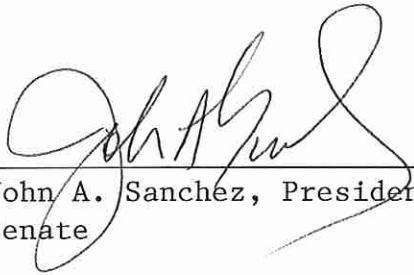
25 (2) "governmental facility" means locations

1 on property owned or operated by a governmental entity,
2 including county fairs; state fairs held for less than ten
3 days per year; convention centers; airports; civic centers;
4 food service facilities in state museums; auditoriums; all
5 facilities on the New Mexico state fairgrounds; facilities
6 used for athletic competitions; golf courses, including golf
7 courses required to be used for municipal purposes
8 notwithstanding that there may be an existing club license at
9 the same location operated by the same club licensee; and
10 other facilities used for cultural or artistic performances,
11 but "governmental facility" does not include tennis
12 facilities;

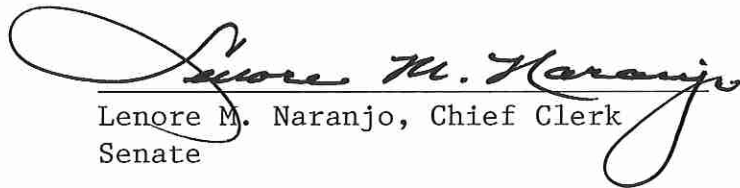
13 (3) "lessee" means an individual,
14 corporation, partnership, firm or association that fulfills
15 the requirements set forth in Subsections A through D of
16 Section 60-6B-2 NMSA 1978;

17 (4) "municipal baseball park" means a
18 governmental facility owned by a governmental entity in a
19 class A county having a population of three hundred fifty
20 thousand or more pursuant to the most recent federal
21 decennial census that is the home stadium of an affiliate of
22 a professional baseball team and that may be used throughout
23 the year for baseball games and other events; and

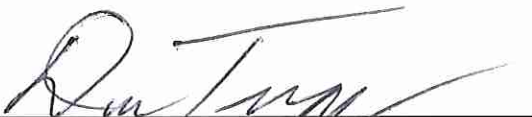
24 (5) "skybox" means a room or area of seating
25 of a municipal baseball park, separated from the general



John A. Sanchez, President
Senate



Lenore M. Naranjo, Chief Clerk
Senate



Don L. Tripp, Speaker
House of Representatives



Denise Ramonas, Chief Clerk
House of Representatives

Approved by me this 9th day of April, 2015



Governor Susana Martinez
State of New Mexico