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SENATE BILL 201

**53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

INTRODUCED BY

John M. Sapien

AN ACT

RELATING TO LIQUOR LICENSES; PROVIDING FOR A SALON LICENSE.

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] SALON LICENSE.--

A. A local option district may approve the issuance of salon licenses for the sale of beer and wine by holding an election on that question pursuant to the procedures set out in Section 60-5A-1 NMSA 1978. The election also may be initiated by a resolution adopted by the governing body of the local option district without a petition from registered qualified electors having been submitted.

B. After the approval of salon licenses by the registered qualified electors of the local option district and

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1 upon completion of all requirements in the Liquor Control Act  
2 for the issuance of licenses, a salon located or to be located  
3 within the local option district may receive a salon license to  
4 sell, serve or allow the consumption of beer and wine on its  
5 premises subject to the following requirements and  
6 restrictions:

7 (1) the applicant shall submit evidence to the  
8 department that the applicant has a current valid business  
9 permit;

10 (2) the applicant shall satisfy the director  
11 that the primary source of revenue from the operation of the  
12 salon will not be derived from the sale of beer and wine;

13 (3) the director shall condition renewal upon  
14 a requirement that no less than sixty percent of gross receipts  
15 from the preceding twelve months' operation of the licensed  
16 salon was derived from the sale of services or goods that are  
17 not beer or wine;

18 (4) upon application for renewal, the licensee  
19 shall submit an annual report to the director indicating the  
20 annual gross receipts from the sale of beer and wine and from  
21 all other sales;

22 (5) salon licensees shall not sell beer and  
23 wine for consumption off the licensed premises;

24 (6) all sales, services and consumption of  
25 beer and wine authorized by a salon license shall cease at the

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1 time other sales and services cease or at 11:00 p.m., whichever  
2 time is earlier;

3 (7) if Sunday sales have been approved in the  
4 local option district, a salon licensee may serve beer and wine  
5 on Sundays until the time other sales and services cease or  
6 11:00 p.m., whichever time is earlier; and

7 (8) a salon license shall not be transferable  
8 from person to person or from one location to another.

9 C. The provisions of Section 60-6A-18 NMSA 1978  
10 shall not apply to salon licenses.

11 D. Nothing in this section shall prevent a salon  
12 licensee from receiving other licenses pursuant to the Liquor  
13 Control Act.

14 E. As used in this section, "salon" means a  
15 business that offers any or all of the following services:

- 16 (1) hair care;
- 17 (2) skin care;
- 18 (3) nail care; or
- 19 (4) body care, such as massages, wraps and  
20 waxing."