

1 HOUSE BILL 461

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

3 INTRODUCED BY

4 Larry A. Larrañaga

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10 AN ACT

11 RELATING TO FOOD SAFETY; EXEMPTING CERTAIN ORGANIZATIONS FROM
12 THE FOOD SERVICE SANITATION ACT.

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

15 SECTION 1. A new section of the Food Service Sanitation
16 Act is enacted to read:

17 "[NEW MATERIAL] EXEMPTIONS--DEFINITIONS.--

18 A. The provisions of the Food Service Sanitation
19 Act shall not apply to charitable organizations, chartered
20 branches, lodges or chapters of a national or state
21 organization, educational organizations, environmental
22 organizations, fraternal organizations, religious organizations
23 or veterans' organizations that provide food to the general
24 public on six or fewer occasions during a calendar year.

25 B. As used in this section:

.199970.1

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1 (1) "charitable organization" means an
2 organization, not for pecuniary profit, that is operated for
3 the relief of poverty, distress or other condition of public
4 concern in New Mexico and that has been granted an exemption
5 from federal income tax as an organization described in Section
6 501(c) of the United States Internal Revenue Code of 1986, as
7 amended or renumbered;

8 (2) "chartered branch, lodge or chapter of a
9 national or state organization" means a branch, lodge or
10 chapter that is a civic or service organization, not for
11 pecuniary profit, and that is authorized by its written
12 constitution, charter, articles of incorporation or bylaws to
13 engage in a fraternal, civic or service purpose in New Mexico;

14 (3) "educational organization" means an
15 organization within the state, including recognized student
16 organizations, not for pecuniary profit, whose primary purpose
17 is educational in nature and designed to develop the
18 capabilities of individuals by instruction;

19 (4) "environmental organization" means an
20 organization within the state, not organized for pecuniary
21 profit, that is primarily concerned with the protection and
22 preservation of the natural environment;

23 (5) "fraternal organization" means an
24 organization within the state, not for pecuniary profit, that
25 is a branch, lodge or chapter of a national or state

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1 organization and that exists for the common business,
2 brotherhood or other interests of its members;

3 (6) "religious organization" means an
4 organization, church, body of communicants or group, not for
5 pecuniary profit, gathered in common membership for mutual
6 support and edification in piety, worship and religious
7 observances or a society, not for pecuniary profit, of
8 individuals united for religious purposes at a definite place;
9 and

10 (7) "veterans' organization" means an
11 organization within the state or any branch, lodge or chapter
12 of a national or state organization within this state, not for
13 pecuniary profit, the membership of which consists of
14 individuals who were members of the armed services or forces of
15 the United States."

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