

1 HOUSE BILL 288  
2 **55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021**

3 INTRODUCED BY  
4 Raymundo Lara and Brian Egolf  
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10 AN ACT  
11 RELATING TO GAMING; CREATING THE NEW MEXICO GAMING REFORM  
12 COMMISSION; REQUIRING THAT THE COMMISSION PROVIDE  
13 RECOMMENDATIONS FOR CONDUCTING GAMING IN NEW MEXICO; REQUIRING  
14 A REPORT BY NOVEMBER 15, 2021; DECLARING AN EMERGENCY.  
15

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

17 SECTION 1. TEMPORARY PROVISION--NEW MEXICO GAMING REFORM  
18 COMMISSION--APPOINTMENT--PROVIDING RECOMMENDATIONS--REPORTING  
19 REQUIRED.--

20 A. The "New Mexico gaming reform commission" is  
21 created and shall function from the date of its appointment  
22 until November 15, 2021.

23 B. The New Mexico gaming reform commission consists  
24 of nine members, no more than five of whom shall be from the  
25 same political party, as follows:

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1 (1) the director of the legislative finance  
2 committee;

3 (2) three members appointed by the governor;  
4 and

5 (3) five members appointed by the New Mexico  
6 legislative council.

7 C. The appointing authorities shall make every  
8 effort to ensure that there are five members who will provide  
9 broad tribal representation from gaming and non-gaming tribes  
10 and three members who are agents of racetrack casinos.

11 D. The commission shall elect a chair and may elect  
12 such officers as it deems necessary to carry out its duties.

13 E. Two absences from meetings of the commission  
14 constitutes grounds for removal of a member of the commission.  
15 Upon the request of the chair of the commission, the appointing  
16 authority shall replace a member who has failed to attend two  
17 meetings of the commission.

18 F. A majority of the members constitutes a quorum  
19 for the transaction of business. The support of a majority of  
20 the members appointed is required for adoption of any action by  
21 the commission.

22 G. The commission shall review the overall gaming  
23 industry in New Mexico, including its present status and future  
24 outlook; federal and state laws that apply to the gaming  
25 industry; the 2015 Tribal-State Class III Gaming Compact;

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1 casino gaming trends; industry developments in the region and  
2 nationwide, including internet gaming, sports wagering and  
3 class II and class III gaming; federal tribal gaming  
4 legislation and the structure of compacts; approaches to  
5 revenue enhancement and taxation structures; and responsible  
6 gaming best practices. The commission shall develop policy  
7 proposals for changes to applicable New Mexico laws and  
8 compacts that will seek to enhance opportunities for all  
9 participants in the gaming industry and shall seek input from  
10 all Indian nations, tribes and pueblos in New Mexico, all  
11 fraternal organizations with gaming operations, racetrack  
12 casino licensees, the gaming control board and the state gaming  
13 representative.

14 H. The commission shall review the Indian Gaming  
15 Compact, the Gaming Control Act and any other relevant  
16 legislation and may make specific recommendations for updates  
17 and revisions, which may include recommending initiation of the  
18 process contemplated for negotiation of a compact or amendment  
19 as set forth in the Compact Negotiation Act.

20 I. The commission may hire or contract for  
21 appropriate staff, including staff to provide legal services.  
22 Staff shall assist the commission as directed by the chair,  
23 including conducting interviews with parties that wish to  
24 express their views to the commission and synthesizing those  
25 views for the commission. The commission may request

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1 assistance from the legislative council service and the risk  
2 management division of the general services department.

3 J. For its operation and to carry out its work, the  
4 commission shall use money from the unexpended balance of the  
5 appropriations to the legislative department of the state of  
6 New Mexico.

7 K. The commission shall submit a report of its  
8 findings, including specific recommendations and proposed  
9 legislation, to the governor, the New Mexico legislative  
10 council and the appropriate legislative interim committees  
11 dealing with gaming by November 15, 2021.

12 L. Members of the commission are entitled to  
13 compensation pursuant to the provisions of the Per Diem and  
14 Mileage Act and shall receive no other perquisite, compensation  
15 or allowance.

16 SECTION 2. EMERGENCY.--It is necessary for the public  
17 peace, health and safety that this act take effect immediately.