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HOUSE BILL 404

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

Patricia Roybal Caballero

AN ACT

RELATING TO GAMING; AMENDING THE GAMING CONTROL ACT AND THE NEW MEXICO BINGO AND RAFFLE ACT; PROVIDING FOR CHARITY GAMING EVENTS.

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] CHARITY GAMING EVENTS.--

A. The board may make rules for the conduct of and issue a license for a charity gaming event when a charitable organization submits an application for a licence for the charity gaming event in the form prescribed by the board and pays a license fee of not more than fifty dollars (\$50.00).

B. The charitable organization may:

(1) host no more than one charity gaming event

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1 of a duration of no more than twelve hours in any three
2 consecutive calendar months;

3 (2) charge a fee to attend the event;

4 (3) accept cash donations from attendees in
5 exchange for tokens to play games or games of chance or to
6 purchase goods or services donated for the charity gaming
7 event, but no cash shall be returned to an attendee at any time
8 during or after the event;

9 (4) accept donations of goods and services to
10 be offered as prizes or for purchase by attendees; and

11 (5) award prizes or tokens that may in turn be
12 used to purchase other prizes or play games or games of chance
13 at the event.

14 C. The charitable organization shall donate all
15 proceeds from attendance fees and cash donations, after bona
16 fide expenses for goods or services purchased or fees paid that
17 were reasonably necessary for hosting the event, to the
18 charitable cause advertised as the recipient of proceeds. The
19 charitable organization shall make no money for hosting the
20 event.

21 D. Not more than thirty days after the charity
22 gaming event concludes, the charitable organization shall file
23 with the board, upon forms prescribed by the board, a verified
24 accounting of the event that shows:

25 (1) the amount received for attendance fees;

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1 (2) the amount of cash donations received;

2 (3) a list of expenses for the purchase of
3 goods or services or payment of fees incurred for hosting the
4 event, with the amount of the expenditure, the name and address
5 of the person to whom it was paid and the purpose of the
6 expenditure;

7 (4) a list of goods and services donated for
8 the charity gaming event, with an estimate of the value of each
9 item and the name and address of the donor of each item; and

10 (5) the amount of the donation to the
11 charitable cause that the charity gaming event was held to
12 support.

13 E. If alcohol is to be served at the charity gaming
14 event and the venue for the charity gaming event is on premises
15 licensed for the sale, service and consumption of alcohol, the
16 alcohol licensee shall apply to the alcohol and gaming division
17 of the regulation and licensing department for review and
18 approval of a floor plan clearly delineating an area where no
19 games or games of chance may be played and where alcohol may be
20 present, served or consumed during the event. The division may
21 charge a fee in the amount of fifty dollars (\$50.00) to review
22 a floor plan submitted pursuant to this subsection.

23 F. If alcohol is to be served at the charity gaming
24 event and the venue is not on premises licensed for the sale,
25 service and consumption of alcohol, the alcohol licensee shall

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1 apply to the alcohol and gaming division of the regulation and
2 licensing department for a special dispenser's permit that
3 includes a floor plan clearly delineating an area where no
4 games or games of chance may be played and alcohol may be
5 present, served or consumed during the event. The division may
6 charge a fee in the amount of fifty dollars (\$50.00) to review
7 a floor plan submitted pursuant to this subsection."

8 SECTION 2. Section 60-2E-3 NMSA 1978 (being Laws 1997,
9 Chapter 190, Section 5, as amended) is amended to read:

10 "60-2E-3. DEFINITIONS.--As used in the Gaming Control
11 Act:

12 A. "affiliate" means a person who, directly or
13 indirectly through one or more intermediaries, controls, is
14 controlled by or is under common control with a specified
15 person;

16 B. "affiliated company" means a company that:

17 (1) controls, is controlled by or is under
18 common control with a company licensee; and

19 (2) is involved in gaming activities or
20 involved in the ownership of property on which gaming is
21 conducted;

22 C. "applicant" means a person who has applied for a
23 license or for approval of an act or transaction for which
24 approval is required or allowed pursuant to the provisions of
25 the Gaming Control Act;

