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AN ACT

RELATING TO ALCOHOLIC BEVERAGES; AUTHORIZING THE ISSUANCE OF  
A SPECIAL BED AND BREAKFAST DISPENSING LICENSE FOR BEER AND  
WINE.

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

SECTION 1. A new section of the Liquor Control Act is  
enacted to read:

"SPECIAL BED AND BREAKFAST DISPENSING LICENSE--FEES--  
LIMITATIONS.--

A. The director is authorized to issue a special  
bed and breakfast dispensing license to owners and operators  
of a bed and breakfast in accordance with rules promulgated  
by the director to protect public health and safety. The  
license shall be limited to the serving of wine and beer in  
conjunction with food only to the guests of the bed and  
breakfast.

B. A bed and breakfast establishment may apply for  
a special bed and breakfast dispensing license by submitting  
a fee of one hundred dollars (\$100) to the department  
together with such information as the director may require.  
A license may be renewed annually for a fee of one hundred  
dollars (\$100). The license shall allow the owner, operator  
or employee of a bed and breakfast who holds a server permit  
to dispense only New Mexico wine or beer only to guests of

1 the bed and breakfast in conjunction with the serving of food  
2 in a common area of the bed and breakfast.

3 C. The issuance of a bed and breakfast license for  
4 beer and wine service shall be contingent on the approval of  
5 the local public governing body or local adoption district of  
6 the jurisdiction in which the business is domiciled.

7 D. Service of New Mexico beer or wine with food to  
8 guests at a bed and breakfast shall be limited to two  
9 twelve-ounce servings of beer or two six-ounce servings of  
10 wine per guest.

11 E. A special bed and breakfast dispensing license  
12 shall not be transferable from person to person or from one  
13 location to another.

14 F. An owner, operator or employee of a bed and  
15 breakfast who holds a server permit shall comply with the  
16 provisions of the Alcohol Server Education Article of the  
17 Liquor Control Act.

18 G. For the purposes of this section, "bed and  
19 breakfast" means a business establishment that offers  
20 temporary lodging with meals included and has a guest  
21 capacity of twenty or fewer persons."

22 SECTION 2. EFFECTIVE DATE.--The effective date of the  
23 provisions of this act is July 1, 2012. \_\_\_\_\_