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HOUSE BILL 463

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

MIGUEL P. GARCIA

AN ACT

RELATING TO ALCOHOLIC BEVERAGE PROMOTIONS; ENACTING A NEW SECTION OF THE LIQUOR CONTROL ACT; DECLARING AN EMERGENCY.

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 PROHIBITION OF CERTAIN PROMOTIONS. --

A. It is a violation of the Liquor Control Act for a licensee to directly or indirectly give a premium, gift, free goods or other promotional benefit in connection with the sale or distribution of alcoholic beverage except as provided by rule adopted by the director.

B. No rule adopted by the director may permit a licensee to give a premium, gift, free goods or other promotional benefit of greater than de minimus value in

Underscored material = new
[bracketed material] = delete

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[bracketed material] = delete

1 connection with the sales or distribution of beer.

2 C. For purposes of this section, "de minimus
3 value" means no significant or utilitarian value other than
4 advertising, costing less than twenty-five cents (\$.25) per
5 unit and no more than fifteen dollars (\$15.00) in the
6 aggregate for all items given by a single supplier to a single
7 retail premises per calendar year. "

8 Section 2. EMERGENCY.--It is necessary for the public
9 peace, health and safety that this act take effect
10 immediately.