

Proposed  
SENATE TAX, BUSINESS AND TRANSPORTATION  
COMMITTEE SUBSTITUTE FOR  
SENATE BILL 533

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

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;  
AMENDING THE NEW MEXICO BINGO AND RAFFLE ACT TO PROVIDE FOR THE  
USE OF CARD-MINDING DEVICES; REQUIRING REGULATION OF CARD-  
MINDING DEVICES.

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

SECTION 1. Section 60-2F-1 NMSA 1978 (being Laws 2009,  
Chapter 81, Section 1) is amended to read:

"60-2F-1. SHORT TITLE.--~~[Sections 1 through 26 of this  
act]~~ Chapter 60, Article 2F NMSA 1978 may be cited as the "New  
Mexico Bingo and Raffle Act"."

SECTION 2. Section 60-2F-4 NMSA 1978 (being Laws 2009,  
Chapter 81, Section 4, as amended) is amended to read:

"60-2F-4. DEFINITIONS.--As used in the New Mexico Bingo  
and Raffle Act:

.231230.2

underscoring material = new  
[bracketed material] = delete

1           A. "bingo" means a game of chance in which each  
2 player has one or more bingo cards [~~printed with~~] or a card-  
3 minding device that displays a representation of one or more  
4 bingo cards showing different numbers on which to place markers  
5 when the respective numbers are drawn and announced by a bingo  
6 caller;

7           B. "bingo caller" means the individual who, in the  
8 game of bingo, draws and announces numbers;

9           C. "bingo card" means a physical card or sheet with  
10 printed numbers for use in playing bingo and card-minding  
11 device representations of such cards or sheets;

12           [~~E-~~] D. "bingo employee" means a person connected  
13 directly with a game of chance such as cashiers, floor sales  
14 clerks and pull-tab workers. A bingo employee may or may not  
15 be a member of a qualified organization;

16           [~~D-~~] E. "bingo manager" means the person  
17 responsible for overseeing bingo and pull-tab activities  
18 conducted pursuant to a bingo license;

19           [~~E-~~] F. "board" means the gaming control board;

20           G. "card-minding device":

21                   (1) means a mechanical, electronic,  
22 electromechanical or computerized portable device that:

23                           (a) facilitates a player's participation  
24 in a bingo game conducted pursuant to the New Mexico Bingo and  
25 Raffle Act by serving as a technological aid used to monitor

1 bingo cards;

2 (b) displays images of a bingo card;

3 (c) is interfaced with or connected to  
4 equipment used to conduct bingo;

5 (d) is capable at all times of being  
6 used together with bingo cards or sheets; and

7 (e) allows a player to store, display  
8 and mark a bingo card; and

9 (2) does not mean:

10 (a) an electronic bingo machine;

11 (b) a device that is designed or  
12 manufactured to resemble or to function as an electronic gaming  
13 device, such as a video lottery terminal, video slot machine or  
14 video poker machine; or

15 (c) a device that is intended to be used  
16 or is used independently from an bingo game conducted pursuant  
17 to the New Mexico Bingo and Raffle Act;

18 ~~[F.]~~ H. "charitable organization" means an  
19 organization, not for pecuniary profit, that is operated for  
20 the relief of poverty, distress or other condition of public  
21 concern in New Mexico and that has been granted an exemption  
22 from federal income tax as an organization described in Section  
23 501(c) of the United States Internal Revenue Code of 1986, as  
24 amended or renumbered;

25 ~~[G.]~~ I. "chartered branch, lodge or chapter of a

.231230.2

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

1 national or state organization" means a branch, lodge or  
2 chapter that is a civic or service organization, not for  
3 pecuniary profit, and that is authorized by its written  
4 constitution, charter, articles of incorporation or bylaws to  
5 engage in a fraternal, civic or service purpose in New Mexico;

6 ~~[H.]~~ J. "distributor" means a person, other than a  
7 manufacturer, who provides equipment to a qualified  
8 organization but does not manufacture the equipment;

