



# Consideration of Lea County Resolution No. 22-MAY-107R Approving the Nonprohibitive License Tax for Lea County

STATE OF NEW MEXICO  
COUNTY OF LEA  
RESOLUTION NO. 22-MAY-107R

**A RESOLUTION APPROVING THE NONPROHIBITIVE LICENSE TAX FOR LEA COUNTY**

**WHEREAS** it is the duty of the County Board of Commissioners to duly adopt a resolution to impose an annual non-prohibitive license tax upon the privilege of any party holding a New Mexico State Liquor License to operate within Lea County, New Mexico, outside of municipalities, and under the provisions of Section 7-24-2, New Mexico Statutes Annotated, 1978 Compilation, as amended; *and*

**WHEREAS**, the purpose of this resolution is to establish a fee to be assessed to those parties holding Liquor Licenses in Lea County, under the prevailing categories.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Board of County Commissioners of Lea County that the purpose of this resolution is to establish a fee to be assessed to those parties holding Liquor Licenses in Lea County, under the prevailing categories is hereby approved.

**PASSED, APPROVED AND ADOPTED** on this 12<sup>th</sup> day of May, 2022, by the Lea County Board of County Commissioners in an open meeting in Lovington, New Mexico.

**LEA COUNTY BOARD OF COUNTY COMMISSIONERS**

\_\_\_\_\_  
Dean Jackson (District 1), Chair  
Voted: Yes No Abstain

\_\_\_\_\_  
Gary G. Eidson (District 3), Vice Chair  
Voted: Yes No Abstain

\_\_\_\_\_  
Rebecca Long (District 2), Member  
Voted: Yes No Abstain

\_\_\_\_\_  
Jonathan Sena (District 4), Member  
Voted: Yes No Abstain

\_\_\_\_\_  
Pat Sims (District 5), Member  
Voted: Yes No Abstain

**ATTEST:** Keith Manes  
Lea County Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY:**

By: \_\_\_\_\_  
Teri Davis, Deputy Clerk

\_\_\_\_\_  
John W. Caldwell, County Attorney

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The purpose of this resolution is to establish a fee to be assessed to those parties holding Liquor Licenses in Lea County, under the prevailing categories.



**LEA COUNTY BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY FORM**

**LCBCC Meeting Date: Thursday, May 12, 2022**

Submit this summary form & all attachments to the Finance Director [clow@leacounty.net](mailto:clow@leacounty.net) & cc the Community Engagement Manager [sstout@leacounty.net](mailto:sstout@leacounty.net); Public Information Officer [mrussell@leacounty.net](mailto:mrussell@leacounty.net) and County Manager [mgallagher@leacounty.net](mailto:mgallagher@leacounty.net) by: **Tuesday, May 3, 2022**

*County Manager Approval required for all time sensitive issues that do not meet the above deadline.*

<b>DATE SUBMITTED</b> mm-dd-yyyy: 05/02/2022	<b>SUBMITTED BY</b> Name, Title, Dept: Tryon Hassen, Chief Deputy Clerk, Clerk's Office
<b>SUBJECT:</b> 2022 Non-Prohibitive Liquor License Tax Resolution	<b>ATTACHMENT(S):</b> Resolution and NM State Statute section 07-24-2
<b>NO. OF ORIGINALS FOR SIGNATURE:</b> 1	<b>ACTION REQUESTED:</b> Action Item
<b>BUDGET LINE ITEM NUMBER:</b> None	<b>FISCAL BUDGET YEAR:</b>
<b>STRATEGIC PLAN</b> Implementation of 5 Year Strategic Plan: Must be reissued every year	
<b>SUMMARY:</b> Resolution Approving Non-Prohibitive Liquor License Tax	
<b>Requested Items Needed for Presentation</b> Easels/Laptop/Projector/Etc.: Easel <input type="checkbox"/> Laptop <input checked="" type="checkbox"/> Projector <input checked="" type="checkbox"/> Other: _____ <small>If checked, how many:</small>	<b>See Additional Summary Attached</b> <input type="checkbox"/>
<b>SUBMITTER'S RECOMMENDATION(S):</b> Approval of Non-Prohibitive Liquor License Tax	<b>Submitter's Signature</b> Department Director, Etc. Tryon Hassen <small>Digitally signed by Tryon Hassen Date: 2022.05.02 15:22:20 -0600</small>
<b>FINANCE REVIEW</b> Fiscal Impact/Cost: The financial impact to Lea County will be based upon the number of liquor licenses issued to businesses located in the County outside of municipalities.	<b>Reviewed by Finance Director</b> Henry C Low Jr <small>Digitally signed by Henry C Low Jr Date: 2022.05.03 09:57:56 -0600</small>
<b>LEGAL REVIEW:</b> (Note: Travel does not need legal review)	<b>Reviewed by County Attorney</b>
<b>COUNTY MANAGER REVIEW:</b>	<b>Approved by County Manager</b> to be Placed on Agenda 

**Item No.** 0202      **RECORDING SECRETARY'S USE ONLY ~ COMMISSION ACTION TAKEN**

Approved: _____	Denied: _____	Other: _____
Resolution No. <u>22-MAY-107R</u>	Policy No. _____	Ordinance No. _____
Continued To: _____	Referred To: _____	Comments: _____

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Lea County Clerk

**APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:**

By: \_\_\_\_\_  
Teri Davis, Deputy Clerk

\_\_\_\_\_  
John W. Caldwell, County Attorney

**Keith Manes**  
LEA COUNTY CLERK



Post Office Box 1507  
Lovington, NM 88260

Office 575 396-8622  
Fax 575 396-3293  
[kmanes@leacounty.net](mailto:kmanes@leacounty.net)

Tryon Hassen  
CHIEF DEPUTY

Carrie Sandoval  
ADMINISTRATOR  
Bureau of Elections

**7-24-2. License tax imposed by boards of county commissioners.**

The boards of county commissioners of counties composing local option districts are empowered, by resolution duly adopted, on or before the first day of June of each year to impose an annual, nonprohibitive license tax upon the privileges of persons holding state licenses under the provisions of the Liquor Control Act [[60-3A-1](#) NMSA 1978 et seq.] to operate within such counties, outside of the municipalities that are local option districts, as retailers, dispensers, canopy licensees, restaurant licensees or club licensees. The amount of the license tax, which shall not exceed two hundred fifty dollars (\$250), and the dates and manner of the payment shall be fixed by the resolution imposing the tax; provided, that in case the county permits the payment in installments, no bond shall be required to secure the payment of the deferred installments, but the remedy for the collection shall be that provided in [Section 7-24-3](#) NMSA 1978.

**History:** Laws 1939, ch. 236, § 1104; 1941 Comp., § 61-403; 1953 Comp., § 46-4-3; Laws 1981, ch. 39, § 125; 1994, ch. 46, § 1.