

# New Mexico



## NMGCGB MISSION

*“To uphold the integrity of gaming regulations at licensed racetracks and nonprofit organizations, and to monitor tribal gaming activity in the state. The Gaming Control Board qualifies gaming venues through a rigorous licensing and certification process designed to ensure a fair and honest gaming environment, while recognizing the importance of gaming tax revenue to the state economy.”*

# The New Mexico Gaming Control Board



New Mexico



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BINGO AND RAFFLE

# Bingo and Raffle Act 60-2F-2

The purpose of the New Mexico Bingo & Raffle Act is to authorize and regulate certain games of chance by licensed non profit organizations.



# Common Violations

1. Failure to Deposit Gross Receipts
  2. Co-Mingling of funds
  3. Deviating from Approved Game Menu (payout schedule)
  4. Approved Record for each Game of Chance
  5. Having Prize Payouts on hand prior to the start of the occasion
  6. Two Signatures on Checks & Deposit Slips
  7. Memo Section noting Nature of Expense
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# Definitions

- ▶ **Gross Receipts:** “proceeds received by a bingo licensee from the sale of bingo cards, raffle tickets or pull-tab tickets; the sale of rights in any manner connected with participation in a game of chance or the right to participate in a game of chance, including any admission fee or charge; the sale of playing materials; and all other miscellaneous receipts.”
- ▶ **Occasion:** “a single gathering at which a series of successive bingo games are played.”
- ▶ **Records:** “inventory records, bank records, accounting records, receipts, invoices, deposits, employee logs, payroll, taxes, bingo and occasion documentation, and any other document that is required under the current rules and the act.”
- ▶ **Change Fund:** the cash given to each bingo worker to use for making change.
- ▶ **Deal:** a predetermined pool of pull-tabs with the same serial number and a predetermined number of winners
- ▶ **Electronic Transfer:** transactions initiated through a financial institution which include ATM transactions, direct deposits, withdrawals or point-of-sale transactions.
- ▶ **Prize:** means cash or merchandise won for participation in a game of chance.

# Definitions -Continued

- ▶ **Bingo**: means a game of chance in which each player has one or more bingo cards printed with different numbers on which to place marker when the respective number are drawn and announced by a bingo blower.
- ▶ **Raffle**: means a drawing where multiple persons buy tickets to win a prize and the winner is determined by the drawing of the ticket stub out of a container that holds all the tickets stubs sold for the event.
- ▶ **Pull-Tab**: means gaming pieces used in a game of chance that are made completely of paper or paper products with concealed numbers or symbols that must be exposed by the player to determine wins or losses or a gaming piece that is made completely of paper products with an instant-win component that must be exposed by the player on a concealed card and can be used in a speed round for additional winnings utilizing a bingo blower. A “pull-tab” includes a tip board and can include a progressive pot.
- ▶ **Hybrid Game**: is a game of chance played using pull-tabs from a deal that has more than five instant winners with the prizes equal or greater than the price of one pull-tab per 150 pull-tabs and the non instant winners are selected using a bingo blower. This game is commonly referred to as “Lighting” but may have other names.

**Note:** Currently-Hybrid games with less than five instant winners per 150 (1-30) pull-tabs shall be designated as a bingo game. NMAC 15.4.9.8(E)

# Definitions -Continued

- ▶ **Qualified Organization** means a bona fide chartered branch, lodge or chapter of a national or state organization or any bona fide religious, charitable, environmental, fraternal, educational or veterans' organization operating without profit to its members that has been in existence in New Mexico continuously for a period of two years immediately prior to conducting a raffle or making an application for a license under the New Mexico Bingo and Raffle Act and that has had a membership engaged in carrying out the objects of the corporation or organization. A voluntary firefighter's organization is a qualified organization and a labor organization is a qualified organization for the purposes of the New Mexico Bingo and Raffle Act if they use the proceeds from a game of chance solely for scholarship or charitable purposes;

# Quarterly Reports

## NMAC 15.4.10.10 (A.-C.)

- ▶ Licensee shall submit quarterly bingo and raffle activity reports for all games of chance on the prescribed forms on or before but no later than the 25<sup>th</sup> day of April, July, October, and January. If any due date falls on Saturday, Sunday or legal holiday the due date is the next business day.
- ▶ Licensee shall provide bank statements, images of the front of all cleared checks, and images of the front of all deposit slips for the period that corresponds with each report.

