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HOUSE BILL 52

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

MIGUEL P. GARCIA

AN ACT

RELATING TO ALCOHOLIC BEVERAGES; AMENDING THE LIQUOR CONTROL ACT  
TO PROHIBIT CERTAIN EVENTS FOR MINORS ON LICENSED PREMISES;  
PROVIDING PENALTIES.

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

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

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

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

B. A minor shall not enter or attempt to enter any  
area of a licensed premises that is posted or otherwise

Underscored material = new  
[bracketed material] = delete

1 identified as being prohibited to the use of minors, except as  
2 authorized by regulation or as necessitated by an emergency. A  
3 person who violates the provisions of this subsection is guilty  
4 of a petty misdemeanor and shall be punished pursuant to the  
5 provisions of Section 31-19-1 NMSA 1978.

6 C. The director of the alcohol and gaming division  
7 of the regulation and licensing department shall adopt  
8 regulations classifying the types of licensed premises or areas  
9 of licensed premises where minors may be present. The director  
10 shall require that signs issued by the division be posted by  
11 licensees to inform the public, including minors, of the areas  
12 in licensed premises that are open to minors. The regulations  
13 may allow minors in those areas of licensed premises where:

14 (1) the consumption of alcoholic beverages is  
15 the primary activity, when a minor is accompanied by a parent,  
16 adult spouse or legal guardian; or

17 (2) there is no consumption of alcoholic  
18 beverages.

19 D. Notwithstanding the provisions of Subsection C of  
20 this section, it is a violation of the Liquor Control Act for a  
21 person licensed pursuant to the provisions of the Liquor Control  
22 Act to conduct or permit to be conducted on licensed premises  
23 any teen dance, quinceaneras celebration, high school graduation  
24 party or other similar special event primarily directed to  
25 minors. In addition to any other penalty, a person who violates

Underscored material = new  
~~[bracketed material] = delete~~

1 the provisions of this subsection for the first time is guilty  
2 of a misdemeanor and upon conviction shall be sentenced in  
3 accordance with the provisions of Section 31-19-1 NMSA 1978, and  
4 a person who is convicted for a second or subsequent time of a  
5 violation of this subsection is guilty of a fourth degree felony  
6 and shall be sentenced in accordance with the provisions of  
7 Section 31-18-15 NMSA 1978. "