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FISCAL IMPACT REPORT

SPONSOR: Taylor, J.G. DATE TYPED: 02/17/01 HB 531
SHORT TITLE: Public Celebration Permits for Small Brewers SB _____
ANALYST: Valdes

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY01	FY02	FY01	FY02		
			NFI		

Relates to SB72

SOURCES OF INFORMATION

Alcohol and Gaming Division, Regulation and Licensing Department

SUMMARY

Synopsis of Bill

House Bill 531 amends the Liquor Control Act to authorize New Mexico winegrowers and small brewers to join together during public celebrations for purposes of conducting wine and beer tastings and sell by the glass or bottle or in unbroken packages for consumption off premises but not for resale, wine and beer of their own production. This portion of the bill is identical to SB72.

In addition the bill proposes to allow holders of a winegrowers license to conduct wine tastings and sell, by the glass or by the bottle or sell in unbroken packages for consumption off premises but not for resale, wine of his own production or wine produced by another New Mexico winegrower.

Significant Issues

Currently, if a public celebration is conducted where both small brewer license holders and winegrower license holders participate, a physical separation is required.

The proposed changes would enable both small brewer and winegrower license holders to permit attendees to co-mingle during these events potentially resulting in increased attendance and participation.

The current language in the Liquor Control Act does not allow a winegrower to sell wine produced by another New Mexico winegrower.

PERFORMANCE IMPLICATIONS

This bill would have minimal impact on the department's performance.

RELATIONSHIP

A portion of this bill is a duplicate of Senate Bill 72. Please see synopsis.

SUBSTANTIVE ISSUES

The Alcohol and Gaming Division has met with representatives from the industry on numerous occasions to discuss their desire to create a provision in the Liquor Control Act that would enable numerous winegrower licensees to join together at a common facility for the purpose of having a single facility at which many or all New Mexico wines could be sold from one retail premise. For example, the industry may be interested in creating a license that would allow retail outlets such as the Traditions facility at Budaghers or the Albuquerque International Airport to offer tastings and sales of various New Mexico wines. Currently only a full dispenser's license would permit this activity.

Recognizing that the intent of the bill may be to allow winegrowers to join with other licensed winegrowers to sell wine produced by or for winegrowers at a common facility, it is the Division's position that the proposed language would not enable winegrowers to join at a common facility where each winegrower would sell and profit from their own product.

MV/njw