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HOUSE BILL 551

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY

Martin R. Zamora

AN ACT

RELATING TO GAMING; AMENDING REQUIREMENTS AND PROCEDURES FOR  
LIENS ON WINNINGS FOR DEBT OWED TO OR COLLECTED BY THE HEALTH  
CARE AUTHORITY.

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

SECTION 1. Section 60-2E-61.1 NMSA 1978 (being Laws 2009,  
Chapter 149, Section 1) is amended to read:

"60-2E-61.1. LIEN ON WINNINGS FOR DEBT OWED TO OR  
COLLECTED BY [~~HUMAN SERVICES DEPARTMENT~~] HEALTH CARE  
AUTHORITY--PROCEDURE.--

A. By operation of law, a lien attaches to a payout  
of at least one thousand two hundred dollars (\$1,200), [or  
more] as set by the board rule in accordance with federal law,  
from a gaming machine of a racetrack gaming operator licensee  
when won by a person owing a debt to or collected by the [~~human~~

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1 ~~services department]~~ health care authority acting as the  
2 state's child support enforcement agency pursuant to Title IV-D  
3 of the federal Social Security Act. If a change is made in  
4 federal law to the threshold amount for which a lien attaches  
5 to a payout pursuant to this subsection, the health care  
6 authority shall, within thirty days of the effective date of  
7 such change, inform the board's legal and information  
8 technology divisions of the threshold amount required by  
9 federal law.

10 B. The [~~human services department]~~ health care  
11 authority shall through secure means periodically provide the  
12 board with a verified list of names and social security numbers  
13 [~~and the last known addresses]~~ of obligors owing a debt to or  
14 collected pursuant to [~~Section 1~~] Subsection A of this section  
15 by the [~~department]~~ authority.

16 C. In order to enforce the lien pursuant to  
17 Subsection A of this section, the board shall by rule adopt  
18 procedures applicable to racetrack gaming operator licensees  
19 when [~~a~~] an applicable payout occurs. The board shall provide  
20 a racetrack gaming operator licensee with [~~an electronic system~~  
21 ~~to search by~~] a secure electronic method by which to search the  
22 names and social security numbers of persons currently owing a  
23 debt subject to or collected by the [~~human services department]~~  
24 health care authority. Prior to the payment of a payout, the  
25 licensee shall make a good-faith effort to check the name of

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1 the winner against the list of names and social security  
2 numbers provided by the [~~human services department~~] health care  
3 authority to the board. The licensee's authorized employee  
4 shall enter the winner's name, social security number, jackpot  
5 amount and manual payout form number into the electronic search  
6 method provided by the board that shall contain the list of  
7 obligors owing a debt to or collected by the health care  
8 authority pursuant to Subsection A of this section.

9 D. If the winner is a person owing a debt to or  
10 collected by the [~~human services department~~] health care  
11 authority, the racetrack gaming operator licensee shall retain  
12 the payout and promptly notify the [~~department~~] health care  
13 authority and the board on a form approved by the [~~department~~]  
14 health care authority. The [~~human services department~~] health  
15 care authority shall establish by rule an administrative  
16 process for support obligors to contest the obligation prior to  
17 release of the funds by the licensee to the [~~department~~] health  
18 care authority. The [~~human services department~~] health care  
19 authority shall, within seven working days of receipt of notice  
20 of the payout, provide the racetrack gaming operator licensee  
21 with written notice of its intent to enforce the administrative  
22 lien and of the amount claimed. After receiving the notice of  
23 intent, the racetrack gaming operator licensee shall retain the  
24 amount claimed in a suspense account and remit the balance to  
25 the payout winner. Upon final disposition of the

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1 administrative procedure, the [~~human services department~~]  
2 health care authority shall immediately notify the racetrack  
3 gaming operator licensee in writing of the amount to be  
4 tendered to the [~~department~~] health care authority and release  
5 the lien for any remaining funds to be distributed to the  
6 payout winner.

7 E. The board shall by rule adopt lien attachment  
8 and enforcement procedures applicable to other gaming operator  
9 licensees when a gaming machine payout equals [~~one thousand two~~  
10 ~~hundred dollars (\$1,200) or more~~] or exceeds the threshold  
11 amount.

12 F. Neither the board nor any gaming operator shall  
13 be liable to the [~~human services department~~] health care  
14 authority or to the person on whose behalf the [~~department~~]  
15 health care authority is collecting the debt if the licensee  
16 fails, in good faith, to match a winner's name to a name on the  
17 list provided pursuant to [~~Subsection~~] Subsections B and C of  
18 this section."

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