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FISCAL IMPACT REPORT



SPONSOR: Luna DATE TYPED: 01/28/02 HB 162

SHORT TITLE: Nonprofit Gaming License Certification SB _____

ANALYST: Gonzales

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
		NFI			

(Parenthesis () Indicate Expenditure Decreases)

Duplicates SB106, without the emergency clause

SOURCES OF INFORMATION

LFC Files
Gaming Control Board

SUMMARY

Synopsis of Bill

House Bill 162 amends Section 60-2E-20 NMSA 1978 of the Gaming Control Act by deleting the requirement for a president or commander of a nonprofit organization that holds or has applied for a license to be certified individually.

Significant Issues

This bill contains an emergency clause. According to the Gaming Control Board, this amendment to the Gaming Control Act arguably gives the regulated entity broad discretion to determine who should be subject to statutorily-imposed certification requirements. By doing so, the amendment could eliminate from certification requirements persons who have substantial responsibility for the honesty and security of gaming operations at licensed nonprofit organizations. If a nonprofit organization chose not to designate as a key person a president or commander who exercised significant influence over gaming operations, that person might not be subject to regulatory scrutiny even though he or she was actively involved in the gaming operations.

DUPLICATION

House Bill 162 duplicates Senate Bill 106 without the emergency clause.

JMG/njw:ar