SENATE BILL 579

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

INTRODUCED BY

Kent L. Cravens

AN ACT

RELATING TO ALCOHOLIC BEVERAGES; RESTRICTING LICENSING OF LIQUOR ESTABLISHMENTS WITHIN THREE HUNDRED FEET OF DAYCARE CENTERS.

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

SECTION 1. Section 60-6B-10 NMSA 1978 (being Laws 1981, Chapter 39, Section 45, as amended) is amended to read:

"60-6B-10. LOCATIONS NEAR CHURCH, [OR] SCHOOL OR DAYCARE CENTER--RESTRICTIONS ON LICENSING.--No license shall be issued by the director for the sale of alcoholic beverages at a licensed premises where alcoholic beverages were not sold prior to July 1, [1981] 2011 that is within three hundred feet of [any] a church [or], school or daycare center. A license may be granted for a proposed licensed premises if the owner or lessee has, prior to establishment of a church [or], school or

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daycare center located within three hundred feet of the proposed licensed premises, applied for, been granted and maintained a valid building permit for the construction or renovation of the proposed licensed premises and has filed on a form prescribed by the director a notice of intention to apply for transfer of a license to the proposed licensed premises. A license may be granted for a proposed licensed premises if a person has obtained a waiver from a local option district governing body for the proposed licensed premises. For the purposes of this section, all measurements taken in order to determine the location of licensed premises in relation to churches [or], schools or daycare centers shall be the straight line distance from the property line of the licensed premises to the property line of the church [or], school or daycare center. This provision shall not apply to [any] a church that has been designated as [an] a historical site by the cultural properties review committee and [which] that does not have a regular congregation."

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