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SENATE BILL 540

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Steven P. Neville

AN ACT

RELATING TO LIQUOR CONTROL; RESTRICTING AREAS IN LICENSED
PREMISES WHERE MINORS CAN BE PRESENT.

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

SECTION 1. Section 30-20-10 NMSA 1978 (being Laws 1963,
Chapter 303, Section 20-6, as amended) is amended to read:

"30-20-10. LOITERING OF MINORS.--Loitering of minors
consists of the owner or operator of any [~~saloon~~] licensed
premises permitting a person under the age of twenty-one years
to attend, frequent or loiter in or about such premises in
areas where the consumption of alcoholic beverages is the
primary activity without being accompanied by the parent or
guardian of the person.

Whoever commits loitering of minors is guilty of a petty
misdemeanor."

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1 SECTION 2. Section 60-7B-10 NMSA 1978 (being Laws 1981,
2 Chapter 39, Section 90, as amended) is amended to read:

3 "60-7B-10. MINORS IN LICENSED PREMISES--REGULATIONS.--

4 A. Any person licensed pursuant to the provisions
5 of the Liquor Control Act or any employee, agent or lessee of
6 that person who permits a minor to enter and remain in any area
7 of a licensed premises that is prohibited to the use of minors
8 is guilty of a violation of the Liquor Control Act.

9 B. A minor shall not enter or attempt to enter any
10 area of a licensed premises that is posted or otherwise
11 identified as being prohibited to the use of minors, except as
12 authorized by regulation or as necessitated by an emergency. A
13 person who violates the provisions of this subsection is guilty
14 of a petty misdemeanor and shall be punished pursuant to the
15 provisions of Section 31-19-1 NMSA 1978.

16 C. The director of the alcohol and gaming division
17 of the regulation and licensing department shall adopt
18 regulations classifying the types of licensed premises or areas
19 of licensed premises where minors may be present. The director
20 shall require that signs issued by the division be posted by
21 licensees to inform the public, including minors, of the areas
22 in licensed premises that are open to minors. The regulations
23 may allow minors in those areas of licensed premises where:

24 (1) the consumption of alcoholic beverages is
25 the primary activity, when a minor is accompanied by a parent,

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1 adult spouse or legal guardian; or

2 (2) there is no consumption of alcoholic
3 beverages.

4 D. Areas of a licensed premises where the
5 consumption of alcohol is the primary activity shall be
6 partitioned by a solid floor-to-ceiling wall from any areas
7 where minors are permitted to be present when not accompanied
8 by a parent, adult spouse or legal guardian."

9 SECTION 3. EFFECTIVE DATE.--The effective date of the
10 provisions of this act is July 1, 2011.

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