

BINGO & RAFFLE ACT RULES & REGULATIONS



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ARTICLE 2B
BINGO AND RAFFLE

Section

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60-2B-1. Short title.

This act [[60-2B-1](#) to [60-2B-14](#) NMSA 1978] may be cited as the "Bingo and Raffle Act".

History: Laws 1981, ch. 259, § 1.

60-2B-2. Purpose of act.

The purpose of the Bingo and Raffle Act [[60-2B-1](#) to [60-2B-14](#) NMSA 1978] is to make lawful and regulate the conducting of certain games of chance by certain nonprofit organizations.

History: Laws 1981, ch. 259, § 2.

60-2B-3. Definitions.

As used in the Bingo and Raffle Act [[60-2B-1](#) to [60-2B-14](#) NMSA 1978]:

A. "charitable organization" means any organization, not for pecuniary profit, which is operated for the relief of poverty, distress or other condition of public concern in New Mexico and which has been so engaged for three years immediately prior to making application for a license under the Bingo and Raffle Act and which has been granted an exemption from federal income tax by the United States commissioner of internal revenue as an organization described in Section 501 (c) of the United States Internal Revenue Code of 1954, as amended or renumbered;

B. "chartered branch, lodge or chapter of a national or state organization" means any branch, lodge or chapter which is a civic or service organization, not for pecuniary profit, and authorized by its written constitution, charter, articles of incorporation or bylaws to engage in a fraternal, civic or service purpose in New Mexico and which has been so engaged for three years immediately prior to making application for a license under the Bingo and Raffle Act;

C. "educational organization" means any organization within the state, not organized for pecuniary profit, whose primary purpose is educational in nature and designed to develop the capabilities of individuals by instruction and which has been in existence in New Mexico for three years immediately prior to making application for a license under the Bingo and Raffle Act;

D. "fraternal organization" means any organization within the state, except college and high school fraternities, not for pecuniary profit, which is a branch, lodge or chapter of a national or state organization and exists for the common business, brotherhood or other interests of its members and which has existed in New Mexico for three years immediately prior to making application for a license under the Bingo and Raffle Act;

E. "labor organization" means any organization, not for pecuniary profit, within the state which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work and which has existed in New Mexico for that purpose and has been so engaged for three years immediately prior to making application for a license under the Bingo and Raffle Act;

F. "qualified organization" means any 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 which has been in existence in New Mexico continuously for a period of three years immediately prior to the making of an application for a license under the Bingo and Raffle Act and which has had, during the entire three-year period, a dues-paying membership engaged in carrying out the objects of the corporation or organization. A voluntary firemen's organization is a qualified organization and a labor organization is a qualified organization for the purpose of the Bingo and Raffle Act if it uses the proceeds from a game of chance solely for scholarship or charitable purposes;

G. "environmental organization" means any organization primarily concerned with the protection and preservation of the natural environment and which has existed in New Mexico for three years immediately prior to making application for a license under the Bingo and Raffle Act

H. "religious organization" means any organization, church, body of communicants or group, not for pecuniary profit, gathered in common membership for mutual support and edification in piety, worship and religious observances or a society, not for pecuniary profit, of individuals united for religious purposes at a definite place, which organization, church, body of communicants, group or society has been so gathered or united in New Mexico for three years immediately prior to making application for a license under the Bingo and Raffle Act;

I. "veterans' organization" means any organization within the state or any branch, lodge or chapter of a national or state organization within this state, not for pecuniary profit, the membership of which consists of individuals who were members of the armed services or forces of the United States, which has been in existence in New Mexico for three years immediately prior to making application for a license under the Bingo and Raffle Act;

J. "voluntary firemen's organization" means any organization for firefighting within the state, not for pecuniary profit, established by the state or any of its political subdivisions, which has been in existence in New Mexico for three years immediately prior to making application for a license under the Bingo and Raffle Act;

K. "dues-paying membership" means those members of an organization who pay regular monthly, annual or other periodic dues or who are excused from paying such dues by the charter, articles of incorporation or bylaws of the organization and those who contribute voluntarily to the corporation or organization to which they belong for the support of the corporation or organization;

