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AN ACT

RELATING TO LIQUOR CONTROL; PROVIDING FOR GOVERNMENTAL
LICENSES TO BE ISSUED TO THE SPACEPORT AUTHORITY.

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

SECTION 1. Section 60-6A-10 NMSA 1978 (being Laws 1981,
Chapter 39, Section 27, as amended) is amended to read:

"60-6A-10. GOVERNMENTAL LICENSE.--

A. A governmental entity may sell alcoholic
beverages directly or through its lessee at a governmental
facility if the governing body applies to the director for a
governmental license. The governmental entity and its lessee
shall be subject to all state laws and regulations governing
dispensers.

B. A governmental license may be leased to a
qualified lessee and may only be used by the lessee for its
operation during events authorized by the governmental entity
at the governmental facility designated on the governmental
license. The governmental entity and its lessee shall not
sell alcoholic beverages for consumption off the licensed
premises. On the licensed premises of a municipal baseball
park, the sale or service of alcoholic beverages in unbroken
packages is allowed. Alcoholic beverages shall not be
removed from the licensed premises of a municipal baseball
park. A server as defined in Section 60-6E-3 NMSA 1978 is

1 not required to be present in a skybox to serve alcoholic
2 beverages to the person leasing the skybox or the person's
3 guests.

4 C. A governmental entity holding a governmental
5 license shall annually and not less than sixty days prior to
6 the date for renewal of its license submit to the director
7 documentary proof that its lessee is fully qualified to be a
8 lessee of a governmental license. If the director finds that
9 the lessee is qualified to lease a governmental license, the
10 director shall renew the license for an additional period of
11 one year. If the director determines that the proof is
12 inadequate, the director shall notify the governing body of
13 the decision and shall conduct a hearing as provided by law.
14 If the director finds that the lessee does not qualify and
15 the governmental entity does not change its lessee, the
16 director shall revoke the license.

17 D. The provisions of Section 60-6A-18 NMSA 1978
18 shall not apply to governmental licenses.

19 E. For the purposes of this section:

20 (1) "governmental entity" means a
21 municipality, a county, a state fair that is held for less
22 than ten days per year, the state fair commission, a state
23 museum, a state university or the spaceport authority;

24 (2) "governmental facility" means locations
25 on property owned or operated by a governmental entity,

1 including county fairs; state fairs held for less than ten
2 days per year; convention centers; airports; civic centers;
3 food service facilities in state museums; auditoriums; all
4 facilities on the New Mexico state fairgrounds; facilities
5 used for athletic competitions; golf courses, including golf
6 courses required to be used for municipal purposes
7 notwithstanding that there may be an existing club license at
8 the same location operated by the same club licensee; other
9 facilities used for cultural or artistic performances; and
10 all spaceport authority facilities, but "governmental
11 facility" does not include tennis facilities;

12 (3) "lessee" means an individual,
13 corporation, partnership, firm or association that fulfills
14 the requirements set forth in Subsections A through D of
15 Section 60-6B-2 NMSA 1978;

16 (4) "municipal baseball park" means a
17 governmental facility owned by a governmental entity in a
18 class A county having a population of three hundred fifty
19 thousand or more pursuant to the most recent federal
20 decennial census that is the home stadium of an affiliate of
21 a professional baseball team and that may be used throughout
22 the year for baseball games and other events; and

23 (5) "skybox" means a room or area of seating
24 of a municipal baseball park, separated from the general
25 seating and usually located in the upper decks of the park,

1 leased to a person for that person's exclusive use during
2 baseball games and at any other time throughout the year.

3 F. The provisions of Section 60-6B-10 NMSA 1978,
4 with respect to golf courses owned by a governmental entity
5 and civic centers owned and operated by a governmental entity,
6 shall not apply to governmental licenses." _____

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