

1 SENATE BILL 673

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

3 INTRODUCED BY

4 Ron Griggs

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10 AN ACT

11 RELATING TO LIQUOR CONTROL; PROVIDING FOR CUSTOMERS TO BRING
12 WINE TO A RESTAURANT FOR CONSUMPTION; ALLOWING LICENSEES TO
13 CHARGE A FEE FOR UNCORKING AND SERVING CUSTOMERS' WINE.

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

16 SECTION 1. Section 60-3A-12 NMSA 1978 (being Laws 2007,
17 Chapter 78, Section 1) is amended to read:

18 "60-3A-12. UNCORKING CUSTOMER'S WINE--PARTIALLY CONSUMED
19 BOTTLE OF WINE--LICENSED PREMISES.--

20 A. A dispenser, canopy licensee or restaurant
21 licensee may allow a customer to bring onto and consume on the
22 licensed premises the customer's own bottle of wine. The
23 dispenser or licensee may charge the customer a corkage fee for
24 uncorking and serving the wine.

25 [~~A.~~] B. Notwithstanding any other provision of law,

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underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 a dispenser, canopy licensee or restaurant licensee may permit
2 a customer of the licensee to remove from the licensed premises
3 one opened bottle of partially consumed wine; provided that:

4 (1) the customer has purchased a full-course
5 meal and [~~a bottle of wine and~~] has consumed a portion of [~~the~~]
6 a bottle of wine that the customer purchased on the licensed
7 premises or brought onto the licensed premises pursuant to
8 Subsection A of this section with the meal on the licensed
9 premises; and

10 (2) the dispenser, canopy licensee or
11 restaurant licensee or an agent or employee of the dispenser,
12 canopy licensee or restaurant licensee:

13 (a) attaches the customer receipt issued
14 for the bottle of wine or the receipt issued for the full-
15 course meal with the licensee's, agent's or employee's notation
16 that states that the customer brought the customer's own bottle
17 of wine onto the licensed premises; and

18 (b) reseals the bottle of partially
19 consumed wine by reinserting a cork and sealing the bottle in a
20 tamper-proof bag.

21 [~~B-~~] C. When operating a motor vehicle, the
22 customer shall possess and transport the partially consumed
23 bottle of wine in accordance with Section 66-8-138 NMSA 1978."

24 **SECTION 2. EFFECTIVE DATE.**--The effective date of the
25 provisions of this act is July 1, 2015.

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