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FISCAL IMPACT REPORT

SPONSOR Luján, B. DATE TYPED 2/21/05 HB 648

SHORT TITLE Prohibit Account Wagering SB _____

ANALYST Medina

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	NFI				

(Parenthesis () Indicate Expenditure Decreases)

Companion to HB 719

SOURCES OF INFORMATION

LFC Files

Responses Received From

Gaming Control Board (GCB)

Administrative Office of the Courts (AOC)

SUMMARY

Synopsis of Bill

House Bill 648 amends 30-19-15 NMSA 1978 to prohibit account wagering. The bill makes it unlawful to receive, transmit, or forward information of anything of value to place a bet or to assist in the placing of a bet through the use of a system of account wagering, whether or not the account wagering system is located in New Mexico.

The bill further amends the statutory definitions relating to gambling to include “account wagering”. Account wagering is defined as a system of betting in which an individual deposits money in an account and then uses the account balance to pay for bets placed in person, by telephone or by other electronic means, including by internet, wire or cable.

Significant Issues

Due to technological advancements, account wagering is becoming a growing phenomenon nationwide. Violation of the prohibition on account wagering is a fourth degree felony. According to the Gaming Control Board, law enforcement or gaming regulatory agencies with law en-

forcement power will need to train individuals in the area of computer forensics.

ADMINISTRATIVE IMPLICATIONS

Investigative personnel of GCB would need to be trained to conduct investigations on account wagering, specifically in computer forensics.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

There would continue to be not prohibition of account wagering. Law enforcement would have no effective means to stop individuals from betting within New Mexico using an account balance by means of telephone, internet, wire, or cable to venues outside of the state.

DXM/yr