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**HOUSE BILL 85**

**45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001**

**INTRODUCED BY**

**Delores C. Wright**

**AN ACT**

**RELATING TO ALCOHOL; AMENDING A SECTION OF THE NMSA 1978 TO  
ALLOW SALES OF ALCOHOLIC BEVERAGES IN STATE MUSEUMS.**

**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. Except as provided in Subsection G of this  
section, 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**

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1 qualified lessee and may only be used by the lessee for his  
2 operation during events authorized by the governmental entity  
3 at the governmental facility designated on the governmental  
4 license. The governmental entity and its lessee shall not  
5 sell alcoholic beverages for consumption off the licensed  
6 premises.

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

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

22 E. For the purposes of this section:

23 (1) "governmental entity" means a  
24 municipality, a county or a state fair [~~which~~] that is held  
25 for less than ten days per year, a state museum or a state

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1 university;

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

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

17 F. The provisions of Section 60-6B-10 NMSA 1978 as  
18 regards to golf courses owned by a governmental entity and  
19 civic centers owned and operated by a governmental entity  
20 shall not apply to governmental licenses.

21 G. A governmental entity that sells alcoholic  
22 beverages directly or indirectly through a lessee at a  
23 governmental facility that is a state museum or a golf course  
24 required to be used for municipal purposes may only sell beer  
25 and wine. "

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