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SENATE BILL 251

**57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026**

INTRODUCED BY

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AN ACT

RELATING TO HORSE RACING; PROHIBITING PROGRAM TRAINING AND  
PROGRAM OWNING OF RACEHORSES; PROVIDING THE STATE RACING  
COMMISSION WITH THE AUTHORITY TO REFUSE TO LICENSE OR TO  
SUSPEND OR REVOKE THE LICENSE OF A PERSON FOUND TO HAVE ENGAGED  
IN PROGRAM TRAINING OR PROGRAM OWNING OF A RACEHORSE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 60-1A-2 NMSA 1978 (being Laws 2007,  
Chapter 39, Section 2) is amended to read:

"60-1A-2. DEFINITIONS.--As used in the Horse Racing Act:

A. "board" means the gaming control board;

B. "breakage" means the odd cents by which the  
amount payable on each dollar wagered exceeds a multiple of  
ten;

C. "commission" means the state racing commission;

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1           D. "exotic wagering" means all wagering other than  
2 on win, place or show, through pari-mutuel wagering;

3           E. "export" means to send a live audiovisual  
4 broadcast of a horse race in the process of being run at a  
5 horse racetrack from the originating horse racetrack to another  
6 location;

7           F. "guest state" means a jurisdiction, other than  
8 the jurisdiction in which a horse race is run, in which a horse  
9 racetrack, off-track wagering facility or other facility that  
10 is a member of and subject to an interstate common pool is  
11 located;

12           G. "guest track" means a horse racetrack, off-track  
13 wagering facility or other licensed facility in a location  
14 other than the state in which a horse race is run that is a  
15 member of and subject to an interstate common pool;

16           H. "handle" means the total of all pari-mutuel  
17 wagering sales, excluding refunds and cancellations;

18           I. "horse race" means a competition among  
19 racehorses on a predetermined course in which the horse  
20 completing the course in the least amount of time generally  
21 wins;

22           J. "host state" means the jurisdiction within which  
23 a sending track is located, also known as a "sending state";

24           K. "host track" means the horse racetrack from  
25 which a horse race subject to an interstate common pool is

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1 transmitted to members of that interstate common pool, also  
2 known as a "sending track";

3 L. "import" means to receive a live audiovisual  
4 broadcast of a horse race;

5 M. "interstate common pool" means a pari-mutuel  
6 pool that combines comparable pari-mutuel pools from one or  
7 more locations that accept wagers on a horse race run at a  
8 sending track for purposes of establishing payoff prices at the  
9 pool members' locations, including pools in which pool members  
10 from more than one state simultaneously combine pari-mutuel  
11 pools to form an interstate common pool;

12 N. "jockey club" means an organization that  
13 administers thoroughbred registration records and registers  
14 thoroughbreds;

15 O. "licensed premises" means land, together with  
16 all buildings, other improvements and personal property located  
17 on the land, that is under the direct control of a racetrack  
18 licensee, including the restricted areas, grandstand and public  
19 parking areas;

20 P. "licensee" means a person licensed by the  
21 commission and includes a holder of an occupational, secondary  
22 or racetrack license;

23 Q. "occupational license" means a license issued by  
24 the commission to a vendor or to a person having access to a  
25 restricted area on the licensed premises, including a horse

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1 owner, trainer, jockey, agent, apprentice, groom, exercise  
2 person, veterinarian, valet, farrier, starter, clocker, racing  
3 secretary, pari-mutuel clerk and other personnel designated by  
4 the commission whose work, in whole or in part, is conducted  
5 around racehorses or pari-mutuel betting windows;

6 R. "pari-mutuel wagering" means a system of  
7 wagering in which bets on a live or simulcast horse race are  
8 pooled and held by the racetrack licensee for distribution of  
9 the total amount, less the deductions authorized by law, to  
10 holders of winning tickets; "pari-mutuel wagering" does not  
11 include bookmaking or pool selling;

