

TITLE 15 GAMBLING AND LIQUOR CONTROL
CHAPTER 11 ALCOHOLIC BEVERAGES LICENSING
PART 26 LICENSES AND PERMITS - FEES

15.11.26.1 ISSUING AGENCY: The New Mexico Regulation and Licensing Department, Alcoholic Beverage Control Division.
[15.11.26.1 NMAC - Rp, 15 NMAC 11.2.6.1, 4/25/2017; A, 9/28/2021]

15.11.26.2 SCOPE: These rules apply to all licensees and applicants for licensure under the act.
[15.11.26.2 NMAC - Rp, 15 NMAC 11.2.6.2, 4/25/2017]

15.11.26.3 STATUTORY AUTHORITY: Section 60-3A-10 NMSA 1978 of the act authorizes the director to make and adopt such rules as necessary to carry out the duties of the division.
[15.11.26.3 NMAC - Rp, 15 NMAC 11.2.6.3, 4/25/2017]

15.11.26.4 DURATION: Permanent.
[15.11.26.4 NMAC - Rp, 15 NMAC 11.2.6.4, 4/25/2017]

15.11.26.5 EFFECTIVE DATE: April 25, 2017, unless a later date is cited at the end of a section.
[15.11.26.5 NMAC - Rp, 15 NMAC 11.2.6.5, 4/25/2017]

15.11.26.6 OBJECTIVE: This rule is intended to establish a uniform schedule of fees applicable to licenses issued under the act.
[15.11.26.6 NMAC - Rp, 15 NMAC 11.2.6.6, 4/25/2017]

15.11.26.7 DEFINITIONS: [RESERVED]
[15.11.26.7 NMAC - Rp, 15 NMAC 11.2.6.7, 4/25/2017]

15.11.26.8 ANNUAL FEES: Every application for the issuance or renewal of the following licenses shall be accompanied by an annual fee in the following specified amounts:

- A.** manufacturer's license as a distiller, except a brandy manufacturer: \$3,000;
- B.** manufacturer's license as a brewer: \$3,000;
- C.** manufacturer's license as a rectifier: \$1,050;
- D.** wholesaler's license to sell all alcoholic beverages for resale only: \$2,500;
- E.** wholesaler's license to sell spirituous liquors and wine for resale only: \$1,750;
- F.** wholesaler's license to sell spirituous liquors for resale only: \$1,500;
- G.** wholesaler's license to sell beer and wine for resale only: \$1,500;
- H.** wholesaler's license to sell beer for resale only: \$1,000;
- I.** wholesaler's license to sell wine for resale only: \$750;
- J.** retailer's license: \$1,300;
- K.** dispenser's license: \$1,300;
- L.** canopy license: \$1,300;
- M.** restaurant A license: \$1,050;
- N.** restaurant A license: \$10,000;
- O.** club license, for clubs with more than 250 members: \$1,250; and for clubs with 250 members or fewer: \$250;
- P.** wine bottler's license to sell to wholesalers only: \$500;
- Q.** public service license: \$1,250;
- R.** non-resident licenses, for a total billing to New Mexico wholesalers, in excess of:
 - (1)** \$3,000,000 annually: \$10,500;
 - (2)** \$1,000,000 annually: \$5,250;
 - (3)** \$500,000 annually: \$3,750;
 - (4)** \$200,000 annually: \$2,700;
 - (5)** \$100,000 annually: \$1,800;
 - (6)** \$50,000 annually: \$900; and
 - (7)** \$1 annually: \$300.

- S. limited wine wholesaler's license, for persons with sales of 5,000 gallons of wine per year or less: \$25.00; and for persons with sales in excess of 5,000 gallons of wine per year: \$100; and
- T. beer bottler's license: \$200;
- U. brandy manufacturer's license: \$750;
- V. small brewer's license: \$750;
- W. winegrower's license, computed on the basis of total annual wine produced or blended:
 - (1) less than 5,000 gallons per year: \$25;
 - (2) between 5,000 and 100,000 gallons per year: \$100;
 - (3) over 100,000 gallons per year: \$250.
- X. wine blender's license: \$750;
- Y. wine exporter's license: \$500;
- Z. direct wine shipment permit: \$50, only required if the applicant does not hold a separate winegrower's license;
- AA. bed and breakfast dispensing license: \$100;
- BB. small brewer's off-premises permit: \$200 for each off-premises location;
- CC. craft distiller's license: \$750;
- DD. craft distiller's off-premises permit: \$200 for each off-premises location;
- EE. winegrower's off-premises permit: \$200 for each off-premises location; and
- FF. limited winegrower's or small brewer's wholesaler's license:
 - (1) in excess of 5,000 gallons: \$100;
 - (2) 5,000 gallons or less: \$25.
- GG. third-party alcohol delivery license: \$1,000;
- HH. alcoholic beverage delivery permit: \$300.
- II. New Mexico spirituous liquors permit: \$500.

