

AN ACT

RELATING TO SCHOOLS; PROHIBITING ALCOHOL POSSESSION OR
CONSUMPTION ON PUBLIC SCHOOL PREMISES; ESTABLISHING PENALTIES.

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

Section 1. SHORT TITLE.--This act may be cited as the
"School Alcohol-Free Zone Act".

Section 2. DEFINITIONS.--As used in the School Alcohol-
Free Zone Act:

A. "alcoholic beverage" means a beverage with no
less than one-half percent alcohol and includes wine, beer,
fermented, distilled, rectified and fortified beverages; and

B. "school grounds" means public elementary and
secondary schools, including charter schools and facilities
owned or leased by the school district in or on which public
school-related and sanctioned activities are performed, but
does not include other commercial properties owned by a school
district but not related to the functions of a public school.
"School grounds" includes the buildings, playing fields,
parking lots and other facilities located on a school's
premises.

Section 3. ALCOHOLIC BEVERAGES PROHIBITED ON PUBLIC
SCHOOL GROUNDS.--It is unlawful to possess or consume
alcoholic beverages on public school grounds.

Section 4. NOTICES REQUIRED.--A school shall

conspicuously post notices on school grounds stating that possession and consumption of alcoholic beverages is prohibited on school grounds.

Section 5. PENALTIES.--

A. A person convicted of consumption or possession of an alcoholic beverage on school property for the first offense is guilty of a petty misdemeanor and subject to a fine of not less than twenty-five dollars (\$25.00) or more than one hundred dollars (\$100) and may be ordered to perform community service.

B. A person convicted of consumption or possession of an alcoholic beverage on school property for the second or a subsequent offense is guilty of a misdemeanor and subject to a fine of not more than five hundred dollars (\$500) or imprisonment for a definite term not to exceed six months, or both.