12 S. "pari-mutuel wagering pool" means the money  
13 wagered on a specific horse race through pari-mutuel wagering;

14 T. "practical breeder" means a person who has  
15 practical experience in breeding horses, although the person  
16 may not be actively involved in breeding horses;

17 U. "primary residence" means the domicile where a  
18 person resides for most of the year, and, if the person is  
19 temporarily out of state, the address where a person will  
20 return when the person returns to New Mexico or the address  
21 that a person uses for purposes of a driver's license, passport  
22 or voting;

23 V. "program owner" means a licensed owner who,  
24 solely for the purpose of the official race program, is  
25 identified as the owner of a horse that is actually owned by

1 another person who may or may not hold a current owner's  
2 license in any jurisdiction;

3 W. "program trainer" means a licensed trainer who,  
4 solely for the purpose of the official race program, is  
5 identified as the trainer of a horse that is actually under the  
6 control of and trained by another person who may or may not  
7 hold a current trainer's license in any jurisdiction;

8 ~~[V.]~~ X. "quarter horse" means a racehorse that is  
9 registered with the American quarter horse association or any  
10 successor association;

11 ~~[W.]~~ Y. "race meet" means a period of time within  
12 dates specified by the commission in which a racetrack licensee  
13 is authorized to conduct live racing on the racing grounds;

14 ~~[X.]~~ Z. "racehorse" means a quarter horse or  
15 thoroughbred that is bred and trained to compete in horse  
16 races;

17 ~~[Y.]~~ AA. "racetrack license" means a license to  
18 conduct horse races issued by the commission;

19 ~~[Z.]~~ BB. "racetrack licensee" means a person who  
20 has been issued a racetrack license;

21 ~~[AA.]~~ CC. "racing grounds" means the area of the  
22 restricted area of licensed premises used for the purpose of  
23 conducting horse races and all activities ancillary to the  
24 conduct of horse races, including the track, stable area,  
25 jockey's quarters and horse training areas;

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1           ~~[BB-]~~ DD. "retainage" means money that is retained  
2 from wagers on win, place and show and on exotic wagers by a  
3 racetrack licensee pursuant to the Horse Racing Act;

4           ~~[GG-]~~ EE. "restricted areas" means the stable area,  
5 the area behind the pari-mutuel betting windows and anywhere on  
6 the racing grounds;

7           ~~[DD-]~~ FF. "secondary licensee" means all officers,  
8 directors, shareholders, lenders or holders of evidence of  
9 indebtedness of a corporation or legal entity owning a horse  
10 racetrack, and all persons holding a direct or indirect  
11 interest of any nature whatsoever in the horse racetrack,  
12 including interests or positions that deal with the funds of  
13 the racetrack or that are administrative, policymaking or  
14 supervisory;

15           ~~[EE-]~~ GG. "simulcast" means a transmission of a  
16 live audiovisual broadcast of a horse race being run at a horse  
17 racetrack other than the horse racetrack or other licensed  
18 facility at which the broadcast is being received for viewing  
19 pursuant to a simulcasting contract;

20           ~~[FF-]~~ HH. "stakes race" means a horse race in which  
21 nominations or entry or starting fees contribute to the purse;  
22 an overnight race is not a stakes race;

23           ~~[GG-]~~ II. "steward" means an employee of the  
24 commission who supervises horse races and oversees a race meet  
25 while in progress, including holding hearings regarding

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1 licensees and enforcing the rules of the commission and the  
2 horse racetrack;

3 ~~[HH-]~~ JJ. "takeout" means amounts authorized by  
4 statute to be deducted from the pari-mutuel wagers;

5 ~~[HH-]~~ KK. "thoroughbred" means a racehorse that is  
6 registered with the jockey club;

7 ~~[JJ-]~~ LL. "track" means the surfaced oval area on  
8 which horse races are conducted; and

9 ~~[KK-]~~ MM. "vendor" means a person who provides  
10 goods or services to or in the racing grounds or restricted  
11 area of the licensed premises of a horse racetrack."

