

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE BILL 329

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

INTRODUCED BY

Phil A. Griego

AN ACT

RELATING TO ALCOHOL; AMENDING AND ENACTING SECTIONS OF THE
LIQUOR CONTROL ACT TO PROVIDE FOR HOTEL LICENSURE.

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] HOTEL LICENSE.--In a local option district
that has voted to approve the sale of alcoholic beverages, the
director may issue a hotel license upon application by a person
qualified under the provisions of the Liquor Control Act
subject to the following requirements and restrictions:

A. a hotel licensee shall be allowed to sell beer,
wine and spirituous liquors in opened containers for on-
premises consumption as well as at wet bars as provided for in
Section 60-7B-13 NMSA 1978;

.191785.1

underscored material = new
~~[bracketed material] = delete~~

underscoring material = new
[bracketed material] = delete

1 B. a hotel licensee shall be allowed to sell beer,
2 wine and spirituous liquors in the entire hotel facility;

3 C. the hotel licensee shall have a valid food
4 establishment permit and a commercial kitchen, dining room and
5 the employees necessary to prepare and serve meals, not just
6 fast foods, for consumption on the premises;

7 D. a hotel license shall not be transferred from
8 person to person or from one location to another;

9 E. a hotel license shall expire annually and be
10 subject to renewal upon application to the director by the
11 licensee pursuant to Section 60-6B-5 NMSA 1978;

12 F. sale, service and consumption of alcoholic
13 beverages authorized in this section shall be permitted during
14 the hours set forth in Section 60-7A-1 NMSA 1978; and

15 G. the provisions of Section 60-6A-18 NMSA 1978
16 shall not apply to hotel licenses."

17 **SECTION 2.** Section 60-6A-15 NMSA 1978 (being Laws 1981,
18 Chapter 39, Section 32, as amended) is amended to read:

19 "60-6A-15. LICENSE FEES.--Every application for the
20 issuance or renewal of the following licenses shall be
21 accompanied by a license fee in the following specified
22 amounts:

23 A. manufacturer's license as a distiller, except a
24 brandy manufacturer, three thousand dollars (\$3,000);

25 B. manufacturer's license as a brewer, three

.191785.1

1 thousand dollars (\$3,000);

2 C. manufacturer's license as a rectifier, one
3 thousand fifty dollars (\$1,050);

4 D. wholesaler's license to sell all alcoholic
5 beverages for resale only, two thousand five hundred dollars
6 (\$2,500);

7 E. wholesaler's license to sell spirituous liquors
8 and wine for resale only, one thousand seven hundred fifty
9 dollars (\$1,750);

10 F. wholesaler's license to sell spirituous liquors
11 for resale only, one thousand five hundred dollars (\$1,500);

12 G. wholesaler's license to sell beer and wine for
13 resale only, one thousand five hundred dollars (\$1,500);

14 H. wholesaler's license to sell beer for resale
15 only, one thousand dollars (\$1,000);

16 I. wholesaler's license to sell wine for resale
17 only, seven hundred fifty dollars (\$750);

18 J. retailer's license, one thousand three hundred
19 dollars (\$1,300);

20 K. dispenser's license, one thousand three hundred
21 dollars (\$1,300);

22 L. canopy license, one thousand three hundred
23 dollars (\$1,300);

24 M. restaurant license, one thousand fifty dollars
25 (\$1,050);

.191785.1

underscored material = new
[bracketed material] = delete

1 N. club license, for clubs with more than two
2 hundred fifty members, one thousand two hundred fifty dollars
3 (\$1,250), and for clubs with two hundred fifty members or
4 fewer, two hundred fifty dollars (\$250);

5 O. wine bottler's license to sell to wholesalers
6 only, five hundred dollars (\$500);

7 P. public service license, one thousand two hundred
8 fifty dollars (\$1,250);

9 Q. nonresident licenses, for a total billing to New
10 Mexico wholesalers:

- 11 (1) in excess of:
- | | |
|-----------------------------------|-----------|
| 12 \$3,000,000 annually | \$10,500; |
| 13 1,000,000 annually | 5,250; |
| 14 500,000 annually | 3,750; |
| 15 200,000 annually | 2,700; |
| 16 100,000 annually | 1,800; |

17 and

- | | |
|------------------------------|------|
| 18 50,000 annually | 900; |
|------------------------------|------|

19 and

- | | |
|--|--------|
| 20 (2) of \$50,000 or less <u>annually</u> | \$300; |
|--|--------|

21 R. wine wholesaler's license, for persons with
22 sales of five thousand gallons of wine per year or less,
23 twenty-five dollars (\$25.00), and for persons with sales in
24 excess of five thousand gallons of wine per year, one hundred
25 dollars (\$100); [~~and~~]

.191785.1

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

S. beer bottler's license, two hundred dollars
(\$200); and
T. hotel license, an initial license fee of fifty
thousand dollars (\$50,000) and an annual renewal fee of one
thousand three hundred dollars (\$1,300)."