

LFC Requester:

Noah Montano

AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO

AgencyAnalysis.nmlegis.gov and email to billanalysis@dfa.nm.gov*(Analysis must be uploaded as a PDF)***SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}*

Date Prepared: February 13, 2024 *Check all that apply:*
Bill Number: HB 367 Original Correction
 Amendment Substitute

Sponsor: Joseph L. Sanchez, Tara L. Lujan, Patricia R. Caballero, Luis M. Terrazas, Jimmy G. Moran
Short Title: Relating to Horse Racing: Live Race Days to Maintain Gaming
Agency Name and Code Number: NM Gaming Control Board - 465
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SECTION II: FISCAL IMPACT**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

RACING:

§60-1A-2(W) NMSA amending the definition of “race meet”. Section 2 of the bill adds new material RACEMEETS—LIVE RACING DAYS.—which sets forth mandatory elements for a race meet.

GAMING:

§60-2E-27(B)(2) NMSA amending language to limit the number of consecutive days between live race days. §60-2E-27(B)(3) NMSA amending language addressing when a racetrack fails to meet race meet schedule. §60-2E-27(F) amending language about number of days between live race days and failure to restrict number of days between live race days.

This analysis will focus on the proposed change to §60-2E-27 NMSA 1978 of the Gaming Control Act as the Racing Commission is better equipped to analyze the proposed changes to the Horseracing Act.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

Any time race days don't occur, there are fiscal implications which are a great concern to operators. But what impacts horse racing rarely impacts the casino side of the operation financially.

SIGNIFICANT ISSUES

PERFORMANCE IMPLICATIONS

§60-2E-27(B)(2) & (3) NMSA adds to the facts that the Board considers when considering whether or not a gaming license is to be voided. Subsection (F) adds to the facts that the Board considers when considering that amendments to race meet days or races does “not constitute a failure to maintain the minimum number of live race days or races when the NM Racing Commission has submitted ‘written approval’” for amending the schedule adding language that it is okay to amend the schedule also by increasing the number of days that lapse between live race days.

Random events such as fires, floods, freezes, wind, rain, and other things happen in the course of a day that are not the responsibility or within the control of racetrack or casino operators. Subsection F addresses all this with an additional element for consideration.

ADMINISTRATIVE IMPLICATIONS

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

The following bills all address §60-2E-27 of the Gaming Control Act in some fashion concerning the number of days between live race days or the failure to meet the minimums and the number of races on a live race day, required number of days on a race day.

SB 323; SB 328; HB 367

TECHNICAL ISSUES

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo.

AMENDMENTS