

HOUSE BILL 233

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY

Marian Matthews

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

AN ACT

RELATING TO EXECUTIVE ORGANIZATION; REORGANIZING THE REGULATION AND LICENSING DEPARTMENT; HGEIC→~~PROVIDING FOR COMPLIANCE INSPECTORS FOR THE ALCOHOLIC BEVERAGE CONTROL DIVISION AND CANNABIS CONTROL DIVISION;~~←HGEIC Sfl1→~~MAKING THE DEPARTMENT A CABINET DEPARTMENT;~~←Sfl1 INCLUDING THE BOARDS AND COMMISSIONS DIVISION AND THE INFORMATION TECHNOLOGY DIVISION IN THE LIST OF DIVISIONS OF THE DEPARTMENT.

.223596.3AIC February 13, 2023 (2:53pm)

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

SECTION 1. Section 9-16-1 NMSA 1978 (being Laws 1983, Chapter 297, Section 17) is amended to read:

"9-16-1. SHORT TITLE.--~~[Sections 17 through 29 of this act]~~ Chapter 9, Article 16 NMSA 1978 may be cited as the "Regulation and Licensing Department Act"."

Sf11→SECTION 2. Section 9-16-3 NMSA 1978 (being Laws 1983, Chapter 297, Section 19) is amended to read:

"9-16-3. DEFINITIONS.--As used in the Regulation and Licensing Department Act:

A. "department" means the regulation and licensing department; and

B. "superintendent" or "secretary" means the [superintendent] secretary of regulation and licensing."←Sf11

SECTION Sf11→2.←Sf11 Sf11→3.←Sf11 Section 9-16-4 NMSA 1978 (being Laws 1983, Chapter 297, Section 20, as amended) is amended to read:

"9-16-4. DEPARTMENT ~~[ESTABLISHED]~~ CREATED.--The "regulation and licensing department" is created in the executive branch. The department shall Sf11→not←Sf11 be a cabinet department. The department shall ~~[consist of but not be limited to]~~ include the following divisions:

A. the administrative services division;

~~[B. the construction industries division;~~

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- ~~G. the financial institutions division;~~
- ~~D. the securities division;~~
- ~~E. the manufactured housing division;~~
- ~~F. the alcoholic beverage control division; and~~
- ~~G. the cannabis control division;]~~
- B. the alcoholic beverage control division;
- C. the boards and commissions division;
- D. the cannabis control division;
- E. the construction industries division;
- F. the financial institutions division;
- G. the information technology division;
- H. the manufactured housing division; and
- I. the securities division."

Sf11→SECTION 4. Section 9-16-5 NMSA 1978 (being Laws 1983, Chapter 297, Section 21) is amended to read:

"9-16-5. [SUPERINTENDENT] SECRETARY OF REGULATION AND LICENSING--APPOINTMENT.--The chief executive and administrative officer of the department is the "[superintendent] secretary of regulation and licensing", who shall be a member of the executive cabinet. The [superintendent] secretary shall be appointed by the governor [and hold office at the pleasure of the governor] with the advice and consent of the senate."

SECTION 5. TEMPORARY PROVISION--STATUTORY REFERENCES.-- Statutory references to the superintendent of regulation and licensing shall be deemed to be references to the secretary of

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regulation and licensing.←Sf11

HGEIC→SECTION 3. A new section of the Regulation and Licensing Department Act is enacted to read:

"~~[NEW MATERIAL] COMPLIANCE INSPECTORS--PEACE OFFICERS.--~~  
The superintendent shall employ compliance inspectors to investigate and enforce laws and rules of the alcoholic beverage control division and the cannabis control division. Inspectors shall have the powers and duties of peace officers and shall report to the superintendent or the person to whom the superintendent has delegated oversight duties of compliance inspectors; provided that the superintendent shall not delegate final employment decisions."←HGEIC

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