L. "equipment" means, with respect to bingo or lotto, the receptacle and numbered objects drawn from it; the master board upon which the numbered objects are placed as drawn; the cards or sheets bearing numbers or other designations to be covered and the objects used to cover them; the board or signs, however operated, used to announce or display the numbers or designations as they are drawn; the public address system; and all other articles essential to the operation, conduct and playing of bingo or lotto; or, with respect to raffles, implements, devices and machines designed, intended or used for the conduct of raffles and the identification of the winning number or unit and the ticket or other evidence or right to participate in raffles;

M. "game of chance" means that specific kind of game of chance commonly known as bingo or lotto in which prizes are awarded on the basis of designated numbers or symbols on a card conforming to numbers or symbols selected at random and that specific kind of game of chance commonly known as raffles which is conducted by drawing for prizes or the allotment of prizes by chance or by the selling of shares, tickets or rights to participate in the game;

N. "gross receipts" means receipts from the sale of shares, tickets or 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 equipment or supplies and all other miscellaneous receipts

O. "lawful purposes" means educational, charitable, patriotic, religious or public-spirited purposes, which terms are defined to be the benefiting of an indefinite number of persons either by bringing their minds or hearts under the influence of education or religion, by relieving their bodies from disease, suffering or constraint, by assisting them in establishing themselves in life, by erecting or maintaining public buildings or works, by providing legal assistance to peace officers or firemen in defending civil or criminal actions arising out of the performance of their duties or by otherwise lessening the burden of government. These terms include the erection, acquisition, improvement, maintenance, insurance or repair of property, real, personal or mixed, if the property is used for one or more of the purposes stated in this subsection;

P. "lawful use" means the devotion of the entire net proceeds of a game of chance exclusively to lawful purposes;

Q. "licensee" means any qualified organization to which a license has been issued by the licensing authority;

R. "licensing authority" means the regulation and licensing department;

S. "member" means an individual who has qualified for membership in a qualified organization pursuant to its charter, articles of incorporation, bylaws, rules or other written statement;

T. "net proceeds" means the receipts less the expenses, charges, fees and deductions as are specifically authorized under the Bingo and Raffle Act;

U. "occasion" means a single gathering or session at which a series of successive bingo or lotto games is played;

V. "person" means a natural person, firm, association, corporation or other legal entity; and

W. "premises" means any room, hall, enclosure or outdoor area used for the purpose of playing a game of chance.

History: Laws 1981, ch. 259, § 3; 1987, ch. 254, § 21.

60-2B-4. Licensing authority; powers; duties; hearings; appeals.

A. The regulation and licensing department is designated as the "licensing authority" of the Bingo and Raffle Act [[60-2B-1](#) to [60-2B-14](#) NMSA 1978]. The superintendent of regulation and licensing is the executive in charge of enforcement of the terms and provisions of that act and, as the state licensing authority, has the powers and duties as follows:

(1) to grant or refuse licenses under the Bingo and Raffle Act. In addition, the licensing authority has the power, on its own motion based on reasonable grounds or on complaint made and after investigation by the special investigations division of the department of public safety and public hearing at which the licensee shall be afforded an opportunity to be heard, to assess administrative fines to the licensee and to suspend or revoke any license issued by the licensing authority for any violation by the licensee or any officer, director, agent, member or employee of the licensee of the provisions of that act or any rule or regulation authorized under that act. Notice of suspension or revocation, as well as notice of the hearing, shall be given by certified mail to the licensee at the address contained in the license. Any license may be temporarily suspended for a period not to exceed thirty days pending any prosecution, investigation or public hearing;

(2) to supervise the administration of the Bingo and Raffle Act and to adopt, amend and repeal rules and regulations governing the holding, operating and conducting of games of chance, the rental of premises and the purchase of equipment to the end that games of chance shall be held, operated and conducted only by licensees for the purposes and in conformity with the constitution of New Mexico and the provisions of that act;

(3) to hear and determine at public hearings all complaints against any licensee and to administer oaths and issue subpoenas to require the presence of persons and production of papers, books and records necessary to the determination of any hearing held;

(4) to keep records of all actions and transactions of the licensing authority;

(5) to prepare and transmit annually, in the form and manner prescribed by the licensing authority pursuant to the provisions of law, a report accounting to the governor and the legislature for the efficient discharge of all responsibilities assigned by law or directive to the licensing authority; and

(6) to issue publications of the licensing authority intended for circulation in quantity outside the executive branch in accordance with fiscal rules promulgated by the licensing authority.

