



The Legislature  
of the  
State of New Mexico

52nd Legislature, 1st Session

LAWS 2015

CHAPTER \_\_\_\_\_

HOUSE BILL 198, as amended

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Introduced by  
REPRESENTATIVE ANTONIO "MOE" MAESTAS



**POCKET VETOED**

1 AN ACT

2 RELATING TO LIQUOR CONTROL; PROVIDING THAT A MUNICIPAL GOLF  
3 COURSE AND A STATE MUSEUM MAY SELL BEER, WINE AND DISTILLED  
4 SPIRITS.

5  
6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

7 SECTION 1. Section 60-6A-10 NMSA 1978 (being Laws 1981,  
8 Chapter 39, Section 27, as amended) is amended to read:

9 "60-6A-10. GOVERNMENTAL LICENSE.--

10 A. A governmental entity may sell alcoholic  
11 beverages directly or through its lessee at a governmental  
12 facility if the governing body applies to the director for a  
13 governmental license. The governmental entity and its lessee  
14 shall be subject to all state laws and regulations governing  
15 dispensers.

16 B. A governmental license may be leased to a  
17 qualified lessee and may only be used by the lessee for its  
18 operation during events authorized by the governmental entity  
19 at the governmental facility designated on the governmental  
20 license. The governmental entity and its lessee shall not  
21 sell alcoholic beverages for consumption off the licensed  
22 premises. On the licensed premises of a municipal baseball  
23 park, the sale or service of alcoholic beverages in unbroken  
24 packages is allowed. Alcoholic beverages shall not be removed  
25 from the licensed premises of a municipal baseball park. A

1 server as defined in Section 60-6E-3 NMSA 1978 is not required  
2 to be present in a skybox to serve alcoholic beverages to the  
3 person leasing the skybox or the person's guests.

4 C. A governmental entity holding a governmental  
5 license shall annually and not less than sixty days prior to  
6 the date for renewal of its license submit to the director  
7 documentary proof that its lessee is fully qualified to be a  
8 lessee of a governmental license. If the director finds that  
9 the lessee is qualified to lease a governmental license, the  
10 director shall renew the license for an additional period of  
11 one year. If the director determines that the proof is  
12 inadequate, the director shall notify the governing body of  
13 the decision and shall conduct a hearing as provided by law.  
14 If the director finds that the lessee does not qualify and the  
15 governmental entity does not change its lessee, the director  
16 shall revoke the license.

17 D. The provisions of Section 60-6A-18 NMSA 1978  
18 shall not apply to governmental licenses.

19 E. For the purposes of this section:

20 (1) "governmental entity" means a  
21 municipality, a county, a state fair that is held for less  
22 than ten days per year, the state fair commission, a state  
23 museum or a state university;

24 (2) "governmental facility" means locations  
25 on property owned or operated by a governmental entity,



1 including county fairs; state fairs held for less than ten  
2 days per year; convention centers; airports; civic centers;  
3 food service facilities in state museums; auditoriums; all  
4 facilities on the New Mexico state fairgrounds; facilities  
5 used for athletic competitions; golf courses, including golf  
6 courses required to be used for municipal purposes  
7 notwithstanding that there may be an existing club license at  
8 the same location operated by the same club licensee; and  
9 other facilities used for cultural or artistic performances,  
10 but "governmental facility" does not include tennis  
11 facilities;

12 (3) "lessee" means an individual,  
13 corporation, partnership, firm or association that fulfills  
14 the requirements set forth in Subsections A through D of  
15 Section 60-6B-2 NMSA 1978;

16 (4) "municipal baseball park" means a  
17 governmental facility owned by a governmental entity in a  
18 class A county having a population of three hundred fifty  
19 thousand or more pursuant to the most recent federal decennial  
20 census that is the home stadium of an affiliate of a  
21 professional baseball team and that may be used throughout the  
22 year for baseball games and other events; and

23 (5) "skybox" means a room or area of seating  
24 of a municipal baseball park, separated from the general  
25 seating and usually located in the upper decks of the park,

1 leased to a person for that person's exclusive use during  
2 baseball games and at any other time throughout the year.

3 F. The provisions of Section 60-6B-10 NMSA 1978,  
4 with respect to golf courses owned by a governmental entity  
5 and civic centers owned and operated by a governmental entity,  
6 shall not apply to governmental licenses."\_\_\_\_\_

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S/ DON TRIPP  
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Approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2015

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SUSANA MARTINEZ, GOVERNOR  
STATE OF NEW MEXICO