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1 D. "application" means a request for the issuance
2 of a license or for approval of an act or transaction for which
3 approval is required or allowed pursuant to the provisions of
4 the Gaming Control Act, but "application" does not include a
5 supplemental form or information that may be required with the
6 application;

7 E. "associated equipment" means equipment or a
8 mechanical, electromechanical or electronic contrivance,
9 component or machine used in connection with gaming activity;

10 F. "board" means the gaming control board;

11 G. "certification" means a notice of approval by
12 the board of a person required to be certified by the board;

13 H. "cheat" or "cheating" means to alter the element
14 of chance, the method of selection or other criteria in a
15 manner that determines:

16 (1) the result of the game;

17 (2) the amount or frequency of payment in a
18 game, including taking advantage of a malfunctioning machine;

19 (3) the value of a wagering instrument; or

20 (4) the value of a wagering credit;

21 I. "company" means a corporation, partnership,
22 limited partnership, trust, association, joint stock company,
23 joint venture, limited liability company or other form of
24 business organization that is not a natural person; "company"
25 does not mean a nonprofit organization;

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1 J. "distributor" means a person who supplies gaming
2 devices to a gaming operator but does not manufacture gaming
3 devices;

4 K. "equity security" means an interest in a company
5 that is evidenced by:

6 (1) voting stock or similar security;

7 (2) a security convertible into voting stock
8 or similar security, with or without consideration, or a
9 security carrying a warrant or right to subscribe to or
10 purchase voting stock or similar security;

11 (3) a warrant or right to subscribe to or
12 purchase voting stock or similar security; or

13 (4) a security having a direct or indirect
14 participation in the profits of the issuer;

15 L. "executive director" means the chief
16 administrative officer appointed by the board pursuant to
17 Section 60-2E-7 NMSA 1978;

18 M. "finding of suitability" means a certification
19 of approval issued by the board permitting a person to be
20 involved directly or indirectly with a licensee, relating only
21 to the specified involvement for which it is made;

22 N. "foreign institutional investor" means:

23 (1) a government-related pension plan of a
24 foreign government; or

25 (2) a person that meets the requirement of a

1 qualified institutional buyer as defined by the governing
2 financial regulatory agency of the foreign country in which the
3 company's primary operations are located and is registered or
4 licensed in that country as a bank, an insurance company, an
5 investment company, an investment advisor, a collective trust
6 fund, an employee benefit plan or pension fund sponsored by a
7 publicly traded corporation registered with the board or a
8 group composed entirely of entities specified in this
9 subsection;

10 O. "game" means an activity in which, upon payment
11 of consideration, a player receives a prize or other thing of
12 value, the award of which is determined by chance even though
13 accompanied by some skill; "game" does not include an activity
14 played in a private residence in which no person makes money
15 for operating the activity except through winnings as a player;

16 P. "gaming" means offering a game for play;

17 Q. "gaming activity" means an endeavor associated
18 with the manufacture or distribution of gaming devices or the
19 conduct of gaming;

20 R. "gaming device" means associated equipment or a
21 gaming machine and includes a system for processing information
22 that can alter the normal criteria of random selection that
23 affects the operation of a game or determines the outcome of a
24 game;

25 S. "gaming employee" means a person connected

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1 directly with a gaming activity; "gaming employee" does not
2 include:

3 (1) bartenders, cocktail servers or other
4 persons engaged solely in preparing or serving food or
5 beverages;

6 (2) secretarial or janitorial personnel;

7 (3) stage, sound and light technicians; or

8 (4) other nongaming personnel;

9 T. "gaming establishment" means the premises on or
10 in which gaming is conducted;

11 U. "gaming machine" means a mechanical,
12 electromechanical or electronic contrivance or machine that,
13 upon insertion of a coin, token or similar object, or upon
14 payment of any consideration, is available to play or operate a
15 game, whether the payoff is made automatically from the machine
16 or in any other manner;

17 V. "gaming operator" means a person who conducts
18 gaming;

19 W. "holding company" means a company that directly
20 or indirectly owns or has the power or right to control a
21 company that is an applicant or licensee, but a company that
22 does not have a beneficial ownership of more than ten percent
23 of the equity securities of a publicly traded corporation is
24 not a holding company;

