

AN ACT

RELATING TO ALCOHOLIC BEVERAGES; EXEMPTING TABLE WINE FROM
SEGREGATED SALES BY SOME RETAILERS AND DISPENSERS.

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

Section 1. Section 60-6B-19 NMSA 1978 (being Laws 1993, Chapter 68,
Section 36) is amended to read:

"60-6B-19. RETAILERS AND DISPENSERS--SEGREGATED
SALES--TABLE WINES EXCEPTED.--

A. Except as provided in Subsection B of this section, the director shall
by regulation develop procedures for segregated alcohol sales by every retailer or
dispenser who sells alcoholic beverages in unbroken packages for consumption and
not for resale off the licensed premises and whose sales are less than sixty percent of
their total sales, giving serious consideration in the regulation process to the
potentially adverse impact of segregated sales on different sizes of the establishments
of the retailer or dispenser.

B. There shall not be segregated sales of table wine by retailers or
dispensers who sell alcoholic beverages in the manner described in Subsection A of
this section.

C. For purposes of this section, "table wine" means wine containing
fourteen percent or less alcohol by volume when bottled or packaged by the
manufacturer, but may also include:

(1) wine that is sealed or capped by cork closure and aged two
years or more;

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(2) wine that contains more than fourteen percent alcohol by volume produced solely as a result of the natural fermentation process and not produced with the addition of wine spirits, brandy or alcohol; or

(3) vermouth and sherry."

Section 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, ~~2004~~