

American Legion Auxiliary  
New Mexico Girls State  
**Bill Instruction Sheet**



Principal Author: Machenzie Sherwood

Bill No: 70

Committee: Health 2

Status: Lowering New Mexico Drinking Age to 18

Passed by:  Committee  House  Senate  Governor

Tabled by:  Committee  House  Senate  Governor

Other: \_\_\_\_\_

Simple Title of Bill: Lowering New Mexico Drinking Age to 18

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BILL

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**70<sup>TH</sup> SESSION – AMERICAN LEGION AUXILIARY NEW MEXICO GIRLS STATE – 2017**

3

INTRODUCED BY

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AN ACT

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FULL TITLE: RELATING TO UNDERAGE CONSUMPTION OF ALCOHOL IN NEW MEXICO; ESTABLISHING NEW UNDERAGE DRINKING PENALTY

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BE IT ENACTED BY THE LEGISLATURE OF THE  
AMERICAN LEGION AUXILIARY NEW MEXICO GIRLS STATE:

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DEFINITIONS:

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A. "Adult supervision" means someone 21 years or older (friend, parent, official guardian) being present to watch over the interest of those who are 18-20 years old consuming alcohol.

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B. "Alcoholic beverage" means beer, distilled spirits and wine containing one-half of one percent or more of alcohol by volume. Beer includes, but is not limited to, ale, lager, porter, stout, sake, and other similar fermented beverages brewed or produced from malt, wholly or in part or from any substitute therefore. Distilled spirits include alcohol, ethanol or spirits or wine in any form, including all dilutions and mixtures thereof from whatever process produced.

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2 C. "Minor" means under the age of 18 years old.  
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4 D. "Public places" means areas where alcohol beverages are served  
5 such as clubs, restaurants, bars, etc.  
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7 E. "Publicly posses" means the possession of any alcoholic  
8 beverage for any reason, including consumption on any street or  
9 highway or in any public place or in any place open to the  
10 public.

11 **MAIN PROVISIONS:**

12 A. Any persons 18 years or older may purchase, publicly posses,  
13 and consume alcoholic beverages in the state of New Mexico. Those  
14 consuming alcohol are subject to previous laws in place  
15 concerning alcohol. Public places may serve beverages to 18 year  
16 olds with proper government-issued identification. Adult  
17 supervision is not required for the purchase, possession, and/or  
18 consumption of such beverages.  
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20 B. It is unlawful for any persons under the age of 18 purchase,  
21 consume, or posses alcohol.

22 **PENALTY:**

23 A. Underage possession of alcoholic beverages shall be punished  
24 by a fine of not more than \$1000 and 30 community service hours  
25 for a first offense, \$1,000 and 40 hours of community service for  
26 a second offense, and up to \$1,000 and 60 hours of community  
27 service for three or more offenses. Underage possession of alcohol  
28 is guilty of a misdemeanor.  
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30 B. Driving under the influence or driving while intoxicated as a  
31 minor shall be punished by a fine of not more that \$500 or by  
32 imprisonment for a definite term not to exceed 90 days or a  
33 license suspension not to exceed one year, or all three, as a  
34 first offense. For a second offense, a fine of not more than  
35 \$1,000 or by imprisonment for a definite term not to exceed 1  
36 year or a license suspension not to exceed 2 years, or all three.  
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39 C. Sale of alcohol to a minor shall be punished by a fine of not  
40 more than \$2,000 and a 1 day suspension of alcohol sales for a  
41 first offense. For a second offense, a fine of not more than  
42 \$3,000 and a 7 day sale suspension. Three or more offenses will  
43 result in a fine of not more than \$10,000 and revocation of the  
44 liquor license.  
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46 **APPROPRIATION:**

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2 All laws, acts, provisions, or parts of laws contained in the Constitution of the State of New  
3 Mexico in conflict with any provision of this act are hereby repealed.

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5 EFFECTIVE

6 This act shall become effective 90 days after its passage and approval by the American  
7 Legion Auxiliary New Mexico Girls State Governor or its otherwise becoming a law.