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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

1 seating and usually located in the upper decks of the park,  
2 leased to a person for that person's exclusive use during  
3 baseball games and at any other time throughout the year.

4 F. The provisions of Section 60-6B-10 NMSA 1978,  
5 with respect to golf courses owned by a governmental entity  
6 and civic centers owned and operated by a governmental entity,  
7 shall not apply to governmental licenses." \_\_\_\_\_

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