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SENATE BILL 549

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

William J. Davis

AN ACT

RELATING TO GAMING; PROHIBITING NEW MEXICO BUSINESSES FROM DOING BUSINESS WITH A TRIBE THAT IS NOT CURRENT IN PAYMENTS OF TRIBAL REVENUE-SHARING OBLIGATIONS; DECLARING AN EMERGENCY.

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

Section 1. PROHIBITION-- DOING BUSINESS WITH TRIBE IN DEFAULT OF OBLIGATIONS TO MAKE REVENUE-SHARING PAYMENTS-- PENALTY. --

A. No person shall purchase goods or services from or sell goods or services to an Indian tribe, pueblo or nation or any agency, institution, instrumentality or enterprise of an Indian tribe, pueblo or nation that:

(1) has executed a tribal gaming revenue-sharing agreement with the state and which agreement remains in effect, whether or not it is the subject of dispute

underscored material = new  
[bracketed material] = delete

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1 resolution or court action; and

2 (2) has not made the payments required  
3 pursuant to the agreement whether or not the state and the  
4 tribe involved are in disagreement about the validity of the  
5 agreement and the ability of either party to enforce its  
6 provisions.

7 B. A person who violates the prohibition of  
8 Subsection A of this section is guilty of a misdemeanor and  
9 shall be sentenced pursuant to Section 31-19-1 NMSA 1978. All  
10 business licenses, corporate certifications to do business in  
11 the state and other state-granted business privileges of the  
12 violator shall be suspended for thirty days upon conviction of  
13 a violation of this section.

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