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SENATE BILL 180

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

John Arthur Smith

AN ACT

RELATING TO PUBLIC FINANCES; PROVIDING FOR THE NEW MEXICO
LOTTERY AUTHORITY'S PROCUREMENT OF CERTAIN SYSTEMS FOR UP TO
TEN YEARS; CHANGING THE MANNER OF DETERMINING MONTHLY REVENUE
TRANSMITTALS TO THE LOTTERY TUITION FUND.

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

SECTION 1. Section 6-24-19 NMSA 1978 (being Laws 1995,
Chapter 155, Section 19, as amended) is amended to read:

"6-24-19. PROCUREMENT--COMPETITIVE PROPOSALS.--

A. The authority shall enter into a contract for a
procurement after evaluating competitive proposals and shall
not design requests for proposals to provide only for sole
source contracts. The authority shall conduct its own
procurement, but the authority shall conduct all procurement in
accordance with the Procurement Code, except as provided in

.202973.1

underscored material = new
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1 Subsection B of this section. In all procurement decisions,
2 the authority shall take into account the particularly
3 sensitive nature of the lottery and shall act to promote and
4 ensure security, honesty, fairness and integrity in the
5 operation and administration of the lottery and the objectives
6 of raising revenue for the public purposes of the New Mexico
7 Lottery Act. Procurements shall not be artificially divided to
8 reduce the cost of the procurement below the procurement
9 thresholds provided in the Procurement Code.

10 B. The authority may contract for a period of up to
11 ten years for lottery instant ticket printing and lottery
12 gaming systems for maximum pricing efficiencies."

13 SECTION 2. Section 6-24-24 NMSA 1978 (being Laws 1995,
14 Chapter 155, Section 24, as amended) is amended to read:

15 "6-24-24. DISPOSITION OF REVENUE.--

16 A. As nearly as practical, an amount equal to at
17 least fifty percent of the gross annual revenue from the sale
18 of lottery [~~tickets~~] games shall be returned to the public in
19 the form of lottery prizes.

20 B. [~~No later than the last business day of each~~
21 ~~month~~] The authority shall transmit [~~at least twenty-seven~~
22 ~~percent of the gross revenue of the previous month until~~
23 ~~December 31, 2008 and at least thirty percent of the gross~~
24 ~~revenue of the previous month thereafter~~] all net revenues to
25 the state treasurer, who shall deposit [~~it~~] such net revenues

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

1 in the lottery tuition fund. Estimated net revenue shall be
2 transmitted monthly to the state treasurer for deposit in the
3 lottery tuition fund. The final adjustment for net revenue
4 transmittals due for the prior fiscal year shall be made and
5 transmitted no later than August 1.

6 C. Operating expenses of the lottery include all
7 costs incurred in the operation and administration of the
8 lottery and all costs resulting from any contracts entered into
9 for the purchase or lease of goods or services required by the
10 lottery, including the costs of supplies, materials, tickets,
11 independent audit services, independent studies, data
12 transmission, advertising, promotion, incentives, public
13 relations, communications, commissions paid to lottery
14 retailers, printing, distribution of tickets, purchases of
15 annuities or investments to be used to pay future installments
16 of winning lottery tickets, debt service and payment of any
17 revenue bonds issued, contingency reserves, transfers to the
18 reserve fund and any other necessary costs incurred in carrying
19 out the provisions of the New Mexico Lottery Act."