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SENATE BILL 776

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

INTRODUCED BY

Shannon Robinson

AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE.

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

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SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR

SENATE BILL 776

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

AN ACT

RELATING TO GAMING; REALLOCATING THE NET TAKE OF NONPROFIT
GAMING OPERATOR LICENSEES; AMENDING A SECTION OF THE NMSA
1978.

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

Section 1. Section 60-2E-47 NMSA 1978 (being Laws 1997,
Chapter 190, Section 49, as amended) is amended to read:

"60-2E-47. GAMING TAX--IMPOSITION--ADMINISTRATION.--

A. An excise tax is imposed on the privilege of
engaging in gaming activities in the state. This tax shall be
known as the "gaming tax".

B. The gaming tax is an amount equal to ten
percent of the gross receipts of manufacturer licensees from
the sale, lease or other transfer of gaming devices in or into
the state, except receipts of a manufacturer from the sale,

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1 lease or other transfer to a licensed distributor for
2 subsequent sale or lease may be excluded from gross receipts;
3 ten percent of the gross receipts of distributor licensees
4 from the sale, lease or other transfer of gaming devices in or
5 into the state; and twenty-five percent of the net take of
6 every gaming operator licensee. For the purposes of this
7 section, "gross receipts" means the total amount of money or
8 the value of other consideration received from selling,
9 leasing or otherwise transferring gaming devices.

10 C. The gaming tax imposed on a licensee is in lieu
11 of all state and local gross receipts taxes on that portion of
12 the licensee's gross receipts attributable to gaming
13 activities.

14 D. The gaming tax is to be paid on or before the
15 fifteenth day of the month following the month in which the
16 taxable event occurs. The gaming tax shall be administered
17 and collected by the taxation and revenue department in
18 cooperation with the board. The provisions of the Tax
19 Administration Act apply to the collection and administration
20 of the tax.

21 E. In addition to the gaming tax, a gaming
22 operator licensee that is a racetrack shall pay twenty percent
23 of its net take to purses to be distributed in accordance with
24 regulations adopted by the state racing commission. A
25 racetrack gaming operator licensee shall spend no less than
one-fourth of one percent of the net take of its gaming
machines to fund or support programs for the treatment and
assistance of compulsive gamblers.

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

3
4
5 March 10, 1999

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8 Mr. President:

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10 Your PUBLIC AFFAIRS COMMITTEE, to whom has been
11 referred

12
13 SENATE BILL 776

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15 has had it under consideration and reports same with
16 recommendation that it DO NOT PASS, but that

17
18 SENATE PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR

19 SENATE BILL 776

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21 DO PASS, and further recommends that it now be referred to the
22 COMMITTEES' COMMITTEE.

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24 Respectfully submitted,

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SPAC/SB 776

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Shannon Robinson, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Boitano, Garcia, Stockard, Smith

Absent: None

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