

DESIGNATION OR CHANGE OF RESIDENT AGENT INSTRUCTIONS (FOR LIQUOR LICENSEES ONLY)

15.11.21.9 NMAC. Except for sole proprietors, every licensee shall designate a resident agent to accept service of all official notices, subpoenas, orders and other legal documents from the division on behalf of the business. The designation of a resident agent shall not relieve the licensee of any responsibilities or liabilities to the division for violations or compliance with the act. A licensee may appoint as many resident agents as it deems necessary for the operation of the business.

RESIDENT AGENT REQUIREMENTS

A Resident Agent must:

- Be at least 21 years of age
- Have full-time residency in the State of New Mexico
- Be fingerprinted for alcohol licensing (See [Fingerprint Instructions & Procedures](#))
- Have NO conviction for
 - any felony in any jurisdiction; or
 - two misdemeanor violations of the Liquor Control Act in any calendar year
- Have limited power of attorney and authority to bind the applicant to matters related to liquor sales and operations on behalf of the Licensee
- Hold a current Servers Certification Permit if the individual will:
 - manage, direct and control the sale and service of alcohol; or
 - be on the licensed premises on a regular basis
 - See [Alcohol Server Permit Providers and Course Information](#)

NOTE: Only an approved authorized individual (Owner, Officer, Business Agent, Licensing Agent or current Resident Agent) can request a change of Resident Agent.

STEPS TO DESIGNATE, CHANGE OR ADD A RESIDENT AGENT IN NM-PLUS:

- 1) Once a proposed Resident Agent has completed the fingerprint process and obtained an Alcohol Server Permit (if necessary), he/she must self-register in NM-PLUS as a **Business Agent**. They should NOT register as a "Resident Agent". [Register on NM-PLUS](#).
- 2) Once the proposed Resident Agent has registered, on the Business Home page, navigate to **Business Profile** tab. Locate the name of the Business. To the far right, click on **Manage Profile** link. Locate and click on the **Personal Data Affidavit** tab. Click on **Add New** button and complete the Agent's Personal Data Affidavit adding the Fingerprint Receipt and Temporary Alcohol Server Permit, if required.
- 3) Locate and click on the **Authorized Individuals** tab and click on the **Add Individual** box, choose "Business Agent" and enter the birthdate and Last Name of the proposed Business Agent and hit search. Select the name when it appears.
- 4) You will then request to change or add the Resident Agent. When you sign into NMPLUS using your login credentials, you will see each of licensees numbers listed under "My Licenses." Locate the License requiring a change of Resident Agent and on the far-right side of the page, click on the Chevron/drop-down arrow under Action, and click on **Manage Resident Agent** and enter the proposed Resident Agent's first and last name and hit search. When the name appears, click on it to add. One or more Resident

Agents can be assigned. Click on the NEXT button to pay the \$50 required fee with a credit card or e-check. Note: There is a \$50 fee for each individual being added as a Resident Agent.

- 5) You will see the current Resident Agent's name, if that Resident Agent is being removed, click on dropdown arrow under action and choose remove.

Questions? Please contact Tammy Sandoval, Hearing Officer at tammy.sandoval@rld.nm.gov or 505 795-4165.