25 X. "immediate family" means natural persons who are

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1 related to a specified natural person by affinity or
2 consanguinity in the first through the third degree;

3 Y. "independent administrator" means a person who
4 administers an annuity, who is not associated in any manner
5 with the gaming operator licensee for which the annuity was
6 purchased and is in no way associated with the person who will
7 be receiving the annuity;

8 Z. "institutional investor" means:

9 (1) a foreign institutional investor;

10 (2) a state or federal government pension
11 plan; or

12 (3) a person that meets the requirements of a
13 qualified institutional buyer as defined in Rule 144A of the
14 federal Securities Act of 1933, and is:

15 (a) a bank as defined in Section 3(a)(6)
16 of the federal Securities Exchange Act of 1934;

17 (b) an insurance company as defined in
18 Section 2(a)(17) of the federal Investment Company Act of 1940;

19 (c) an investment company registered
20 under Section 8 of the federal Investment Company Act of 1940;

21 (d) an investment adviser registered
22 under Section 203 of the federal Investment Advisers Act of
23 1940;

24 (e) collective trust funds as defined in
25 Section 3(c)(11) of the federal Investment Company Act of 1940;

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1 (f) an employee benefit plan or pension
2 fund that is subject to the federal Employee Retirement Income
3 Security Act of 1974, excluding an employee benefit plan or
4 pension fund sponsored by a publicly traded corporation
5 registered with the board; or

6 (g) a group comprised entirely of
7 persons specified in Subparagraphs (a) through (f) of this
8 paragraph;

9 AA. "intermediary company" means a company that:

10 (1) is a holding company with respect to a
11 company that is an applicant or licensee; and

12 (2) is a subsidiary with respect to any
13 holding company;

14 BB. "key executive" means an executive of a
15 licensee or other person having the power to exercise
16 significant influence over decisions concerning any part of the
17 licensed operations of the licensee or whose compensation
18 exceeds an amount established by the board in a rule;

19 CC. "license" means an authorization required by
20 the board for engaging in gaming activities;

21 DD. "licensee" means a person to whom a valid
22 license has been issued;

23 EE. "manufacturer" means a person who manufactures,
24 fabricates, assembles, produces, programs or makes
25 modifications to any gaming device for use or play in New

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1 Mexico or for sale, lease or distribution outside New Mexico
2 from any location within New Mexico;

3 FF. "net take" means the total of the following,
4 less the total of all cash paid out as losses to winning
5 patrons and those amounts paid to purchase annuities to fund
6 losses paid to winning patrons over several years by
7 independent administrators:

8 (1) cash received from patrons for playing a
9 game;

10 (2) cash received in payment for credit
11 extended by a licensee to a patron for playing a game; and

12 (3) compensation received for conducting a
13 game in which the licensee is not a party to a wager;

14 GG. "nonprofit organization" means:

15 (1) a bona fide chartered or incorporated
16 branch, lodge, order or association, in existence in New Mexico
17 prior to January 1, 1997, of a fraternal organization that is
18 described in Section 501(c)(8) or (10) of the federal Internal
19 Revenue Code of 1986 and that is exempt from federal income
20 taxation pursuant to Section 501(a) of that code; or

21 (2) a bona fide chartered or incorporated
22 post, auxiliary unit or society of, or a trust or foundation
23 for the post or auxiliary unit, in existence in New Mexico
24 prior to January 1, 1997, of a veterans' organization that is
25 described in Section 501(c)(19) or (23) of the federal Internal

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1 Revenue Code of 1986 and that is exempt from federal income
2 taxation pursuant to Section 501(a) of that code;

3 HH. "person" means a legal entity;

4 II. "premises" means land, together with all
5 buildings, improvements and personal property located on the
6 land;

7 JJ. "progressive jackpot" means a prize that
8 increases over time or as gaming machines that are linked to a
9 progressive system are played and upon conditions established
10 by the board may be paid by an annuity;

