

FORTY-SEVENTH LEGISLATURE
FIRST SESSION, 2005

SB 862/a

March 16, 2005

Madam President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

SENATE BILL 862, as amended

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. Strike Senate Public Affairs Committee Amendment 14.

2. On page 11, lines 2 through 14, strike Subsection J in its entirety and insert the following new Subsection J:

"J. Notwithstanding the petition provisions of Section 60-5A-1 NMSA 1978, but otherwise in accordance with the remaining provisions of that section, and notwithstanding the provisions of Subsection E of this section, a class B county with a population greater than twenty-five thousand five hundred but less than twenty-nine thousand, according to the most recent federal decennial census, which has previously voted to prohibit Sunday sales of alcoholic beverages by the drink for consumption on licensed premises of licensees, shall, within seventy-five days of the effective date of this 2005 act, call an election on the question "Shall Sunday sales of alcoholic beverages by the drink for consumption on the licensed premises of licensees be allowed in this local option district?". If a majority of the voters voting on the question votes against Sunday sales, then the prohibition against Sunday sales in that class B county shall continue. If a majority of the voters voting on the question votes to allow Sunday sales, then the sale, service and consumption of alcoholic beverages by the drink on licensed premises of licensees in that class B county shall be allowed commencing on the first Sunday after the results of the election are certified. The question of Sunday sales of alcoholic beverages by the drink for consumption on the licensed premises of a licensee shall not be submitted again to the voters of that class B county for two years following the election required in this subsection and then only if the petition requirements of Subsection E of this section are met."

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Respectfully submitted,

Cisco McSorley, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 5 For 1 Against

Yes: 5

No: Adair

Excused: Grubestic, Harden, Lopez, Payne

Absent: None

SB0862JU1

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