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SENATE BILL 803

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

Cynthia L. Nava

AN ACT

**RELATING TO GAMING; PROVIDING THAT A CERTAIN GAMING OPERATOR
LICENSEE THAT IS A RACETRACK MAY HAVE UP TO EIGHT HUNDRED
LICENSED GAMING MACHINES; AMENDING A SECTION OF THE GAMING
CONTROL ACT.**

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, as amended) 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**

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1 where live racing is conducted.

2 B. A racetrack's gaming operator's license shall
3 automatically become void if:

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

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

12 C. A gaming operator licensee that is a racetrack
13 may have up to three hundred licensed gaming machines, but the
14 number of gaming machines to be located on the licensee's
15 premises shall be specified in the gaming operator's license.
16 Notwithstanding the provisions of this subsection, a gaming
17 operator licensee that is a racetrack may have up to eight
18 hundred licensed gaming machines if the racetrack is located
19 in a class A county with a final assessed valuation in excess
20 of seventy-five million dollars (\$75,000,000) with a
21 population of less than one hundred forty thousand persons as
22 determined by the 1990 official United States census.

23 D. Gaming machines on a racetrack gaming operator
24 licensee's premises may be played only on days when the
25 racetrack is either conducting live horse races or

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1 simulcasting horse race meets. A gaming operator licensee
2 that is a racetrack shall be permitted to conduct such games
3 on only the aforementioned days for a daily period not to
4 exceed twelve hours at the discretion of such licensee.

5 E. Alcoholic beverages shall not be sold, served,
6 delivered or consumed in the area restricted pursuant to
7 Subsection F of Section 60-2E-26 NMSA 1978. "

8 Section 2. EFFECTIVE DATE. -- The effective date of the
9 provisions of this act is July 1, 2001.

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