HOUSE BILL 258

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

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Pursuant to House Rule 24-1, this document incorporates amendments that have been adopted prior to consideration of this measure by the House. It is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO ALCOHOLIC BEVERAGES; PROHIBITING THE USE OF SCANBACKS AND INSTANTLY REDEEMABLE COUPONS WITH THE SALE OF ALCOHOLIC MALT BEVERAGES.

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:

"[NEW MATERIAL] REDEEMABLE COUPONS PROHIBITED.--

A. A nonretail licensee shall not offer, fund, produce, sponsor, promote, furnish or redeem any type of coupon

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or scanback.

B. For purposes of this section:

(1) "coupon" means an instantly redeemable HJC➜**physical**⬅HJC coupon issued to a retailer by a manufacturer, importer or wholesaler allowing a specified amount of money to be deducted from the normal price of the particular alcoholic malt beverage product purchased at retail by a consumer during a promotional period;

(2) "licensee" means a person issued a license pursuant to the Liquor Control Act;

(3) "nonretail licensee" means a manufacturer, importer or wholesaler licensee; and

(4) "scanback" means a reimbursement payment made to a retailer by a manufacturer, importer or wholesaler based on how many units of the particular alcoholic malt beverage products were sold during a promotional period."

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2018.

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