

**FIFTY-FOURTH LEGISLATURE  
FIRST SESSION, 2019**

March 9, 2019

Mr. Speaker:

Your **TAXATION & REVENUE COMMITTEE**, to whom has been referred

**HOUSE BILL 650**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 11, strike "TEMPORARILY LOWERING THE GAMING TAX ON" and insert in lieu thereof "CREATING THE CAPITAL IMPROVEMENTS GAMING TAX CREDIT FOR".

2. On pages 1 through 5, strike Sections 1 and 2 in their entirety and insert in lieu thereof the following new sections:

"SECTION 1. A new section of the Gaming Control Act is enacted to read:

"[NEW MATERIAL] CAPITAL IMPROVEMENTS GAMING TAX CREDIT.--

A. From July 1, 2019 through June 30, 2024, a taxpayer that is a gaming operator licensee that is a racetrack may claim, and the taxation and revenue department shall allow, a tax credit in an amount of up to sixty percent of the taxpayer's monthly gaming tax liability pursuant to Section 60-2E-47 NMSA 1978, not to exceed a maximum credit of one million five hundred thousand dollars (\$1,500,000) per fiscal year, if the taxpayer:

(1) had during the taxable period expenditures for capital improvements or for long-term financing of capital improvements at its existing racetrack facility equal to or greater than the tax credit claimed; and

(2) had in the immediately prior calendar year a combined net take and receipts, not including receipts for purses, of under twenty million dollars (\$20,000,000).

B. The tax credit that may be claimed pursuant to this section may be referred to as the "capital improvements gaming tax credit".

C. A taxpayer shall not claim the capital improvements

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gaming tax credit if the taxpayer has used the expenditures for capital improvements or for long-term financing of capital improvements for another tax credit or deduction from a tax.

D. The capital improvements gaming tax credit shall be administered by the taxation and revenue department pursuant to the Tax Administration Act.

E. The capital improvements gaming tax credit may be claimed on a monthly basis against the gaming tax remitted to the state on a form provided by the taxation and revenue department."

**SECTION 2. EFFECTIVE DATE.**--The effective date of the provisions of this act is July 1, 2019."

Respectfully submitted,

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**Jim R. Trujillo, Chair**

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 6 For 5 Against

Yes: 6

No: Akhil, Chandler, Gallegos, DY, Herrera, Martínez, J.

Excused: Egolf, Harper

Absent: None

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