

NON-RESIDENT LIQUOR LICENSE APPLICATION

APPLICATION FEE IS \$200.00, IN ADDITION TO THE CALCULATED FEE LISTED BELOW. Applicant must submit the Total amount due. All fees are non-refundable.

3 YEAR PRO-RATED LICENSE FEES:

Pursuant to New Mexico State Statute §60-6A-16D, which states:

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

- (1) first license year shall be subject to payment of the full amount of the three-year license fee;
- (2) second license year shall be subject to payment of two-thirds of the three-year license fee; and
- (3) third license year shall be subject to payment of one-third of the three-year license fee.

TO CALCULATE YOUR FEE, find the estimated total billing to New Mexico Wholesalers in the first column, then select the fee from the appropriate License Period column. For example, if estimated total billing annually is \$100,000 and the license period you are applying in is covered by the dates 07/01/20 to 06/30/22, the fee is \$1200. **Remember to add the \$200 Application Fee to the Pro-rated License Fee.**

TOTAL BILLING	LICENSE PERIOD	LICENSE PERIOD	LICENSE PERIOD
	07/01/2019 to 06/30/2022	07/01/2020 to 06/30/2022	07/01/2021 to 06/30/2022
\$49,999 annually or less	\$300	\$200	\$100
\$50,000 annually	\$900	\$600	\$300
\$100,000 annually	\$1,800	\$1,200	\$600
\$200,000 annually	\$2,700	\$1,800	\$900
\$500,000 annually	\$3,750	\$2,500	\$1,250
\$1,000,000 annually	\$5,250	\$3,500	\$1,750
\$3,000,000 annually	\$10,500	\$7,000	\$3,500

NMSA §60-6A-7D. Nonresident license.

D. Every nonresident licensee or every New Mexico wholesaler or rectifier selling or shipping alcoholic beverages to a New Mexico wholesaler shall mail to the department one duplicate invoice covering all shipments into or sales in the state, stating the prices, together with all terms, concessions, allowances, forbearances and deductions. In cases of shipments, a copy of the bill of lading or way bill shall accompany the invoice mailed to the department. On each invoice for alcoholic beverages, the total number of cases and the total number of liters of alcoholic beverage shall also be noted by the shipper or vendor. The invoice of all shipments or sales shall also state the brand, labels and size of containers of each item, unless shipped or sold in bulk to be bottled by a licensed rectifier or wine bottler using his own label and brand; provided, however, this section shall not apply to intrastate sales and shipments from one New Mexico wholesaler to another wholesaler.

NMSA §60-7A-4. Sale, shipment and delivery unlawful.

A. It is unlawful for any person on his own behalf or as the agent of another person, except a licensed New Mexico wholesaler or manufacturer or the agent of either, to directly or indirectly sell or offer for sale for shipment into the state or ship into the state, any alcoholic beverages unless such person or his principals has secured a nonresident license.

NMSA §60-8A-6. Primary American Source of Supply.

For the purpose of tax revenue control, no holder of a nonresident license or resident broker license may solicit, accept or fill an order for distilled spirits or wine from a holder of any type of wholesaler's license unless the nonresident licensee or resident broker is the primary American source of supply for the brand of distilled spirits or wine that is ordered. As used in this section, "primary American source of supply" means the distiller, the producer, the owner of the commodity at the time it becomes a marketable product, the bottler or the exclusive agent of any of those. To be the "primary American source of supply," the nonresident licensee or resident broker must be the first source, that is, the manufacturer or the source closest to the manufacturer, in the channel of commerce from whom the product can be secured by American wholesalers.



**NON-RESIDENT LIQUOR LICENSE
 APPLICATION**

ABC USE ONLY: Application No. _____ License No. _____

Applicant (Individual, Corporation, LLC, etc.): _____

DBA Name: _____

Mailing Address: _____

Physical Location: _____

Phone Number: _____ Fax No.: _____

Contact Person: _____ E-Mail: _____

Estimated Annual Gross Billings to New Mexico Wholesalers: \$ _____

Name and license number of New Mexico Wholesaler(s) that will be distributing this product:

List every Liquor License in which the Applicant hold any direct or indirect interest: _____

I, the undersigned, swear that I am authorized, under the active License attached, to obtain this permit and that the information on this application form is true and correct, to the best of my knowledge. **I also acknowledge that monthly invoices must be submitted to ABC and my monthly invoices will be EMAILED to ABC at: nonresident.monthly@state.nm.us**

I have also attached the following, with all required documents, in the name of Applicant:

- \$200 Application Fee & the 3 Year Pro-rated License Fee (**See Instruction Page to calculate**)
\$200.00 + \$ _____ = Total Fee submitted: \$ _____
- Copy of Manufacturer or Wholesaler License, from the state in which you are licensed
- Primary American Source of Supply Letter, if applicable
- Copy of the Federal Basic Permit or Brewer's Notice

PLEASE NOTE: ABC no longer accepts hardcopies or Digital copies on CD. You must submit Copies of label approvals to <http://productregistrationonline.com>

Print Name: _____ Title: _____

Authorized Signature for Licensee: _____ Date: _____

ABC USE ONLY: Payment | \$ _____ Received on: _____ Receipt No. _____

APPROVED DISAPPROVED, _____

ASSIGNED LICENSE NO. _____ **EXPIRES ON:** _____

Reviewed, with copy sent to Licensee via Email, Fax, 1st class mail By: _____

Done this _____ Day of _____, 20____.