11 KK. "public post-secondary educational institution"
12 means an institution designated in Article 12, Section 11 of
13 the constitution of New Mexico or an institution designated in
14 Chapter 21, Article 13, 14 or 16 NMSA 1978;

15 LL. "progressive system" means one or more gaming
16 machines linked to one or more common progressive jackpots;

17 MM. "publicly traded corporation" means a
18 corporation that:

19 (1) has one or more classes of securities
20 registered pursuant to the securities laws of the United States
21 or New Mexico;

22 (2) is an issuer subject to the securities
23 laws of the United States or New Mexico; or

24 (3) has one or more classes of securities
25 registered or is an issuer pursuant to applicable foreign laws

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1 that, the board finds, provide protection for institutional
2 investors that is comparable to or greater than the stricter of
3 the securities laws of the United States or New Mexico;

4 NN. "registration" means a board action that
5 authorizes a company to be a holding company with respect to a
6 company that holds or applies for a license or that relates to
7 other persons required to be registered pursuant to the Gaming
8 Control Act;

9 OO. "subsidiary" means a company, all or a part of
10 whose outstanding equity securities are owned, subject to a
11 power or right of control or held, with power to vote, by a
12 holding company or intermediary company;

13 PP. "technician" means a person approved by the
14 board to repair and service gaming devices or associated
15 equipment but who is prohibited from programming gaming
16 devices; [~~and~~]

17 QQ. "work permit" means a card, certificate or
18 permit issued by the board, whether denominated as a work
19 permit, registration card or otherwise, authorizing the
20 employment of the holder as a gaming employee;

21 RR. "charitable organization" means an
22 organization, not for pecuniary profit, that is operated for
23 the relief of poverty, distress or other condition of public
24 concern in New Mexico and that has been granted an exemption
25 from federal income tax as an organization described in Section

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1 501(c) of the federal Internal Revenue Code of 1986, as amended
2 or renumbered;

3 SS. "charity gaming event" means a limited
4 fundraising event for lawful purposes hosted by a charitable
5 organization that offers games or games of chance for play;

6 TT. "game of chance" means that specific kind of
7 game of chance commonly known as bingo, that specific kind of
8 game of chance commonly known as a raffle or that specific game
9 of chance commonly known as pull-tab; and

10 UU. "lawful purposes" means:

11 (1) educational, charitable, patriotic,
12 religious or public-spirited purposes that benefit an
13 indefinite number of persons either by bringing their minds or
14 hearts under the influence of education or religion, by
15 relieving their bodies from disease, suffering or constraint,
16 by assisting them in establishing themselves in life, by
17 erecting or maintaining public buildings or works, by providing
18 legal assistance to peace officers or firefighters in defending
19 civil or criminal actions arising out of the performance of
20 their duties or by otherwise lessening the burden of
21 government. "Lawful purposes" includes the erection,
22 acquisition, improvement, maintenance, insurance or repair of
23 property, real, personal or mixed, if the property is used for
24 one or more of the benefits stated in this paragraph; or

25 (2) augmenting the revenue of and promoting

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1 the New Mexico state fair."

2 SECTION 3. Section 60-2E-13.1 NMSA 1978 (being Laws 2002,
3 Chapter 102, Section 9, as amended) is amended to read:

4 "60-2E-13.1. TEMPORARY POSSESSION OF GAMING DEVICE FOR
5 LIMITED PURPOSE.--

6 A. A public post-secondary educational institution
7 may temporarily possess gaming devices for the limited purpose
8 of providing instruction on the technical aspects of gaming
9 devices to persons seeking certification as technicians
10 qualified to repair and maintain gaming devices. A gaming
11 device allowed for such limited use shall be subject to
12 registration, transport, possession and use requirements and
13 restrictions established in board regulations.

14 B. Trade shows and similar events for the purpose
15 of demonstrating and marketing gaming devices may be conducted
16 in the state at the discretion of the board. A gaming device
17 allowed in the state for such limited use shall be subject to
18 registration, transport, possession and use requirements and
19 restrictions established in board regulations.

