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SENATE BILL 504

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Dianna J. Duran

AN ACT

RELATING TO ALCOHOLIC BEVERAGES; PERMITTING LIMITED USE OF
LICENSED PREMISES OF A CLUB BY NONPROFIT ORGANIZATIONS FOR
FUNDRAISING PURPOSES; DECLARING AN EMERGENCY.

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

Section 1. Section 60-7A-13 NMSA 1978 (being Laws 1981,
Chapter 39, Section 79, as amended) is amended to read:

"60-7A-13. SALES BY CLUBS. --

A. Any club licensed [~~under~~] pursuant to the
provisions of the Liquor Control Act shall only have the right
to sell alcoholic beverages by the drink and wine by the
bottle for consumption on the premises.

B. Except as otherwise provided in this section,
it is unlawful and grounds for suspension or revocation of its
license for a club to:

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1 (1) solicit by advertising or any other means
2 public patronage of its alcoholic beverage facilities. In the
3 event the club solicits public patronage of its other
4 facilities, alcoholic beverages shall not be sold, served or
5 consumed on the premises while the other facilities are being
6 used by or operated for the benefit of the general public,
7 unless the alcoholic beverage facilities are separate from the
8 other facilities and the general public is not permitted to
9 enter any part of the facilities where alcoholic beverages are
10 being sold, served or consumed; or

11 (2) serve, sell or permit the consumption of
12 alcoholic beverages to persons other than members and their
13 bona fide guests.

14 C. A club licensed pursuant to the provisions of
15 the Liquor Control Act may allow its facilities, including its
16 licensed premises, to be used no more than two times in a
17 calendar year for fundraising events held by nonprofit
18 organizations.

19 [~~C.~~] D. For the purposes of this section:

20 (1) "bona fide guest" means a person whose
21 presence in the club is in response to a specific invitation
22 by a member and for whom the member assumes responsibility;
23 and

24 (2) "member" includes the adult spouse and
25 the children of a member who pays membership dues or of a

1 deceased member who paid membership dues or a member of an
2 official auxiliary or subsidiary group of the club who has
3 been issued a personal identification card in accordance with
4 the rules and regulations of the club. "

5 Section 2. EMERGENCY.--It is necessary for the public
6 peace, health and safety that this act take effect
7 immediately.

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1 FORTY- FOURTH LEGISLATURE

SB 504/a

2 FIRST SESSION, 1999

7 March 1, 1999

9 Mr. President:

11 Your PUBLIC AFFAIRS COMMITTEE, to whom has been
12 referred

14 SENATE BILL 504

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

20 1. On page 2, line 16, after "used" insert ", for
21 activities other than its own,".

23 2. On page 2, line 17, after "by" insert "other".,

25 and thence referred to the JUDICIARY COMMITTEE.

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Respectfully submitted,

Shannon Robinson, Chairman

Adopted _____ Not

Adopted _____

(Chief Clerk)

(Chief Clerk)

Date _____

The roll call vote was 6 For 0 Against

Yes: 6

No: 0

Excused: Ingle, Stockard, Smith

Absent: None

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FORTY- FOURTH LEGISLATURE
FIRST SESSION, 1999

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1 FORTY-FOURTH LEGISLATURE
2 FIRST SESSION, 1999
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6 March 18, 1999
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8 Mr. Speaker:
9

10 Your BUSINESS AND INDUSTRY COMMITTEE, to whom has
11 been referred
12

13 SENATE BILL 504, as amended
14

15 has had it under consideration and reports same with
16 recommendation that it DO PASS.

17 Respectfully submitted,
18

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21 _____
22 Fred Luna, Chairman
23
24
25

FORTY-FOURTH LEGISLATURE
FIRST SESSION, 1999

3 HBIC/SB 504

Page 8

4 Adopted _____ Not Adopted _____

5 (Chief Clerk)

(Chief Clerk)

7 Date _____

9 The roll call vote was 11 For 0 Against

10 Yes: 11

11 Excused: Hobbs

12 Absent: None

14 G:\BILLTEXT\BILLW_99\S0504

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