

**FORTY-EIGHTH LEGISLATURE
FIRST SESSION, 2007**

March 13, 2007

Mr. Speaker:

Your **BUSINESS AND INDUSTRY COMMITTEE**, to whom has been referred

SENATE BILL 278

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

1. On page 2, between lines 4 and 5, insert the following new subsection:

"C. "antique gambling device" means a gambling device that was manufactured before 1970, that is substantially in its original condition and that is not used for gambling or commercial gambling and is not located in a gambling place;".

2. Reletter the succeeding subsections accordingly.

3. On page 10, between lines 3 and 4, insert the following new section:

"Section 2. Section 60-2E-62 NMSA 1978 (being Laws 2002, Chapter 102, Section 18) is amended to read:

"60-2E-62. CRIME--UNLAWFUL POSSESSION OF GAMING DEVICE.--

A. It is unlawful for a person intentionally to possess an unlicensed or illegal gaming device, except that:

(1) a distributor licensee or a manufacturer licensee may possess an unlicensed gaming device while awaiting transfer of the gaming device to a gaming operator licensee for licensure; and

(2) a person may possess an unlicensed gaming device for the limited purposes provided for in Section 60-2E-13.1 NMSA 1978.

B. A person may possess an antique gambling device [~~as defined in Subsection A of Section 30-19-1 NMSA 1978, provided the antique gambling device is not used in gambling~~].

C. A person violating this section is guilty of a fourth

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degree felony and shall be sentenced pursuant to Section 31-18-15
NMSA 1978."".,

and thence referred to the **JUDICIARY COMMITTEE.**

Respectfully submitted,

Debbie A. Rodella, Chair

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 8 For 0 Against

Yes: 8

No: 0

Excused: Barreras, Campos, Fox-Young, Gardner, Powdrell-Culbert

Absent: None

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