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SENATE BILL 293

56TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2023

INTRODUCED BY
Antonio Maestas

AN ACT

RELATING TO GAMING CONTROL; ALLOWING A GAMING OPERATOR LICENSEE TO OFFER FOOD OR OTHER PRODUCTS OR SERVICES FOR NO CHARGE OR AT REDUCED PRICES.

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

SECTION 1. Section 60-2E-26 NMSA 1978 (being Laws 1997, Chapter 190, Section 28, as amended) is amended to read:

"60-2E-26. GAMING OPERATOR LICENSEES--GENERAL PROVISIONS--BUSINESS PLAN--PLAYER AGE LIMIT--RESTRICTIONS.--

A. An applicant for a gaming operator's license shall submit with the application a plan for assisting in the prevention, education and treatment of compulsive gambling. The plan shall include regular educational training sessions for employees. Plan approval by the board is a condition of issuance of the license.

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1 B. An applicant for a gaming operator's license
2 shall submit with the application a proposed business plan.

3 The plan shall include at least:

4 (1) a floor plan of the area to be used for
5 gaming machine operations;

6 (2) an advertising and marketing plan;

7 (3) the proposed placement and number of
8 gaming machines;

9 (4) a current financial status and gaming
10 protection plan;

11 (5) a security plan;

12 (6) a staffing plan for gaming machine
13 operations;

14 (7) internal control systems in compliance
15 with Section 60-2E-35 NMSA 1978; and

16 (8) details of any proposed progressive
17 systems.

18 C. A gaming operator licensee shall be granted a
19 license to operate a number of machines, not to exceed the
20 statutory maximum, at a gaming establishment identified in the
21 license application and shall be granted a license for each
22 gaming machine.

23 D. A gaming operator licensee shall apply for and
24 pay the machine license fee for any increase in the number of
25 authorized gaming machines in operation at the licensed

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1 premises and shall notify the board of any decrease in the
2 number of authorized gaming machines in operation at the
3 licensed premises.

4 E. Gaming machines may be available for play only
5 in an area restricted to persons twenty-one years of age or
6 older.

7 F. A gaming operator licensee shall erect a
8 permanent physical barrier to allow for multiple uses of the
9 premises by persons of all ages. For purposes of this
10 subsection, "permanent physical barrier" means a floor-to-
11 ceiling wall separating the general areas from the restricted
12 areas. The entrance to the area where gaming machines are
13 located shall display a sign that the premises are restricted
14 to persons twenty-one years of age or older. Persons under the
15 age of twenty-one shall not enter the area where gaming
16 machines are located.

17 G. A gaming operator licensee shall not have
18 automated teller machines in the area restricted pursuant to
19 Subsection F of this section.

20 H. A gaming operator licensee [~~shall not~~] may
21 provide, allow, contract or arrange to provide [~~alcohol or~~]
22 food or other products or services for no charge or at reduced
23 prices as an incentive or enticement for patrons to game.

24 I. Only a racetrack licensed by the state racing
25 commission or a nonprofit organization may apply for or be

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1 issued a gaming operator's license. No other persons are
2 qualified to apply for or be issued a gaming operator's license
3 pursuant to the Gaming Control Act."

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