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## FISCAL IMPACT REPORT



SPONSOR: Robinson DATE TYPED: 01/28/02 HB \_\_\_\_\_

SHORT TITLE: Nonprofit Gaming License Certification SB 106

ANALYST: Gonzales

### APPROPRIATION

| Appropriation Contained |      | Estimated Additional Impact |      | Recurring<br>or Non-Rec | Fund<br>Affected |
|-------------------------|------|-----------------------------|------|-------------------------|------------------|
| FY02                    | FY03 | FY02                        | FY03 |                         |                  |
|                         |      | NFI                         |      |                         |                  |

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates HB162, without the emergency clause

### SOURCES OF INFORMATION

LFC Files  
Gaming Control Board

### SUMMARY

#### Synopsis of Bill

Senate Bill 106 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

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**

Senate Bill 106 duplicates House Bill 162; however, House Bill 162 contains an emergency clause.

JMG/njw :ar