

<b>LFC Requester:</b>	Sunny Liu
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**AGENCY BILL ANALYSIS  
2016 REGULAR SESSION**

**WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:**

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*{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}*

**SECTION I: GENERAL INFORMATION**

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

Check all that apply:  
**Original**     **Amendment**      
**Correction**     **Substitute**   

**Date** February 5, 2016  
**Bill No:** HB320 -305

**Sponsor:** Rep. Patricia R. Caballero      **Agency Code:** 305  
**Short**      Charity Gaming      **Person Writing**      Jennifer Salazar, AAG  
**Title:**      Event Permit      **Phone:** 827-6990      **Email** jsalazar@nmag.gov

**SECTION II: FISCAL IMPACT**

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY16	FY17	FY18		

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: N/A

Duplicates/Relates to Appropriation in the General Appropriation Act:

**SECTION III: NARRATIVE**

**BILL SUMMARY**

This analysis is neither a formal Attorney General’s Opinion nor an Attorney General’s Advisory Letter. This is a staff analysis in response to an agency’s, committee’s, or legislator’s request.

**Synopsis:**

House Bill 320 amends the New Mexico Bingo and Raffle Act (“Act”), NMSA 1978, Sections 60-2F-1 through -6. Specifically, in Section 1 HB 320 adds a definition for a “charity gaming event,” which is defined as a “fundraising event, including a ‘poker-run’ or porker tournament’ held by a qualified organization in which games of chance, including bingo, raffle, pull-tabs, dice, playing cards and mechanical wheels, are played for entertainment.”

Section 2 amends Section 60-2F-26 to create an exemption for qualified organizations that hold no more than one charity gaming event in three calendar months, and not more than four in one calendar year.

**FISCAL IMPLICATIONS**

N/A

**SIGNIFICANT ISSUES**

Section 2 proposes to exempt “charity gaming events” from the requirements of the Act; however, as a condition of the exemption, the qualified organization must first apply to the Gaming Control Board (“Board”) for a permit. The permitting requirement seems at odds with other provisions of the Act – specifically, Section 60-2F-8, which does not include a “charity gaming event permit” among the types of licenses/permits that the Board may issue – as well as Section 60-2F-5, which otherwise seems to exempt these types of events from the Act’s permitting requirements.

**PERFORMANCE IMPLICATIONS**

N/A

**ADMINISTRATIVE IMPLICATIONS**

N/A

**CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

N/A

**TECHNICAL ISSUES**

The following terms, which appear in the definition of “charitable gaming event” in Section 1 of HB 320, are undefined: (1) poker run; (2) poker tournament; (3) dice; (4) playing cards; and (5) mechanical wheels.

**OTHER SUBSTANTIVE ISSUES**

N/A

**ALTERNATIVES**

N/A

**WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

Status quo.

**AMENDMENTS**

N/A