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HOUSE BILL 717

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Thomas A. Garcia

AN ACT

RELATING TO GAMING; CHANGING PROVISIONS OF THE GAMING CONTROL
ACT REGULATING PLAYERS' CLUB PROGRAMS.

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

Section 1. Section 60-2E-26 NMSA 1978 (being Laws 1997,
Chapter 190, Section 28) is amended to read:

"60-2E-26. GAMING OPERATOR LICENSEES--GENERAL
PROVISIONS--BUSINESS PLAN--PLAYER AGE LIMIT--RESTRICTIONS.--

A. An applicant for licensure as a gaming operator
shall submit with the application a plan for assisting in the
prevention, education and treatment of compulsive gambling.
The plan shall include regular educational training sessions
for employees. Plan approval is a condition of issuance of the
license.

B. An applicant for licensure as a gaming operator

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1 shall submit with the application a proposed business plan.

2 The plan shall include at least:

3 (1) a floor plan of the area to be used for
4 gaming machine operations;

5 (2) an advertising and marketing plan;

6 (3) the proposed placement and number of
7 gaming machines;

8 (4) a financial control plan;

9 (5) a security plan;

10 (6) a staffing plan for gaming machine
11 operations; and

12 (7) details of any proposed progressive
13 systems.

14 C. A gaming operator licensee shall be granted a
15 license to operate a specific number of gaming machines at a
16 gaming establishment identified in the license application and
17 shall be granted a license for each gaming machine.

18 D. A gaming operator licensee who desires to change
19 the number of gaming machines in operation at a gaming
20 establishment shall apply to the board for an amendment to
21 [~~his~~] the gaming operator's license authorizing a change in the
22 number of machines.

23 E. Gaming machines may be available for play only
24 in an area restricted to persons twenty-one years of age or
25 older.

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1 F. A gaming operator licensee shall erect a
2 permanent physical barrier to allow for multiple uses of the
3 premises by persons of all ages. For purposes of this
4 subsection, "permanent physical barrier" means a floor-to-
5 ceiling wall separating the general areas from the restricted
6 areas. The entrance to the area where gaming machines are
7 located shall display a sign that the premises are restricted
8 to persons twenty-one years of age or older. Persons under the
9 age of twenty-one shall not enter the area where gaming
10 machines are located.

11 G. A gaming operator licensee shall not have
12 automated teller machines in the area restricted pursuant to
13 Subsection F of this section.

14 H. A gaming operator licensee shall not provide,
15 allow, contract or arrange to provide alcohol or food for no
16 charge or at reduced prices as an incentive or enticement for
17 patrons to game; provided that a gaming operator licensee may
18 offer rewards other than alcohol to patrons in exchange for
19 points or credits accrued under any form of a players' club
20 program.

21 I. Only a racetrack licensed by the state racing
22 commission or a nonprofit organization may apply for or be
23 issued a gaming operator's license. No other persons are
24 qualified to apply for or be issued a gaming operator's license
25 pursuant to the Gaming Control Act."

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