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## FISCAL IMPACT REPORT



SPONSOR: Kidd DATE TYPED: 02/12/02 HB \_\_\_\_\_

SHORT TITLE: Sunday Alcohol Sales at Resorts SB 137

ANALYST: Sandoval

### REVENUE

Estimated Revenue		Subsequent Years Impact	Recurring or Non-Rec	Fund Affected
FY02	FY03			
	\$0.1 Indeterminate Increase	\$0.1 Indeterminate Increase	Recurring	General Fund/Local DWI Grant Fund

(Parenthesis ( ) Indicate Revenue Decreases)

Relates to SB 258, HB 303

Conflicts with SB 152

### SOURCES OF INFORMATION

LFC files

#### Responses Received

Alcohol and Gaming Division of the Regulation and Licensing Department

New Mexico Department of Tourism

Department of Public Safety (DPS)

State Highway and Transportation Department (SHTD)

### SUMMARY

#### Synopsis of Bill

Senate Bill 137 amends the Liquor Control Act to include a definition of a “resort” and permits Sunday sales, service and consumption of alcohol at resorts, except between the hours of 2:00 a.m. and 12:00 noon.

#### Significant Issues

This bill defines a resort as “...an establishment, having a resident of New Mexico as a proprietor or manager, that; furnishes meals and lodging to the general public, maintains for the use of its guests a minimum of one hundred sleeping rooms or recreational vehicle and camping spaces, and pro-

vides at least two resort facilities such as facilities for golf, tennis, water sports, horseback riding, skiing, fishing, hunting or sport shooting or is adjacent to or within a national park, monument or forest or state park or monument...”.

This bill permits the Sunday sales of alcoholic beverages at resorts and horse racetracks despite the results of the 1984 general election where the question to permit the Sunday sales of alcoholic beverages by the drink for consumption on the licensed premises be allowed in the local opinion district was statutorily required to be put to a vote.

### **FISCAL IMPLICATIONS**

Indeterminate increase in revenue to be deposited in the general fund and the local DWI grant fund.

### **ADMINISTRATIVE IMPLICATIONS**

Conflicting assumptions make this implication indeterminate.

### **OTHER SUBSTANTIVE ISSUES**

According to the Highway and Transportation Department this Bill may positively impact DWI in a limited way by potentially reducing the number of drivers residing at resorts from driving to other locations to drink alcohol on Sunday, then returning to the resort on the highways, under the influence.

According to the Public Safety Department, additional alcohol sales inevitably add to the number of intoxicated persons traveling on New Mexico roads. An increase in intoxicated persons on the roads will increase the number of accidents. DWI arrests and traffic accident investigation will deplete the number of Officers on the road while they handle each incident.

According to the Tourism Department, tourism operators in New Mexico have reported to Department Secretary that they have lost group tour business in certain areas of the state as a result local laws prohibiting alcohol sales on Sundays in non-incorporated areas.

### **POSSIBLE QUESTIONS**

1. Is there any statistical information on DWIs as they relate to resorts and horse racetracks?
2. Would passage of this bill increase the number of people traveling to resorts to drink or lower the number of people at resorts traveling to other locations to drink?
3. How would allowing the Sunday sale and consumption of alcohol at New Mexico's resorts affect the tourism industry?

JFS/ar :pr