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## FISCAL IMPACT REPORT

ORIGINAL DATE 02/20/09

SPONSOR Garcia, T. LAST UPDATED \_\_\_\_\_ HB 717

SHORT TITLE Regulations of Gaming Players' Clubs SB \_\_\_\_\_

ANALYST Leger

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Non-Rec	Fund Affected
FY09	FY10	FY11		
Undeterminable	Undeterminable	Undeterminable	Recurring	General Fund

(Parenthesis ( ) Indicate Expenditure Decreases)

\*See fiscal implications narrative

Conflicts with SB 229, *Gaming Control Act Changes*  
 Conflicts with SB 230, *Gaming Operator ATM Placement*

### SOURCES OF INFORMATION

LFC Files

Responses Received From  
 Attorney General's Office (AGO)  
 Gaming Control Board (GCB)

### SUMMARY

#### Synopsis of Bill

House Bill 717 seeks to amend NMSA 1978 Section 60-2E-26 to allow gaming operator licensees to offer rewards other than alcohol for no charge or for a reduced price in exchange for points or credits accrued under any form of a players' club program.

## **FISCAL IMPLICATIONS**

GCB reports the bill may result in an increase in revenue if the availability of free or reduced charge food based on Players Club points resulted in increased play on the gaming machines. However, it is not possible to determine whether there would be such an increase or what the dollar amount of any increase would be.

## **SIGNIFICANT ISSUES**

According to GCB, the bill would create an exception to the current restriction prohibiting offering food for no charge or reduced prices as an incentive to participate in gaming.

GCB further reports, language similar to the language in this bill was placed in the 2007 Tribal Gaming Compacts. This bill would place state-licensed gaming operators on equal footing with tribal gaming operators with regard to the ability to offer food for no charge or reduced prices based on points accrued by patrons participating in Players Clubs.

## **CONFLICT**

Senate Bill 229, "Gaming Control Act Changes" makes a number of significant amendments to the Act and specifically to Section 60-2E-26. Subsections C and D of this bill conflict with SB 229, in that SB 229 proposes to delete Subsections C and D of this Section of the Gaming Control Act.

Senate Bill 330 amends NMSA 1978, Section 60-2E-26(1)(G) to allow gaming operator licensees to place automated teller machines (ATM) in the area restricted to persons twenty-one years of age or older.

The two senate bills do not encompass the amendment that House Bill 717 proposes.

## **TECHNICAL ISSUES**

See issues listed in "Conflict".

JL/svb