20 C. A person may possess an unlicensed gaming device
21 used by the person for the purposes of testing or demonstration
22 if that person is a manufacturer licensee or has obtained a
23 waiver pursuant to the Gaming Control Act.

24 D. A person may possess a gaming device for the
25 purpose of film or theater productions or other non-gaming

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1 purposes permitted by regulation of the board. Any gaming
2 device allowed in the state for such limited use shall be
3 subject to registration, transport, possession and use
4 requirements and restrictions established in board regulations.

5 E. A person may possess a gaming device for the
6 purpose of operating it during a charity gaming event licensed
7 by the board."

8 SECTION 4. A new section of the New Mexico Bingo and
9 Raffle Act is enacted to read:

10 "[NEW MATERIAL] CHARITY GAMING EVENTS.--

11 A. The board may make rules for the conduct of and
12 issue a license for a charity gaming event when a charitable
13 organization submits an application for a licence for the
14 charity gaming event in the form prescribed by the board and
15 pays a license fee of not more than fifty dollars (\$50.00).

16 B. The charitable organization may:

17 (1) host no more than one charity gaming event
18 of a duration of no more than twelve hours in any three
19 consecutive calendar months;

20 (2) charge a fee to attend the event;

21 (3) accept cash donations from attendees in
22 exchange for tokens to play the games or games of chance or to
23 purchase goods or services donated for the charity gaming
24 event, but no cash shall be returned to an attendee at any time
25 during or after the event;

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1 (4) accept donations of goods and services to
2 be offered as prizes or for purchase by attendees; and

3 (5) award prizes or tokens that may in turn be
4 used to purchase other prizes or play games or games of chance
5 at the event.

6 C. The charitable organization shall donate all
7 proceeds from attendance fees and cash donations, after bona
8 fide expenses for goods or services purchased or fees paid that
9 were reasonably necessary for hosting the event, to the
10 charitable cause advertised as the recipient of proceeds. The
11 charitable organization shall make no money for hosting the
12 event.

13 D. Not more than thirty days after the charity
14 gaming event concludes, the charitable organization shall file
15 with the board, upon forms prescribed by the board, a verified
16 accounting of the event that shows:

17 (1) the amount received for attendance fees;
18 (2) the amount of cash donations received;
19 (3) a list of expenses for the purchase of
20 goods or services or payment of fees incurred for hosting the
21 event, with the amount of the expenditure, the name and address
22 of the person to whom it was paid and the purpose of the
23 expenditure;

24 (4) a list of goods and services donated for
25 the charity gaming event, with an estimate of the value of each

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1 item and the name and address of the donor of each item; and

2 (5) the amount of the donation to the
3 charitable cause that the charity gaming event was held to
4 support.

5 E. If alcohol is to be served at the charity gaming
6 event and the venue for the charity gaming event is on premises
7 licensed for the sale, service and consumption of alcohol, the
8 alcohol licensee shall apply to the alcohol and gaming division
9 of the regulation and licensing department for review and
10 approval of a floor plan clearly delineating an area where no
11 games or games of chance may be played and where alcohol may be
12 present, served or consumed during the event. The division may
13 charge a fee in the amount of fifty dollars (\$50.00) to review
14 a floor plan submitted pursuant to this subsection.

15 F. If alcohol is to be served at the charity gaming
16 event and the venue is not on premises licensed for the sale,
17 service and consumption of alcohol, the alcohol licensee shall
18 apply to the alcohol and gaming division of the regulation and
19 licensing department for a special dispenser's permit that
20 includes a floor plan clearly delineating an area where no
21 games or games of chance may be played and alcohol may be
22 present, served or consumed during the event. The division may
23 charge a fee in the amount of fifty dollars (\$50.00) to review
24 a floor plan submitted pursuant to this subsection."