12 SECTION 2. Section 60-1A-11 NMSA 1978 (being Laws 2007,  
13 Chapter 39, Section 11, as amended by Laws 2017, Chapter 28,  
14 Section 1 and by Laws 2017, Chapter 145, Section 1) is amended  
15 to read:

16 "60-1A-11. GRANTING A LICENSE--STANDARDS--DENIAL AND  
17 REVOCATION--SUSPENSION AND PENALTIES.--

18 A. A license shall not be issued or renewed unless  
19 the applicant has satisfied the commission that the applicant:

20 (1) is of good moral character, is honest and  
21 has integrity;

22 (2) does not currently have a license  
23 suspended by a horse racing licensing authority in another  
24 jurisdiction;

25 (3) does not have any prior activities,

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1 criminal record, reputation, habits or associations that:

2 (a) pose a threat to the public  
3 interest;

4 (b) pose a threat to the effective  
5 regulation and control of horse racing; or

6 (c) create or enhance the dangers of  
7 unsuitable, unfair or illegal practices, methods and activities  
8 in the conduct of horse racing, the business of operating a  
9 horse racetrack licensed pursuant to the Horse Racing Act or  
10 the financial activities incidental to operating a horse  
11 racetrack;

12 (4) is qualified to be licensed consistent  
13 with the Horse Racing Act;

14 (5) has sufficient business probity,  
15 competence and experience in horse racing as determined by the  
16 commission;

17 (6) has proposed financing that is sufficient  
18 for the nature of the license and from a suitable source that  
19 meets the criteria set forth in this subsection; and

20 (7) is sufficiently capitalized pursuant to  
21 standards set by the commission to conduct the business covered  
22 by the license.

23 B. The commission shall establish by rule  
24 additional qualifications for a licensee as it deems in the  
25 public interest.

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1 C. A person issued or applying for an occupational  
2 license who has positive test results for a controlled  
3 substance or who has been convicted of a violation of a federal  
4 or state controlled substance law shall be denied a license or  
5 shall be subject to revocation of an existing license unless  
6 sufficient evidence of rehabilitation is presented to the  
7 commission.

8 D. The commission may deny or revoke an  
9 occupational license if the applicant or occupational licensee,  
10 for the purpose of stimulating or depressing a racehorse or  
11 affecting its speed or stamina during a race or workout, is  
12 found to have administered, attempted to administer or  
13 conspired to administer to a racehorse, internally, externally  
14 or by injection, a drug, chemical, stimulant or depressant, or  
15 other prohibited substance as defined by the association of  
16 racing commissioners international, incorporated, or a  
17 successor organization or, if none, by another nationally  
18 recognized organization that has published substantially  
19 similar guidelines that are generally accepted in the horse  
20 racing industry as determined by the commission.

21 E. In addition to its authority to deny or revoke  
22 an occupational license for the conduct described in  
23 ~~[Subsection]~~ Subsections D, F and G of this section, the  
24 commission may suspend a license and impose fines on a  
25 licensee. For suspensions and fines, the commission shall

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1 adopt as its own rules the model rules for the imposition of  
2 penalties for the use of prohibited substances published by the  
3 association of racing commissioners international,  
4 incorporated, or a successor organization or, if none, by  
5 another nationally recognized organization that has published  
6 substantially similar rules that are generally accepted in the  
7 horse racing industry as determined by the commission.

8 F. The commission shall revoke for a period not to  
9 exceed five years an occupational license if the occupational  
10 licensee used, attempted to use or conspired with others to use  
11 an electrical or mechanical device, implement or instrument for  
12 the purpose of affecting the speed or stamina of a racehorse.

13 G. The commission may refuse to issue a license to  
14 an applicant or may suspend or revoke a license issued or order  
15 disciplinary measures, including imposition of fines, if the  
16 applicant or licensee is found to have engaged in a scheme  
17 involving a program owner or program trainer or both that poses  
18 a threat to the effective regulation and control of horse  
19 racing.

20 [6.] H. The burden of proving the qualifications of  
21 an applicant or licensee to be issued a license or have a  
22 license renewed shall be on the applicant or licensee."