

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 101

43RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 1998

INTRODUCED BY

JERRY W. SANDEL

FOR THE REVENUE STABILIZATION AND TAX POLICY COMMITTEE

AN ACT

RELATING TO TAXATION; AMENDING SECTION 60-2E-47 NMSA 1978
(BEING LAWS 1997, CHAPTER 190, SECTION 49) TO SPECIFY A TAX
DUE DATE AND DEFINE A TERM; DECLARING AN EMERGENCY.

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

Section 1. Section 60-2E-47 NMSA 1978 (being Laws 1997,
Chapter 190, Section 49) is amended to read:

"60-2E-47. GAMING TAX--IMPOSITION--ADMINISTRATION. --

A. An excise tax is imposed on the privilege of
engaging in gaming activities in the state. This tax shall be
known as the "gaming tax".

B. The gaming tax is an amount equal to ten
percent of the gross receipts of manufacturer licensees from
the sale, lease or other transfer of gaming devices in or into
the state, except receipts of a manufacturer from the sale,

Underscored material = new
[bracketed material] = delete

1 lease or other transfer to a licensed distributor for
2 subsequent sale or lease may be excluded from gross receipts;
3 ten percent of the gross receipts of distributor licensees
4 from the sale, lease or other transfer of gaming devices in or
5 into the state; and twenty-five percent of the net take of
6 every gaming operator licensee. For the purposes of this
7 section, "gross receipts" means the total amount of money or
8 the value of other consideration received from selling,
9 leasing or otherwise transferring gaming devices.

10 C. The gaming tax imposed on a licensee is in lieu
11 of all state and local gross receipts taxes on that portion of
12 the licensee's gross receipts attributable to gaming
13 activities.

14 D. The gaming tax is to be paid on or before the
15 fifteenth day of the month following the month in which the
16 taxable event occurs. The gaming tax shall be administered
17 and collected by the taxation and revenue department in
18 cooperation with the board. The provisions of the Tax
19 Administration Act apply to the collection and administration
20 of the tax.

21 E. In addition to the gaming tax, a gaming
22 operator licensee that is a racetrack shall pay twenty percent
23 of [~~the~~] its net take to purses to be distributed in
24 accordance with regulations adopted by the state racing
25 commission. A racetrack gaming operator licensee shall spend

. 120255. 1

Underscored material = new
[bracketed material] = delete

1 no less than one-fourth of one percent of the net take of its
2 gaming machines to fund or support programs for the treatment
3 and assistance of compulsive gamblers.

4 F. A nonprofit gaming operator licensee shall
5 distribute at least eighty-eight percent of the balance of its
6 net take, after payment of the gaming tax and any income
7 taxes, for charitable or educational purposes. "

8 Section 2. EMERGENCY.--It is necessary for the public
9 peace, health and safety that this act take effect
10 immediately.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

January 30, 1998

Mr. Speaker:

**Your TAXATION AND REVENUE COMMITTEE, to whom has
been referred**

HOUSE BILL 101

**has had it under consideration and reports same with
recommendation that it DO PASS.**

Respectfully submitted,

Jerry W. Sandel, Chairman

Underscored material = new
~~[bracketed material] = delete~~

1 FORTY-THIRD LEGISLATURE
2 SECOND SESSION, 1998

3 HTRC/HB 101

Page 5

4 Adopted _____ Not Adopted _____

5
6 (Chief Clerk)

(Chief Clerk)

7
8 Date _____

9
10 The roll call vote was 11 For 0 Against

11 Yes: 11

12 Excused: Gubbels, Sandoval

13 Absent: None

14
15 G:\BILLTEXT\BILLW_98\H0101

16
17
18
19
20
21
22
23
24
25
Underscored material = new
[bracketed material] = delete

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

1 HTRC/HB 101

Page 6

2

3

4

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

5

6

7

February 16, 1998

8

9

Mr. President:

10

Your WAYS AND MEANS COMMITTEE, to whom has been
referred

11

12

13

HOUSE BILL 101

14

15

has had it under consideration and reports same with
recommendation that it DO PASS.

16

17

Respectfully submitted,

18

19

20

21

22

23

Carlos R. Cisneros, Chairman

24

25

. 120255. 1

Underscored material = new
[bracketed material] = delete

FORTY-THIRD LEGISLATURE
SECOND SESSION, 1998

1 HTRC/HB 101

2

3

Adopted _____ Not

4

Adopted _____

5

(Chief Clerk)

(Chief Clerk)

6

7

8

Date _____

9

10

11

The roll call vote was 7 For 0 Against

12

Yes: 7

13

No: 0

14

Excused: McSorley, Nava

15

Absent: None

16

17

H0101WM1

18

19

20

21

22

23

24

25