25 SECTION 5. Section 60-2F-4 NMSA 1978 (being Laws 2009,

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1 Chapter 81, Section 4, as amended) is amended to read:

2 "60-2F-4. DEFINITIONS.--As used in the New Mexico Bingo
3 and Raffle Act:

4 A. "bingo" means a game of chance in which each
5 player has one or more bingo cards printed with different
6 numbers on which to place markers when the respective numbers
7 are drawn and announced by a bingo caller;

8 B. "bingo caller" means the individual who, in the
9 game of bingo, draws and announces numbers;

10 C. "bingo employee" means a person connected
11 directly with a game of chance, such as cashiers, floor sales
12 clerks and pull-tab workers. A bingo employee may or may not
13 be a member of a qualified organization;

14 D. "bingo manager" means the person responsible for
15 overseeing bingo and pull-tab activities conducted pursuant to
16 a bingo license;

17 E. "board" means the gaming control board;

18 F. "charitable organization" means an organization,
19 not for pecuniary profit, that is operated for the relief of
20 poverty, distress or other condition of public concern in New
21 Mexico and that has been granted an exemption from federal
22 income tax as an organization described in Section 501(c) of
23 the [~~United States~~] federal Internal Revenue Code of 1986, as
24 amended or renumbered;

25 G. "charity gaming event" means a limited

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1 fundraising event for lawful purposes hosted by a charitable
2 organization that offers games or games of chance for play;

3 ~~[G-]~~ H. "chartered branch, lodge or chapter of a
4 national or state organization" means a branch, lodge or
5 chapter that is a civic or service organization, not for
6 pecuniary profit, and that is authorized by its written
7 constitution, charter, articles of incorporation or bylaws to
8 engage in a fraternal, civic or service purpose in New Mexico;

9 ~~[H-]~~ I. "distributor" means a person, other than a
10 manufacturer, who provides equipment to a qualified
11 organization but does not manufacture the equipment;

12 ~~[I-]~~ J. "educational organization" means an
13 organization within the state, including recognized student
14 organizations, not organized for pecuniary profit, whose
15 primary purpose is educational in nature and designed to
16 develop the capabilities of individuals by instruction;

17 ~~[J-]~~ K. "environmental organization" means an
18 organization within the state, not organized for pecuniary
19 profit, that is primarily concerned with the protection and
20 preservation of the natural environment;

21 ~~[K-]~~ L. "equipment" means:

22 (1) with respect to bingo:

23 (a) the receptacle and numbered objects
24 drawn from it;

25 (b) the master board upon which the

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1 numbered objects are placed as drawn;

2 (c) the cards or sheets bearing numbers
3 or other designations to be covered and the objects used to
4 cover them;

5 (d) the board or signs, however
6 operated, used to announce or display the numbers or
7 designations as they are drawn; and

8 (e) all other articles having a
9 significant effect on the outcome of a game and necessary to
10 the operation, conduct and playing of bingo; and

11 (2) with respect to pull-tabs:

12 (a) the pull-tabs;

13 (b) the pull-tab flares; and

14 (c) the dispensing machines;

15 [~~H.~~] M. "fraternal organization" means an
16 organization within the state, not for pecuniary profit, that
17 is a branch, lodge or chapter of a national or state
18 organization and that exists for the common business,
19 brotherhood or other interests of its members;

20 N. "game" means an activity in which, upon payment
21 of consideration, a player receives a prize or other thing of
22 value, the award of which is determined by chance even though
23 accompanied by some skill; "game" does not include an activity
24 played in a private residence in which no person makes money
25 for operating the activity except through winnings as a player;

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1 ~~[M-]~~ O. "game accountant" means the individual in
2 charge of preparing and submitting the quarterly report form;

3 ~~[N-]~~ P. "game of chance" means that specific kind
4 of game of chance commonly known as bingo, that specific kind
5 of game of chance commonly known as a raffle or that specific
6 game of chance commonly known as pull-tab;

7 Q. "gaming" means offering a game for play;

8 ~~[O-]~~ R. "gross receipts" means proceeds received by
9 a bingo licensee from the sale of bingo cards, raffle tickets
10 or pull-tab tickets; the sale of rights in any manner connected
11 with participation in a game of chance or the right to
12 participate in a game of chance, including any admission fee or
13 charge; the sale of playing materials; and all other
14 miscellaneous receipts;

15 ~~[P-]~~ S. "lawful purposes" means:

16 (1) educational, charitable, patriotic,
17 religious or public-spirited purposes that benefit an
18 indefinite number of persons either by bringing their minds or
19 hearts under the influence of education or religion, by
20 relieving their bodies from disease, suffering or constraint,
21 by assisting them in establishing themselves in life, by
22 erecting or maintaining public buildings or works, by providing
23 legal assistance to peace officers or firefighters in defending
24 civil or criminal actions arising out of the performance of
25 their duties or by otherwise lessening the burden of

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1 government. "Lawful purposes" includes the erection,
2 acquisition, improvement, maintenance, insurance or repair of
3 property, real, personal or mixed, if the property is used for
4 one or more of the benefits stated in this paragraph; or

5 (2) augmenting the revenue of and promoting
6 the New Mexico state fair;

7 [~~Q~~] T. "licensee" means any qualified organization
8 to which a bingo license has been issued by the board or any
9 person to which a manufacturer's or distributor's license has
10 been issued by the board;

11 [~~R~~] U. "manufacturer" means a person who
12 manufactures, fabricates, assembles, produces, programs or
13 makes modifications to equipment for use or play in games of
14 chance in New Mexico or for sale or distribution outside of New
15 Mexico;

16 [~~S~~] V. "occasion" means a single gathering at
17 which a series of successive bingo games are played;

18 [~~T~~] W. "permittee" means any person issued a
19 permit by the board;

20 [~~U~~] X. "premises" means a room, hall, enclosure or
21 outdoor area that is identified on a license issued pursuant to
22 the New Mexico Bingo and Raffle Act and used for the purpose of
23 playing games of bingo or pull-tabs;

24 [~~V~~] Y. "prize" means cash or merchandise won for
25 participation in a game of chance;

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[bracketed material] = delete

1 [~~W.~~] Z. "progressive pot" means a prize from a
2 pull-tab or a portion of a prize from a pull-tab that is
3 allowed to carry over from one pull-tab game to the next so
4 that the carried-over prizes are allowed to accumulate into a
5 larger prize;

6 [~~X.~~] AA. "pull-tab" means gaming pieces used in a
7 game of chance that are made completely of paper or paper
8 products with concealed numbers or symbols that must be exposed
9 by the player to determine wins or losses or a gaming piece
10 that is made completely of paper or paper products with an
11 instant-win component that must be exposed by the player on a
12 concealed card and can be used in a speed round for additional
13 winnings utilizing a bingo blower. A "pull-tab" includes a tip
14 board and can include a progressive pot;

15 [~~Y.~~] BB. "qualified organization" means a bona fide
16 chartered branch, lodge or chapter of a national or state
17 organization or any bona fide religious, charitable,
18 environmental, fraternal, educational or veterans' organization
19 operating without profit to its members that has been in
20 existence in New Mexico continuously for a period of two years
21 immediately prior to conducting a raffle or making an
22 application for a license under the New Mexico Bingo and Raffle
23 Act and that has had a membership engaged in carrying out the
24 objects of the corporation or organization. A voluntary
25 firefighter's organization is a qualified organization and a

underscoring material = new
[bracketed material] = delete

1 labor organization is a qualified organization for the purposes
2 of the New Mexico Bingo and Raffle Act if they use the proceeds
3 from a game of chance solely for scholarship or charitable
4 purposes;

5 ~~[Z.]~~ CC. "raffle" means a drawing where multiple
6 persons buy tickets to win a prize and the winner is determined
7 by the drawing of the ticket stub out of a container that holds
8 all the ticket stubs sold for the event;

9 ~~[AA.]~~ DD. "religious organization" means an
10 organization, church, body of communicants or group, not for
11 pecuniary profit, gathered in common membership for mutual
12 support and edification in piety, worship and religious
13 observances or a society, not for pecuniary profit, of
14 individuals united for religious purposes at a definite place;
15 and

16 ~~[BB.]~~ EE. "veterans' organization" means an
17 organization within the state or any branch, lodge or chapter
18 of a national or state organization within this state, not for
19 pecuniary profit, the membership of which consists of
20 individuals who were members of the armed services or forces of
21 the United States."