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HOUSE BILL 275

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Brian K. Moore

AN ACT

RELATING TO SCHOOLS; PROHIBITING ALCOHOL POSSESSION OR  
CONSUMPTION ON PUBLIC SCHOOL PREMISES; ESTABLISHING PENALTIES.

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

Section 1. SHORT TITLE.--This act may be cited as the  
"School Alcohol-Free Zone Act".

Section 2. DEFINITIONS.--As used in the School Alcohol-  
Free Zone Act:

A. "alcoholic beverage" means a beverage with no  
less than one-half percent alcohol and includes wine, beer,  
fermented, distilled, rectified and fortified beverages; and

B. "school grounds" means public elementary and  
secondary schools, including charter schools and facilities in  
or on which public school-related and sanctioned activities are  
performed, but does not include other commercial properties

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1 owned by a school district but not related to the functions of  
2 a public school. "School grounds" includes the buildings,  
3 playing fields, parking lots and other facilities located on a  
4 school's premises.

5 Section 3. ALCOHOLIC BEVERAGES PROHIBITED ON PUBLIC  
6 SCHOOL GROUNDS.--It is unlawful to possess or consume alcoholic  
7 beverages on public school grounds.

8 Section 4. NOTICES REQUIRED.--A school shall  
9 conspicuously post notices on school grounds stating that  
10 possession and consumption of alcoholic beverages is prohibited  
11 on school grounds.

12 Section 5. PENALTIES.--

13 A. A person convicted of consumption or possession  
14 of an alcoholic beverage on school property for the first  
15 offense is guilty of a petty misdemeanor and subject to a fine  
16 of not less than twenty-five dollars (\$25.00) or more than one  
17 hundred dollars (\$100) and may be ordered to perform community  
18 service.

19 B. A person convicted of consumption or possession  
20 of an alcoholic beverage on school property for the second or a  
21 subsequent offense is guilty of a misdemeanor and subject to a  
22 fine of not more than five hundred dollars (\$500) or  
23 imprisonment for a definite term not to exceed six months, or  
24 both.