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HOUSE BILL 506

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

INTRODUCED BY

Dona G. Irwin

AN ACT

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

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

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

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

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

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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