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SENATE BILL 595

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Pete Campos

AN ACT

RELATING TO GAMING; REQUIRING PERIODIC ELECTRONIC OVERSIGHT OF
GAMING MACHINES AT A RACETRACK GAMING OPERATOR LICENSEE'S
PREMISES.

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

Section 1. Section 60-2E-43 NMSA 1978 (being Laws 1997,
Chapter 190, Section 45) is amended to read:

"60-2E-43. GAMING [~~MACHINE-CENTRAL-SYSTEM~~] MACHINES--
CONTINUOUS MONITORING FOR NONPROFIT GAMING OPERATOR LICENSEES--
ON-SITE MONITORING--PERIODIC TELECOMMUNICATIONS RETRIEVAL FOR
RACETRACK GAMING OPERATOR LICENSEES. --

A. The board shall develop and operate a central
system into which all licensed gaming machines operated by
nonprofit gaming operator licensees are connected. The central
system shall be capable of:

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1 [A.-] (1) monitoring continuously, retrieving
2 and auditing the operations, financial data and program
3 information of the network;

4 [B.-] (2) disabling from operation or play any
5 gaming machine in the network that does not comply with the
6 provisions of the Gaming Control Act or the regulations of the
7 board;

8 [C.-] (3) communicating, through program
9 modifications or other means equally effective, with all gaming
10 machines licensed by the board;

11 [D.-] (4) interacting, reading, communicating
12 and linking with gaming machines from a broad spectrum of
13 manufacturers and associated equipment; and

14 [E.-] (5) providing linkage to each gaming
15 machine in the network at a reasonable and affordable cost to
16 the state and the gaming operator licensee and allowing for
17 program modifications and system updating at a reasonable cost.

18 B. The board shall develop and operate an
19 electronic data retrieval system that is capable of retrieving
20 information gathered by a central computer monitoring and
21 accounting system located on each racetrack gaming operator
22 licensee's premises. The electronic data retrieval system
23 shall:

24 (1) obtain information from each racetrack
25 gaming operator licensee on the operation, financial

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1 transactions and program information of each gaming machine;

2 and

3 (2) contact the central computer system of the
4 racetrack gaming operator licensee by a dedicated
5 telecommunications connection, on a read-only basis, upon the
6 entry of appropriate security codes.

7 C. Each racetrack gaming operator licensee shall:

8 (1) install at its own expense a central
9 computer system that is capable of continuously monitoring and
10 auditing the operation, financial transactions and program
11 information of each gaming machine on the premises pursuant to
12 board rules and that can be contacted remotely by the state's
13 electronic data retrieval system through a dedicated
14 telecommunications connection at any hour of the day,
15 regardless of whether the racetrack gaming operator licensee is
16 open at the time of contact;

17 (2) be capable of transmitting the data
18 gathered by the central computer system of each racetrack
19 gaming operator licensee specific to each gaming machine to the
20 electronic data retrieval system of the board; and

21 (3) designate an individual to be available at
22 all times gaming machines are in operation, who shall have the
23 authority to disable a gaming machine at the verbal instruction
24 of the executive director or his designee. A gaming machine
25 disabled pursuant to an instruction of the executive director

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1 or his designee shall not be placed back into play except
2 pursuant to the subsequent verbal instruction of the executive
3 director or his designee, following resetting of the gaming
4 machine. "

5 Section 2. Section 60-2E-44 NMSA 1978 (being Laws 1997,
6 Chapter 190, Section 46, as amended) is amended to read:

7 "60-2E-44. MACHINE SPECIFICATIONS. --

8 A. To be eligible for licensure, each gaming
9 machine shall meet all specifications established by
10 [~~regulations~~] rule of the board and:

11 [~~A.-~~] (1) be unable to be manipulated in a
12 manner that affects the random probability of winning plays or
13 in any other manner determined by the board to be undesirable;

14 [~~B.-~~] (2) have at least one mechanism that
15 accepts coins or currency;

16 [~~C. be capable of having play suspended through the~~
17 ~~central system by the executive director until he resets the~~
18 ~~gaming machine;~~

19 [~~D.-~~] (3) house nonresettable mechanical and
20 electronic meters within a readily accessible locked area of
21 the gaming machine that maintain a permanent record of all
22 money inserted into the machine, all cash payouts of winnings,
23 all refunds of winnings, all credits played for additional
24 games and all credits won by players;

25 [~~E.-~~] (4) be capable of printing out, at the

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1 request of the executive director, readings on the electronic
2 meters of the machine;

3 [F.] (5) for machines that do not dispense
4 coins or tokens directly to players, be capable of printing a
5 ticket voucher stating the value of a cash prize won by the
6 player at the completion of each game, the date and time of day
7 the game was played in a twenty-four-hour format showing hours
8 and minutes, the machine serial number, the sequential number
9 of the ticket voucher and an encrypted validation number for
10 determining the validity of a winning ticket voucher;

11 ~~[G. be capable of being linked to the board's~~
12 ~~central system for the purpose of being monitored continuously~~
13 ~~as required by the board;~~

14 H.] (6) provide for a payback value for each
15 credit wagered, determined over time, of not less than eighty
16 percent or more than ninety-six percent;

17 [I.] (7) meet the standards and specifications
18 set by laws or regulations of the states of Nevada and New
19 Jersey for gaming machines, whichever are more stringent;

20 [J.] (8) offer only games authorized and
21 examined by the board; and

22 [K.] (9) display the gaming machine license
23 issued for that machine in an easily accessible place, before
24 and during the time that a machine is available for use.

25 B. Each gaming machine located on a nonprofit

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1 gaming operator licensee's premises shall be capable of:

2 (1) having play suspended through a central
3 system by the executive director until he resets the gaming
4 machine; and

5 (2) being linked to the board's central system
6 for the purpose of being monitored continuously as required by
7 the board.

8 C. Each gaming machine located on a racetrack
9 gaming operator licensee's premises shall be capable of:

10 (1) having play suspended by an employee of
11 the racetrack gaming operator licensee upon instruction of the
12 executive director until the gaming operator licensee resets
13 the gaming machine on the instruction of the executive
14 director; and

15 (2) being linked to the board's electronic
16 data retrieval system for the purpose of being monitored
17 intermittently as required by the board. "

18 Section 3. EFFECTIVE DATE. --The effective date of the
19 provisions of this act is July 1, 2003.