

1 HOUSE BILL 335

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

4 Jim R. Trujillo

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10 AN ACT

11 RELATING TO LIQUOR CONTROL; REVISING THE LIQUOR CONTROL ACT TO
12 PROVIDE PENALTIES FOR VIOLATIONS OF TASTING PERMIT PROVISIONS.

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

15 SECTION 1. Section 60-6A-33 NMSA 1978 (being Laws 2013,
16 Chapter 148, Section 1) is amended to read:

17 "60-6A-33. TASTING PERMIT--FEES.--

18 A. The director is authorized to issue a tasting
19 permit to a licensed dispenser, retailer, resident
20 manufacturer, nonresident manufacturer, wholesaler or
21 winegrower or an agent of any such licensed entity to conduct
22 tastings of wine, beer, cider or spirituous liquor on a
23 licensed premises in accordance with rules promulgated by the
24 director to protect public health and safety. A person serving
25 wine, beer, cider or spirituous liquor at a tasting event

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1 permitted pursuant to this section shall have a server permit.

2 B. To apply for a tasting permit, the holder of a
3 license described in Subsection A of this section shall submit
4 to the department a tasting permit fee of one hundred dollars
5 (\$100) and such information as the director may require. A
6 tasting permit shall be valid for one year from the date that
7 it is issued and may be renewed upon application to the
8 department and payment of the tasting permit fee of one hundred
9 dollars (\$100). A person permitted to hold tastings pursuant
10 to this section shall notify the director no less than forty-
11 eight hours before a tasting event of the person's intent to
12 hold the event. Notification shall include the times and
13 locations of, and the types of products to be included in, the
14 tasting event. Upon receipt of notification, the director
15 shall forward the notice to the appropriate staff member of the
16 special investigations division of the department of public
17 safety.

18 C. The director may impose the following
19 administrative penalties on a person who holds a tasting permit
20 for violations of the Liquor Control Act that occur during
21 tastings conducted pursuant to the person's tasting permit:

22 (1) for a first violation, a fine no greater
23 than one thousand dollars (\$1,000) or a restriction on issuance
24 of tasting permits to the person for a period of two months, or
25 both;

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1 (2) for a second violation within a year of
2 the first violation, a fine no greater than two thousand
3 dollars (\$2,000) or a restriction on issuance of tasting
4 permits to the person for a period of six months, or both; and

5 (3) for a third violation within a year of the
6 first violation, a citation against the license held by the
7 person, a fine no greater than five thousand dollars (\$5,000)
8 and a restriction on issuance of tasting permits to the person
9 for a period of one year."

10 SECTION 2. EFFECTIVE DATE.--The effective date of the
11 provisions of this act is July 1, 2015.