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SENATE BILL 7

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

INTRODUCED BY

GLORIA HOWES

FOR THE DWI OVERSIGHT TASK FORCE

AN ACT

RELATING TO ALCOHOLIC BEVERAGES; REQUIRING A LICENSEE, HIS
LESSEE OR A SERVER EMPLOYED BY A LICENSEE OR LESSEE TO HAVE
SUCCESSFULLY COMPLETED AN ALCOHOL SERVER EDUCATION PROGRAM;
PROVIDING SANCTIONS; AMENDING A SECTION OF THE ALCOHOL SERVER
EDUCATION ACT.

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

Section 1. Section 60-6D-4 NMSA 1978 (being Laws 1993,
Chapter 68, Section 31, as amended) is amended to read:

"60-6D-4. ALCOHOL SERVER TRAINING- - ~~[REQUIRED FOR LICENSE
RENEWAL] REQUIREMENT TO COMPLETE A PROGRAM - SANCTIONS FOR
NONCOMPLIANCE.~~ - - ~~[Beginning July 1, 1995, a licensee seeking
renewal of a license shall submit to the department, as a
condition of license renewal, proof that the licensee, his
lessee and each server employed by the licensee or lessee during~~

Underscored material = new
[bracketed material] = delete

Underscored material = new
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1 ~~the prior licensing year have completed alcohol server programs~~
2 ~~certified by the alcohol server education advisory committee~~
3 ~~pursuant to provisions of the Liquor Control Act.]~~

4 A. A licensee, his lessee or a server employed by
5 the licensee or lessee shall have successfully completed a
6 program certified by the alcohol server education advisory
7 committee.

8 B. A server shall provide a copy of the certificate
9 attesting to his successful completion of a program to the
10 licensee or lessee who employs him.

11 C. During hours of employment on licensed premises,
12 a licensee, his lessee or a server employed by the licensee or
13 lessee shall be required to keep a certificate attesting to
14 successful completion of a program on his person. If requested,
15 he shall present the certificate to an inspector from the
16 alcohol and gaming division of the regulation and licensing
17 department or a special agent from the department of public
18 safety conducting an inspection of the licensed premises.

19 D. A licensee or lessee may lawfully terminate the
20 employment of an individual he employs as a server who fails to
21 comply with the provisions of Subsection A, B or C of this
22 section.

23 E. When a licensee or his lessee fails to comply
24 with the provisions of Subsection A or C of this section, it is
25 a violation of the Liquor Control Act. "

Underscored material = new
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Section 2. EFFECTIVE DATE. -- The effective date of the provisions of this act is July 1, 1997.

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