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HOUSE BILL 536

50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011

INTRODUCED BY

Zachary J. Cook

AN ACT

RELATED TO ALCOHOLIC BEVERAGES; CLARIFYING THAT GAMES OF CHANCE
PURSUANT TO THE NEW MEXICO BINGO AND RAFFLE ACT ARE PERMITTED
ON PREMISES LICENSED PURSUANT TO THE LIQUOR CONTROL ACT.

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

SECTION 1. Section 60-7A-19 NMSA 1978 (being Laws 1981,
Chapter 39, Section 96, as amended) is amended to read:

"60-7A-19. COMMERCIAL GAMBLING ON LICENSED PREMISES.--

A. It is a violation of the Liquor Control Act for
a licensee to knowingly allow commercial gambling on the
licensed premises.

B. In addition to any criminal penalties, [~~any~~] a
person who violates Subsection A of this section may have [~~his~~]
the person's license suspended or revoked or a fine imposed, or
both, pursuant to the Liquor Control Act.

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C. As used in this section:

(1) "commercial gambling" means:

(a) participating in the earnings of or operating a gambling place;

(b) receiving, recording or forwarding bets or offers to bet;

(c) possessing facilities with the intent to receive, record or forward bets or offers to bet;

(d) for gain, becoming a custodian of anything of value bet or offered to be bet;

(e) conducting a lottery where both the consideration and the prize are money, or whoever with intent to conduct a lottery possesses facilities to do so; or

(f) setting up for use for the purpose of gambling, or collecting the proceeds of, ~~any~~ a gambling device or game; and

(2) "commercial gambling" does not mean:

(a) activities authorized pursuant to the New Mexico Lottery Act;

(b) the conduct of activities pursuant to Subsection [D] B of Section 30-19-6 NMSA 1978; and

(c) gaming authorized pursuant to the Gaming Control Act on the premises of a gaming operator licensee licensed pursuant to that act."