

SENATE BILL 309

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

INTRODUCED BY

Roberto "Bobby" J. Gonzales

AN ACT

RELATING TO THE LOTTERY; REQUIRING MONTHLY NET RECEIPTS FROM  
THE SALE OF LOTTERY GAMES TO BE DEPOSITED IN THE LOTTERY  
TUITION FUND; PROVIDING FOR MINIMUM ANNUAL DEPOSITS; PROVIDING  
FOR REVERSION BACK TO THIRTY PERCENT OF GROSS REVENUE EACH  
MONTH IF MINIMUM ANNUAL DEPOSITS ARE NOT REALIZED.

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

SECTION 1. Section 6-24-24 NMSA 1978 (being Laws 1995,  
Chapter 155, Section 24, as amended) is amended to read:

"6-24-24. DISPOSITION OF REVENUE.--

A. As nearly as practical, an amount equal to at  
least fifty percent of the gross annual revenue from the sale  
of lottery [~~tickets~~] games shall be returned to the public in  
the form of lottery prizes.

B. No later than the last business day of each

1 month, the authority shall transmit ~~[at least twenty-seven~~  
2 ~~percent of the gross]~~ as nearly as practicable the net revenue  
3 of the previous month ~~[until December 31, 2008 and at least~~  
4 ~~thirty percent of the gross revenue of the previous month~~  
5 ~~thereafter]~~ to the state treasurer, who shall deposit it in the  
6 lottery tuition fund. In fiscal years 2027 through 2029, if  
7 the deposit of net revenue for two consecutive fiscal years is  
8 less than forty-three million dollars (\$43,000,000) annually,  
9 the authority shall be required to deposit monthly thirty  
10 percent of the gross revenue of the previous month. In fiscal  
11 year 2030 and succeeding fiscal years, if the deposit of net  
12 revenue for two consecutive fiscal years is less than  
13 forty-five million dollars (\$45,000,000) annually, the  
14 authority shall be required to deposit monthly thirty percent  
15 of the gross revenue of the previous month.

16 C. Operating expenses of the lottery include all  
17 costs incurred in the operation and administration of the  
18 lottery and all costs resulting from any contracts entered into  
19 for the purchase or lease of goods or services required by the  
20 lottery, including the costs of supplies, materials, tickets,  
21 independent audit services, independent studies, data  
22 transmission, advertising, promotion, incentives, public  
23 relations, communications, commissions paid to lottery  
24 retailers, printing, distribution of tickets, purchases of  
25 annuities or investments to be used to pay future installments

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1 of winning lottery tickets, debt service and payment of any  
2 revenue bonds issued, contingency reserves, transfers to the  
3 reserve fund and any other necessary costs incurred in carrying  
4 out the provisions of the New Mexico Lottery Act."

5 SECTION 2. EFFECTIVE DATE.--The effective date of the  
6 provisions of this act is July 1, 2026.

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