9 ~~[I.]~~ K. "educational organization" means an  
10 organization within the state, including recognized student  
11 organizations, not organized for pecuniary profit, whose  
12 primary purpose is educational in nature and designed to  
13 develop the capabilities of individuals by instruction;

14 ~~[J.]~~ L. "environmental organization" means an  
15 organization within the state, not organized for pecuniary  
16 profit, that is primarily concerned with the protection and  
17 preservation of the natural environment;

18 ~~[K.]~~ M. "equipment" means:

19 (1) with respect to bingo:

20 (a) the receptacle and numbered objects  
21 drawn from it;

22 (b) the master board upon which the  
23 numbered objects are placed as drawn;

24 (c) the cards, ~~[or]~~ sheets or card-  
25 minding device representation of a card or sheet bearing

1 numbers or other designations to be covered and the objects or  
2 image used to cover them;

3 (d) the board or signs, however  
4 operated, used to announce or display the numbers or  
5 designations as they are drawn; and

6 (e) all other articles having a  
7 significant effect on the outcome of a game and necessary to  
8 the operation, conduct and playing of bingo; and

9 (2) with respect to pull-tabs:

10 (a) the pull-tabs;

11 (b) the pull-tab flares; and

12 (c) the dispensing machines;

13 [~~L.~~] N. "fraternal organization" means an  
14 organization within the state, not for pecuniary profit, that  
15 is a branch, lodge or chapter of a national or state  
16 organization and that exists for the common business,  
17 brotherhood or other interests of its members;

18 [~~M.~~] O. "game accountant" means the individual in  
19 charge of preparing and submitting the quarterly report form;

20 [~~N.~~] P. "game of chance" means that specific kind  
21 of game of chance commonly known as bingo, that specific kind  
22 of game of chance commonly known as a raffle or that specific  
23 game of chance commonly known as pull-tab;

24 [~~Q.~~] Q. "gross receipts" means proceeds received by  
25 a bingo licensee from the sale of bingo cards, whether physical

.231230.2

1 or represented on a card-minding device, raffle tickets or  
2 pull-tab tickets; the sale of rights in any manner connected  
3 with participation in a game of chance or the right to  
4 participate in a game of chance, including any admission fee or  
5 charge; the sale of playing materials; and all other  
6 miscellaneous receipts;

7 [P-] R. "lawful purposes" means:

8 (1) educational, charitable, patriotic,  
9 religious or public-spirited purposes that benefit an  
10 indefinite number of persons either by bringing their minds or  
11 hearts under the influence of education or religion, by  
12 relieving their bodies from disease, suffering or constraint,  
13 by assisting them in establishing themselves in life, by  
14 erecting or maintaining public buildings or works, by providing  
15 legal assistance to peace officers or firefighters in defending  
16 civil or criminal actions arising out of the performance of  
17 their duties or by otherwise lessening the burden of  
18 government. "Lawful purposes" includes the erection,  
19 acquisition, improvement, maintenance, insurance or repair of  
20 property, real, personal or mixed, if the property is used for  
21 one or more of the benefits stated in this paragraph; or

22 (2) augmenting the revenue of and promoting  
23 the New Mexico state fair;

24 [Q-] S. "licensee" means any qualified organization  
25 to which a bingo license has been issued by the board or any

.231230.2

1 person to which a manufacturer's or distributor's license has  
2 been issued by the board;

3 [R.] T. "manufacturer" means a person who  
4 manufactures, fabricates, assembles, produces, programs or  
5 makes modifications to equipment for use or play in games of  
6 chance in New Mexico or for sale or distribution outside of New  
7 Mexico;

8 [S.] U. "occasion" means a single gathering at  
9 which a series of successive bingo games are played;

10 [T.] V. "permittee" means any person issued a  
11 permit by the board;

12 [U.] W. "premises" means a room, hall, enclosure or  
13 outdoor area that is identified on a license issued pursuant to  
14 the New Mexico Bingo and Raffle Act and used for the purpose of  
15 playing games of bingo or pull-tabs;

