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HOUSE BILL 56

**53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

INTRODUCED BY

Carl Trujillo

AN ACT

RELATING TO ALCOHOLIC BEVERAGES; PROHIBITING THE RETAIL PACKAGE  
SALE OF SPIRITUOUS LIQUORS AND WINE AT BELOW COST.

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

SECTION 1. Section 60-7A-11 NMSA 1978 (being Laws 1981,  
Chapter 39, Section 77, as amended) is amended to read:

"60-7A-11. OFFENSES BY RETAILERS.--It is a violation of  
the Liquor Control Act for [~~any~~] a retailer to:

A. allow or permit [~~any~~] alcoholic beverages to be  
consumed on [~~his~~] the retailer's licensed premises;

B. maintain or keep in close proximity to the  
licensed premises [~~any~~] a place for the consumption of  
alcoholic beverages purchased from [~~him~~] the retailer;

C. sell [~~any~~] alcoholic beverages at [~~any~~] a place  
other than [~~his~~] the retailer's licensed premises;

underscoring material = new  
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1 D. sell or possess for the purpose of sale or to  
2 have, possess or keep on [~~his~~] the retailer's licensed premises  
3 alcoholic beverages not contained in the unopened, original  
4 package;

5 E. buy or receive [~~any~~] alcoholic beverages from  
6 [~~any~~] a person other than a duly licensed New Mexico wholesaler  
7 or wine wholesaler for the purpose of or with the intent of  
8 reselling the alcoholic beverages; [~~or~~]

9 F. sell spirituous liquors or wine for less than  
10 the price paid to a wholesaler or wine wholesaler for the same  
11 spirituous liquors or wine; or

12 [~~F.~~] G. directly, indirectly or through [~~any~~] a  
13 subterfuge own, operate or control [~~any~~] an interest in [~~any~~] a  
14 wholesale liquor establishment or liquor manufacturing or wine  
15 bottling firm; provided that this subsection shall not prevent  
16 a retailer from owning stock in [~~any~~] a corporation [~~which~~]  
17 that wholesales, manufactures or bottles alcoholic beverages  
18 when [~~he~~] the retailer owns the stock for investment purposes  
19 only."