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HOUSE BILL 423

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

INTRODUCED BY

Thomas A. Garcia

AN ACT

RELATING TO GAMING; AMENDING THE GAMING CONTROL ACT TO ALLOW
REWARDS FOR PLAYER'S CLUB POINT REDEMPTION AT GAMING
ESTABLISHMENTS.

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, as amended) is amended to read:

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

A. An applicant for a gaming operator's license
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 by the board is a condition of
issuance of the license.

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1 B. An applicant for a gaming operator's license
2 shall submit with the application a proposed business plan.
3 The plan shall include at least:

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

6 (2) an advertising and marketing plan;

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

9 (4) a current financial status and gaming
10 protection plan;

11 (5) a security plan;

12 (6) a staffing plan for gaming machine
13 operations;

14 (7) internal control systems in compliance
15 with Section 60-2E-35 NMSA 1978; and

16 (8) details of any proposed progressive
17 systems.

18 C. A gaming operator licensee shall be granted a
19 license to operate a number of machines, not to exceed the
20 statutory maximum, at a gaming establishment identified in the
21 license application and shall be granted a license for each
22 gaming machine.

23 D. A gaming operator licensee shall apply for and
24 pay the machine license fee for any increase in the number of
25 authorized gaming machines in operation at the licensed

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1 premises and shall notify the board of any decrease in the
2 number of authorized gaming machines in operation at the
3 licensed premises.

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

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

17 G. A gaming operator licensee shall not have
18 automated teller machines in the area restricted pursuant to
19 Subsection F of this section.

20 H. A gaming operator licensee shall not provide,
21 allow, contract or arrange to provide alcohol or food for no
22 charge or at reduced prices as an incentive or enticement for
23 patrons to game; provided that a gaming operator licensee may
24 offer rewards other than alcohol to patrons in exchange for
25 points or credits accrued under any form of a player's club

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program.

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