16 [V.] X. "prize" means cash or merchandise won for  
17 participation in a game of chance;

18 [W.] Y. "progressive pot" means a prize from a  
19 pull-tab or a portion of a prize from a pull-tab that is  
20 allowed to carry over from one pull-tab game to the next so  
21 that the carried-over prizes are allowed to accumulate into a  
22 larger prize;

23 [X.] Z. "pull-tab" means gaming pieces used in a  
24 game of chance that are made completely of paper or paper  
25 products with concealed numbers or symbols that must be exposed

.231230.2

1 by the player to determine wins or losses or a gaming piece  
2 that is made completely of paper or paper products with an  
3 instant-win component that must be exposed by the player on a  
4 concealed card and can be used in a speed round for additional  
5 winnings utilizing a bingo blower. A "pull-tab" includes a tip  
6 board and can include a progressive pot;

7 [Y-] AA. "qualified organization" means a bona fide  
8 chartered branch, lodge or chapter of a national or state  
9 organization or any bona fide religious, charitable,  
10 environmental, fraternal, educational or veterans' organization  
11 operating without profit to its members that has been in  
12 existence in New Mexico continuously for a period of two years  
13 immediately prior to conducting a raffle or making an  
14 application for a license under the New Mexico Bingo and Raffle  
15 Act and that has had a membership engaged in carrying out the  
16 objects of the corporation or organization. A voluntary  
17 firefighter's organization is a qualified organization and a  
18 labor organization is a qualified organization for the purposes  
19 of the New Mexico Bingo and Raffle Act if they use the proceeds  
20 from a game of chance solely for scholarship or charitable  
21 purposes;

22 [Z-] BB. "raffle" means a drawing where multiple  
23 persons buy tickets to win a prize and the winner is determined  
24 by the drawing of the ticket stub out of a container that holds  
25 all the ticket stubs sold for the event;

.231230.2



1           ~~[AA-]~~ CC. "religious organization" means an  
 2 organization, church, body of communicants or group, not for  
 3 pecuniary profit, gathered in common membership for mutual  
 4 support and edification in piety, worship and religious  
 5 observances or a society, not for pecuniary profit, of  
 6 individuals united for religious purposes at a definite place;  
 7 and

8           ~~[BB-]~~ DD. "veterans' organization" means an  
 9 organization within the state or any branch, lodge or chapter  
 10 of a national or state organization within this state, not for  
 11 pecuniary profit, the membership of which consists of  
 12 individuals who were members of the armed services or forces of  
 13 the United States."

14           **SECTION 3.** Section 60-2F-6 NMSA 1978 (being Laws 2009,  
 15 Chapter 81, Section 6) is amended to read:

16           "60-2F-6. BOARD--POWERS--DUTIES--

17           A. The board may:

18                   ~~[A-]~~ (1) grant, deny, suspend, condition or  
 19 revoke licenses or permits issued pursuant to the New Mexico  
 20 Bingo and Raffle Act, establish the terms for each  
 21 classification of license to be issued pursuant to that act and  
 22 set fees for submitting an application for a license;

23                   ~~[B-]~~ (2) compel the production of documents,  
 24 books and tangible items, including documents showing the  
 25 receipts and disbursements of a licensee;

.231230.2

1                   [~~G~~] (3) investigate the operations of a  
2 licensee and place a designated representative on the premises  
3 for the purpose of observing compliance with the New Mexico  
4 Bingo and Raffle Act and rules or orders of the board;

5                   [~~D~~] (4) summon witnesses;

6                   [~~E~~] (5) take testimony under oath for the  
7 effective discharge of the board's authority;

8                   [~~F~~] (6) appoint a hearing officer to conduct  
9 hearings required by the New Mexico Bingo and Raffle Act or  
10 rules adopted pursuant to that act;

