

1 HOUSE BILL 258

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018**

3 INTRODUCED BY

4 Debbie A. Rodella and Carl Trujillo
5 and Patricio Ruiloba and Monica Youngblood
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10 AN ACT

11 RELATING TO ALCOHOLIC BEVERAGES; PROHIBITING THE USE OF
12 SCANBACKS AND INSTANTLY REDEEMABLE COUPONS WITH THE SALE OF
13 ALCOHOLIC MALT BEVERAGES.
14

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

16 SECTION 1. A new section of the Liquor Control Act is
17 enacted to read:

18 "[NEW MATERIAL] REDEEMABLE COUPONS PROHIBITED.--

19 A. A nonretail licensee shall not offer, fund,
20 produce, sponsor, promote, furnish or redeem any type of coupon
21 or scanback.

22 B. For purposes of this section:

23 (1) "coupon" means an instantly redeemable
24 physical coupon issued to a retailer by a manufacturer,
25 importer or wholesaler allowing a specified amount of money to

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1 be deducted from the normal price of the particular alcoholic
2 malt beverage product purchased at retail by a consumer during
3 a promotional period;

4 (2) "licensee" means a person issued a license
5 pursuant to the Liquor Control Act;

6 (3) "nonretail licensee" means a manufacturer,
7 importer or wholesaler licensee; and

8 (4) "scanback" means a reimbursement payment
9 made to a retailer by a manufacturer, importer or wholesaler
10 based on how many units of the particular alcoholic malt
11 beverage products were sold during a promotional period."

12 SECTION 2. EFFECTIVE DATE.--The effective date of the
13 provisions of this act is July 1, 2018.