

HOUSE BILL 271

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Patricio Ruiloba and Greg Nibert and  
Candy Spence Ezzell and Zachary J. Cook

This document incorporates amendments that have been adopted during the current legislative session. The document is a tool to show the amendments in context and is not to be used for the purpose of amendments.

AN ACT

RELATING TO GAMING; CREATING THE CAPITAL IMPROVEMENTS GAMING TAX CREDIT FOR CERTAIN GAMING OPERATOR LICENSEES.

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

SECTION 1. A new section of the Gaming Control Act is enacted to read:

"[NEW MATERIAL] CAPITAL IMPROVEMENTS GAMING TAX CREDIT.--

A. From July 1, 2020 through June 30, Hf1→2025←Hf1 Hf1→2023←Hf1, a taxpayer that is a racetrack gaming operator licensee pursuant to Section 60-2E-27 NMSA 1978 may claim, and the taxation and revenue department shall allow, a tax credit

.216853.1AIC February 18, 2020 (10:38am)

underscored material = new  
[bracketed material] = delete  
Amendments: new = →bold, blue, highlight←  
delete = →bold, red, highlight, strikethrough←

underscoring material = new  
[bracketed material] = delete  
Amendments: new = →bold, blue, highlight←  
delete = →bold, red, highlight, strikethrough←

in an amount that does not exceed the taxpayer's monthly gaming tax liability pursuant to Section 60-2E-47 NMSA 1978, not to exceed a maximum credit of one million five hundred thousand dollars (\$1,500,000) per fiscal year, if the taxpayer:

(1) had during the taxable period expenditures for capital improvements or for long-term financing of capital improvements at its existing racetrack facility equal to or greater than the tax credit claimed; and

(2) had in the immediately prior calendar year a combined net take of under twenty-five million dollars (\$25,000,000).

B. The tax credit that may be claimed pursuant to this section may be referred to as the "capital improvements gaming tax credit".

C. A taxpayer shall not claim the capital improvements gaming tax credit if the taxpayer has used the expenditures for capital improvements or for long-term financing of capital improvements for another tax credit or deduction from a tax.

D. The capital improvements gaming tax credit shall be administered by the taxation and revenue department pursuant to the Tax Administration Act.

E. The capital improvements gaming tax credit may be claimed on a monthly basis against the gaming tax remitted to the state on a form provided by the taxation and revenue department. Hf1→"←Hf1

underscored material = new

[bracketed material] = delete

Amendments: new = →bold, blue, highlight←

delete = →bold, red, highlight, strikethrough←

Hf1→F. For the year July 1, 2020 through June 30, 2021, the expenditures for capital improvements or for long-term financing of capital improvements calculated pursuant to Paragraph (1) of Subsection A of this section are limited to improvements directly related only to the racetrack facility, including the racing grounds, grandstand, access roads, parking areas and signage related to the racetrack facility, and shall not include improvements related to the gaming facility. For the purpose of this subsection, "racing grounds" means the area of the restricted area of licensed premises used for the purpose of conducting horse races and all activities ancillary to the conduct of horse races, including the track, stable area, jockey's quarters and horse training areas."←Hf1

SECTION 2. EFFECTIVE DATE.--The effective date of the provisions of this act is July 1, 2020.

- 3 -