[15.11.26.8 NMAC - Rp, 15 NMAC 11.2.6.8, 4/25/2017; A, 9/28/2021]

15.11.26.9 MISCELLANEOUS FEE SCHEDULE: In addition to the fees set forth in the act, the following fees apply:

| type of service | fee |
|---|---|
| application for licensure | \$200; |
| renewal of license - late fee | \$350 plus \$10 for each additional day late; |
| change or expansion of licensed premises | \$75; |
| designation of agent lessee | \$250; |
| designation of resident agent (per agent) | \$50; |
| new resident agent - late fee | \$100; |
| transfer of ownership | \$200 for first license, plus \$10 for each additional license; |
| change of structure | \$200 for first license, plus \$10 for each additional license; |
| corporate name change; change in DBA | \$50; |
| temporary suspension of license | \$20; |
| temporary suspension of license - late application | \$50; |
| certification of alcohol server training program and annual renewal of program; | \$350 per provider, plus \$100 per instructor |
| renewal late fee for certification of alcohol server provider, instructor or program; | \$10 per day |
| full license listing- electronic format | \$100; |
| paper or electronic copies of documents | 0.25 cents per page. |

[15.11.26.9 NMAC - N, 4/25/2017]

15.11.26.10 EVENT PERMITS: the following are permit fees per each event:

- A. special dispenser's permit for public celebrations, \$50;
- B. special dispenser's permit for catering an off-premises function, \$25;
- C. craft distiller's public or private celebration permit, \$10;
- D. winegrower's public or private celebration permit, \$10; and
- E. small brewer's public or private celebration permit, \$10.

[15.11.26.10 NMAC - N, 4/25/2017; A, 9/28/2021]

15.11.26.11 ANNUAL TASTING PERMIT: for Dispenser's, retailer's, resident manufacturer's, non-resident manufacturer's, wholesaler's, or winegrower license, \$100.
[15.11.26.11 NMAC - N, 4/25/2017]

15.11.26.12 PRORATION OF FEES:

A. License fees for new licenses issued after the beginning of the license year shall be prorated.

B. Dispenser, retailer, restaurant A, restaurant B, club, and public service license fees shall be prorated as follows:

(1) licenses issued in the first quarter of the license year for each license type shall be subject to the full amount of the annual license fee;

(2) licenses issued in the second quarter of the license year for each license type shall be subject to three-fourths of the annual license fee;

(3) licenses issued in the third quarter of the license year for each license type shall be subject to one-half of the annual license fee; and

(4) licenses issued in the fourth quarter of the license year for each license type shall be subject to one-fourth of the annual license fee.

C. License fees for all new licenses not provided for in Subsection B of 15.11.26.12 NMAC, except Non-resident licenses and common carrier registrations, shall not be prorated but shall be subject to payment of the full amount of the annual license fee.

D. Non-resident licenses and common carrier registrations shall be issued for a three-year period. The three-year license for Non-resident licenses and for common carrier registrations begins July 1, 2013 and every third year subsequently. Non-resident licenses and common carrier registrations issued at any time during the:

(1) first license year must pay the full amount of the three-year license fee;

(2) second license year must pay two-thirds of the three-year license fee; and

(3) third license year must pay one-third of the three-year license fee.

[15.11.26.12 NMAC - N, 4/25/2017; A, 9/28/2021]

HISTORY OF 15.11.26 NMAC: [RESERVED]

History of Repealed Material:

15 NMAC 11.2.6, Licenses and Permits - Fees, filed 3/14/1997 - Repealed effective 4/25/2017.

NMAC History:

15 NMAC 11.2.6, Licenses and Permits - Fees (filed 3/14/1997) was replaced by 15.11.26 NMAC, Licenses and Permits - Fees, effective 4/25/2017.