11                   [~~G~~] (7) make rules to hold, conduct and  
12 operate all games of chance held in the state except those  
13 specifically exempted under the New Mexico Bingo and Raffle  
14 Act;

15                   [~~H~~] (8) adopt rules to implement the New  
16 Mexico Bingo and Raffle Act and to ensure that games of chance  
17 conducted in New Mexico are conducted with fairness and that  
18 the participants and patrons are protected against illegal  
19 practices on any premises;

20                   [~~I~~] (9) determine qualifications for  
21 licensees;

22                   [~~J~~] (10) establish a system of standard  
23 operating procedures for licensees;

24                   [~~K~~] (11) adopt rules establishing a system of  
25 licensing distributors and manufacturers and licensing and

1 governing qualified organizations;

2           [~~H.~~] (12) adopt rules establishing a system of  
3 permits for individuals designated as bingo managers, bingo  
4 callers and such other bingo employees as the board requires;

5           [~~M.~~] (13) require a statement under oath by  
6 the applicant for a license to be issued pursuant to the New  
7 Mexico Bingo and Raffle Act that the information on the  
8 application is true;

9           [~~N.~~] (14) inspect any games of chance being  
10 conducted;

11           [~~O.~~] (15) make on-site inspections of premises  
12 where games of chance are being held;

13           [~~P.~~] (16) inspect all equipment used for games  
14 of chance;

15           [~~Q.~~] (17) regulate the monetary value of  
16 prizes to be awarded for games of chance;

17           [~~R.~~] (18) require disclosure of information  
18 sufficient to make a determination of the suitability of an  
19 applicant for a license or permit to be issued pursuant to the  
20 New Mexico Bingo and Raffle Act;

21           [~~S.~~] (19) adopt and enforce all rules  
22 necessary to implement and administer the provisions of the New  
23 Mexico Bingo and Raffle Act; and

24           [~~T.~~] (20) provide an annual report to the  
25 governor regarding the board's administration of the New Mexico

.231230.2

1 Bingo and Raffle Act.

2 B. The board shall promulgate rules to regulate the  
3 use of card-minding devices in accordance with the New Mexico  
4 Bingo and Raffle Act."

5 SECTION 4. Section 60-2F-15 NMSA 1978 (being Laws 2009,  
6 Chapter 81, Section 15, as amended) is amended to read:

7 "60-2F-15. PERSONS PERMITTED TO CONDUCT BINGO GAMES--  
8 PREMISES.--

9 A. The officers of a bingo licensee shall designate  
10 a bingo manager to be in charge and primarily responsible for  
11 the conduct of all games of bingo. The bingo manager shall:

12 (1) supervise all bingo activities on the  
13 occasion for which the bingo manager is in charge; [~~The bingo~~  
14 ~~manager shall~~]

15 (2) be responsible for the provision of any  
16 card-minding devices to be used by bingo players;

17 (3) be familiar with the provisions of the  
18 state laws, the rules of the board and the provisions of the  
19 bingo license [~~The bingo manager shall~~]; and

20 (4) be present on the premises continuously  
21 during the bingo games and for a period of at least thirty  
22 minutes after the last bingo game.

23 B. The bingo manager shall designate a game  
24 accountant to be primarily responsible for the proper  
25 preparation of the quarterly reports in accordance with the New

.231230.2

1 Mexico Bingo and Raffle Act.

2 C. For a bingo game, the bingo manager shall  
3 designate a bingo caller to be responsible for drawing and  
4 announcing the bingo numbers.

5 D. The premises where any game of chance is being  
6 held, operated or conducted or where it is intended that any  
7 equipment be used shall at all times be open to inspection by  
8 the board and its agents and employees and by peace officers of  
9 the state or any political subdivision of the state.

10 E. No owner or co-owner of the premises or, if a  
11 corporation is the owner of the premises, any officer, director  
12 or stockholder owning more than ten percent of the outstanding  
13 stock shall be designated as a bingo manager, a game accountant  
14 or a bingo caller."

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