#### HOUSE BILL 1230

## 48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

### INTRODUCED BY

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# AN ACT

RELATING TO ALCOHOLIC LIQUORS; PROHIBITING THE SALE OR

PROVISION OF ALCOHOLIC BEVERAGES IN CERTAIN PACKAGES; IMPOSING

CRIMINAL PENALTIES; PROVIDING FOR FORFEITURE.

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

Section 1. A new section of Chapter 60, Article 7A NMSA 1978 is enacted to read:

"[NEW MATERIAL] PROHIBITED PACKAGE--CRIMINAL PENALTY-FORFEITURE.--

A. It is unlawful for a person to sell or attempt to sell, or to provide or attempt to provide, to another person alcoholic beverages in a flexible pouch package of fifty milliliters or less, or in a flexible pouch package of more than fifty milliliters that does not have a screw-off and screw-on top or other opening and closing system that is an .165268.1

integral part of the package.

B. A person who violates the provisions of Subsection A of this section is guilty of a fourth degree felony.

C. A conveyance used or intended to be used for the unlawful act described in Subsection A of this section or money that is the fruit or instrumentality of that unlawful act is subject to forfeiture, and the provisions of the Forfeiture Act apply to the seizure, forfeiture and disposal of that conveyance or money."

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