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HOUSE BILL 100

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,  
2000**

INTRODUCED BY  
Henry "Kiki" Saavedra

AN ACT

RELATING TO GAMING; INCREASING THE NUMBER OF LICENSED GAMING  
MACHINES THAT MAY BE OPERATED BY A RACETRACK GAMING MACHINE  
LICENSEE.

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

Section 1. Section 60-2E-27 NMSA 1978 (being Laws 1997,  
Chapter 190, Section 29) is amended to read:

"60-2E-27. GAMING OPERATOR LICENSEES--SPECIAL  
CONDITIONS FOR RACETRACKS--NUMBER OF GAMING MACHINES--DAYS  
AND HOURS OF OPERATIONS.--

A. A racetrack licensed by the state racing  
commission pursuant to the Horse Racing Act to conduct live  
horse races or simulcast races may be issued a gaming  
operator's license to operate gaming machines on its premises  
where live racing is conducted.

B. A racetrack's gaming operator's license shall

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

1 automatically become void if:

2 (1) the racetrack no longer holds an active  
3 license to conduct pari-mutuel wagering; or

4 (2) the racetrack fails to maintain a  
5 minimum of three live race days a week with at least nine  
6 live races on each race day during its licensed race meet in  
7 the 1997 calendar year and in the 1998 and subsequent  
8 calendar years, four live race days a week with at least nine  
9 live races on each race day during its licensed race meet.

10 C. ~~[A gaming operator licensee that is a racetrack~~  
11 ~~may have up to three hundred licensed gaming machines, but]~~

12 The number of gaming machines to be located on the  
13 ~~[licensee's]~~ premises of a racetrack that holds a gaming  
14 operator's license shall be specified in the ~~[gaming~~  
15 ~~operator's]~~ license. The number of licensed gaming machines  
16 authorized for a racetrack that holds a gaming operator's  
17 license is based upon the number of live race days held in a  
18 calendar year by the licensee as follows:

19 (1) up to three hundred if seventeen through  
20 thirty live race days are held;

21 (2) up to four hundred fifty if thirty-one  
22 through forty-five live race days are held;

23 (3) up to six hundred if forty-six through  
24 sixty live race days are held;

25 (4) up to seven hundred fifty if sixty-one  
through seventy-five live race days are held;

(5) nine hundred if seventy-six through

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

1 ninety live race days are held; and

2 (6) one thousand two hundred if ninety-one  
3 through three hundred sixty-five live race days are held.

4 D. Except as provided in Subsection F of this  
5 section, gaming machines on a racetrack gaming operator  
6 licensee's premises may be played only on days when the  
7 racetrack is either conducting live horse races or  
8 simulcasting horse race meets. A gaming operator licensee  
9 that is a racetrack shall be permitted to conduct such games  
10 on only the aforementioned days for a daily period not to  
11 exceed twelve hours at the discretion of such licensee.

12 E. Alcoholic beverages shall not be sold, served,  
13 delivered or consumed in the area restricted pursuant to  
14 Subsection F of Section [~~28 of the Gaming Control Act~~]  
15 60-2E-26 NMSA 1978.

16 F. A gaming operator licensee that is a racetrack  
17 located on state land within the boundaries of a municipality  
18 with a population of more than two hundred thousand persons  
19 according to the 1990 decennial census shall not operate  
20 gaming machines later than 10:00 p.m. on any day of the  
21 year."

22 Section 2. EFFECTIVE DATE.--The effective date of the  
23 provisions of this act is July 1, 2000.  
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