# Applicable State Statutes

- ▶ **60-2F-15(A)**: Bingo manager shall be present continuously during the games and for at least thirty minutes after the last game
- ▶ **60-2F-18(A)(4)**: Prizes not to exceed \$2500 per occasion
- ▶ **60-2F-19(A)**: Quarterly reports and Approved Record required
- ▶ **60-2F-19(C)**: Bingo and Raffle account; Utilize consecutively numbered checks

# Applicable Administrative Codes

- ▶ 15.4.7.9(C)(3): All prize money must be on licensed premise prior to the start of the game
- ▶ 15.4.7.9(C)(4): At close of each occasion, BM shall count all gross receipts...
- ▶ 15.4.10.9(P): Failure to maintain a perpetual inventory
- ▶ 15.4.10.11(A): Approved record covering each game of chance
- ▶ 15.4.10.9(D): Funds from games of chance shall not be co-mingled
- ▶ 15.4.7.8(A)(2): Retail price of bingo papers/packs clearly posted
- ▶ 15.4.7.9(C)(5): Two signatures on each deposit slip

# BINGO and RAFFLE RESOURCES

[WWW.NMGCB.ORG](http://WWW.NMGCB.ORG)

- ▶ NM BINGO AND RAFFLE STATUTE
- ▶ NMAC 15.4.1 GENERAL PROVISIONS
- ▶ NMAC 15.4.2 APPLICATION FOR LICENSURE
- ▶ NMAC 15.4.3 LICENSE AND STAFF PERMIT RENEWAL
- ▶ NMAC 15.4.4 LICENSED PREMISES
- ▶ NMAC 15.4.5 OPERATING PROCEDURE STANDARDS
- ▶ NMAC 15.4.6 BINGO, RAFFLE, PULL-TABS
- ▶ NMAC 15.4.7 CONDUCT OF BINGO
- ▶ NMAC 15.4.8 CONDUCT OF RAFFLE
- ▶ NMAC 15.4.9 CONDUCT OF PULL-TABS
- ▶ NMAC 15.4.10 ACCOUNTING REQUIREMENTS
- ▶ NMAC 15.4.11 VARIANCE PROCEDURES
- ▶ NMAC 15.4.12 ENFORCEMENT PROCEEDINGS
- ▶ NMAC 15.4.13 LICENSE OR STAFF PERMIT REVOCATION
- ▶ NMAC 15.4.14 ADMINISTRATIVE APPEAL

# RECENT CHANGES

## BINGO & RAFFLE ACT-2019 (SENATE BILL 177)

### 60-2F-15.1 PERSONS PERMITTED TO CONDUCT PULL-TAB GAMES—PREMISES—

A. Only a veterans' or fraternal organization or a 501(c)(3) organization that is a bingo licensee may operate pull-tab dispensers when the organization is not concurrently operating a bingo occasion.

B. The bingo licensee shall designate a bingo manager to be in charge and primarily responsible for the conduct of all games of pull-tabs. The bingo manager shall supervise all activities for which the bingo manager is in charge. The bingo manager shall be familiar with the provisions of the state laws, the rules of the board and the provisions of the bingo license. The bingo manager need not be present on the premises continuously while a veterans' or fraternal organization or a 501(c)(3) organization that is a bingo licensee is operating pull-tab games.

- NMGCB currently updating New NMAC regarding bingo operations

# QUESTIONS?

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