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HOUSE BILL 131

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

BENJAMIN B. RIOS

AN ACT

RELATING TO ALCOHOLIC BEVERAGES; PROVIDING FOR LOCAL WAIVER OF LIQUOR LICENSE DISTANCE REQUIREMENTS IN CERTAIN CIRCUMSTANCES.

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

Section 1. Section 60-6B-10 NMSA 1978 (being Laws 1981, Chapter 39, Section 45, as amended) is amended to read:

"60-6B-10. LOCATIONS NEAR CHURCH OR SCHOOL--RESTRICTIONS ON LICENSING.--No license shall be issued by the director for the sale of alcoholic beverages at a licensed premises where alcoholic beverages were not sold prior to July 1, 1981 ~~which~~ that is within three hundred feet of any church or school. A license may be granted for a proposed licensed premises if the owner or lessee has, prior to establishment of a church or school located within three hundred feet of the proposed licensed premises, applied for, been granted and maintained a

Underscored material = new  
[bracketed material] = delete

1 valid building permit for the construction or renovation of the  
2 proposed licensed premises and has filed on a form prescribed by  
3 the director a notice of intention to apply for transfer of a  
4 license to the proposed licensed premises. A license may be  
5 granted for a proposed licensed premises if a person has  
6 obtained a waiver from a local option district governing body  
7 for the proposed licensed premises ~~[before the effective date of~~  
8 ~~the Liquor Control Act. A waiver may be granted after the~~  
9 ~~effective date of the Liquor Control Act but only for a licensed~~  
10 ~~premises in a class A county located on the top floor of a~~  
11 ~~building of at least fifteen stories, the construction of which~~  
12 ~~building began prior to February 1, 1985 but was not completed~~  
13 ~~on that date. The application to the governing body for the~~  
14 ~~waiver shall be made prior to October 1, 1986].~~ For the  
15 purposes of this section, all measurements taken in order to  
16 determine the location of licensed premises in relation to  
17 churches or schools shall be the straight line distance from the  
18 property line of the licensed premises to the property line of  
19 the church or school. This provision shall not apply to any  
20 church ~~[which]~~ that has been designated as an historical site by  
21 the cultural properties review committee and which does not have  
22 a regular congregation. "

**State of New Mexico**  
**House of Representatives**

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**FORTY- THIRD LEGISLATURE**  
**FIRST SESSION, 1997**

February 4, 1997

Mr. Speaker:

Your BUSINESS AND INDUSTRY COMMITTEE, to whom has  
been referred

HOUSE BILL 131

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

Underscored material = new  
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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

HB 131

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Respectfully submitted,

\_\_\_\_\_

Fred Luna, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

Excused: Getty, Hobbs, Kissner, Rodella

Absent: Varela

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Underscored material = new  
[bracketed material] = delete

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

March 16, 1997

Mr. President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

HOUSE BILL 131

has had it under consideration and reports same with recommendation that it DO PASS, and thence referred to the CORPORATIONS AND TRANSPORTATION COMMITTEE.

Respectfully submitted,

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Shannon Robinson, Chairman

FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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3 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

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(Chief Clerk)

(Chief Clerk)

5

6

Date \_\_\_\_\_

7

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9 The roll call vote was 4 For 1 Against

10 Yes: 4

11 No: Adair

12 Excused: Boitano, Garcia, Ingle, Rodarte

13 Absent: None

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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5 FORTY-THIRD LEGISLATURE  
6 FIRST SESSION, 1997

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March 17, 1997

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10 Mr. President:

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12 Your CORPORATIONS & TRANSPORTATION COMMITTEE, to

13

whom has been referred

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HOUSE BILL 131

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16 has had it under consideration and reports same with

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recommendation that it DO PASS.

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Respectfully submitted,

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Roman M. Maes, III, Chairman

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FORTY-THIRD LEGISLATURE  
FIRST SESSION, 1997

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3 Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_

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(Chief Clerk)

(Chief Clerk)

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Date \_\_\_\_\_

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9

10 The roll call vote was 5 For 1 Against

11 Yes: 5

12 No: Maloof

13 Excused: Fidel, Howes, McKibben, Robinson

14 Absent: None

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H0131CT1

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