

LFC Requester:

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AGENCY BILL ANALYSIS - 2025 REGULAR SESSION

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Date Prepared: 2/7/2025

Check all that apply:

Bill Number: SB 303

Original Correction
Amendment Substitute

Sponsor: Sen. Nicholas A. Paul

Agency Name and Code Number: 305 – New Mexico
Department of Justice

Short Title: Gaming Machine Standards

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY25	FY26		

(Parenthesis () indicate expenditure decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY25	FY26	FY27		

(Parenthesis () indicate revenue decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
 Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

This analysis is neither a formal Opinion nor an Advisory Letter issued by the New Mexico Department of Justice. This is a staff analysis in response to a committee or legislator’s request. The analysis does not represent any official policy or legal position of the NM Department of Justice.

BILL SUMMARY

Synopsis: SB 303 seeks to amend Section 60-2E-44 of the Gaming Control Act (GCA), NMSA 1978, §§ 60-2E-1 to -62 (1997, as amended through 2019). Section 60-2E-44 governs the requirements for a compliant gaming machine under the GCA. SB 303 proposes changes to Section 60-2E-44 as follows:

In Section 60-2E-44, SB 303 would strike the word “regulations” and replace it with the word “rules.” This would make Section 60-2E-44 read, “To be eligible for licensure, each gaming machine shall meet all the specifications established by rules of the board.”

In Section 60-2E-44(I), SB 303 would strike language requiring machines to meet the standards and specifications set by laws “or regulations of the states of Nevada and New Jersey” for gaming machines “whichever are more stringent.” It would replace that quoted language by referencing only “state” laws “and rules” for gaming machines. This would make Section 60-2E-44(I) read, “[The machine must] meet the standards and specifications set by state laws and rules for gaming machines.” In essence, the proposed changes would remove the machine requirements set by Nevada or New Jersey and would instead have “state” law and “rules” determine whether a machine is compliant with the GCA, including New Mexico law and rules promulgated by the New Mexico Gaming Control Board.

FISCAL IMPLICATIONS

N/A

SIGNIFICANT ISSUES

See Technical Issues.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Likely little or no interaction with other proposed changes to the GCA, which include house bill 241 and senate bill 302.

TECHNICAL ISSUES

The proposed language amending Section 60-2E-44(I) could be interpreted in a potentially overly literal manner to state that a machine needs to meet the requirements of *any* state's relevant gaming law. If the bill intends to refer to *New Mexico* law, modifying the amendment to change "state" law to "New Mexico" law would avoid this.

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo.

AMENDMENTS

N/A