B. Proceedings brought against a licensee for a violation of the Bingo and Raffle Act shall be brought by the licensing authority by serving, in the manner provided in the rules of civil procedure, a complaint upon the licensee and notifying the licensee of the place and date, not less than twenty days after the date of service, at which a hearing shall be held. The complaint shall set forth, in the manner of complaints in civil action, the violations of the Bingo and Raffle Act or the rules and regulations of the licensing authority that the licensing authority alleges the licensee has committed. The licensing authority or the department of public safety may stop the operation of a game of chance pending hearing, in which case the hearing shall be held within ten days after notice.

C. The licensing authority shall cause the notice of hearing to be served personally upon an officer of the licensee or the member in charge of the conduct of the game of chance or to be sent by registered or certified mail to the licensee at the address shown in the license.

D. When proceedings are brought against a licensee for a violation of the Bingo and Raffle Act, the licensing authority shall hear the matter and make written findings in support of its decision. The licensee shall be informed immediately of the decision and, in the event of a suspension or revocation, the effective date of the suspension or revocation.

E. For the first violation by a licensee of the Bingo and Raffle Act, the licensing authority may assess an administrative fine of not to exceed one thousand dollars (\$1,000). For a second or subsequent violation by the licensee of that act, the licensing authority may assess an administrative fine of not to exceed two thousand five hundred dollars (\$2,500). The amount of the administrative fine shall be determined by the severity and nature of the violation of the Bingo and Raffle Act and by the number of prior violations of that act.

F. When a license is ordered suspended or revoked, the licensee shall surrender the license to the licensing authority on or before the effective date of the suspension or revocation. No license is valid beyond the effective date of the suspension or revocation, whether surrendered or not.

G. Upon the finding of a violation of the Bingo and Raffle Act or the rules and regulations, or both, that would warrant the suspension or revocation of a license, the licensing authority, in addition to any other penalties that may be imposed, may declare the violator ineligible to conduct a game of chance and to apply for a license under that act for a period not exceeding twelve months. The declaration of ineligibility may be extended to include, in addition to the violator, any of its subsidiary organizations, its parent organization or an organization otherwise affiliated with the violator when in the opinion of the licensing authority the circumstances of the violation warrant that action.

H. Upon receipt by a licensee of a complaint signed by the licensing authority and notice of a hearing, the licensee shall answer, in the manner of civil actions, the complaint and inform the licensing authority whether oral argument is desired and whether the licensee desires to produce witnesses.

I. At the request of any party and for good cause shown, the licensing authority or the department of public safety shall issue subpoenas for the attendance of witnesses and the production of books, records and other documents, but in no case shall a subpoena be made returnable more than five days after service.

J. Whenever oral testimony of witnesses is taken at the hearing, the licensing authority or the department of public safety shall have a certified reporter present to prepare a record of the proceedings. The original transcript shall be filed with the licensing authority. Any party is entitled to secure a copy from the reporter at his own expense.

K. Hearings may be convened by the licensing authority from time to time at the request of any party, but only for good cause shown. Hearings shall be held and concluded with reasonable dispatch and without unnecessary delay. The licensing authority shall decide any matter within thirty days of the hearing.

L. Upon the determination of any matter heard, the licensing authority shall state its findings. All parties shall be notified by the licensing authority of the action of the licensing authority and shall be furnished a copy of the findings.

M. Applicants for a license or the licensee may be represented by counsel.

N. Any person appearing before the licensing authority in a representative capacity shall be required to show his authority to act in that capacity.

O. No person shall be excused from testifying or producing any book or document in any investigation or hearing when ordered to do so by the licensing authority upon the ground that testimony or documentary evidence required of him may tend to incriminate or subject him to penalty or forfeiture, but no person may be prosecuted, punished or subjected to any penalty or forfeiture on account of any matter or thing concerning which he, under oath, testified or produced documentary evidence, except that he shall not be exempt from prosecution or punishment for any perjury committed by him in his testimony.

P. If a person subpoenaed to attend in any investigation or hearing fails to obey the command of the subpoena without reasonable cause or if a person in attendance in any investigation or hearing refuses, without lawful cause, to be examined or to answer a legal or pertinent question or to exhibit any book, account, record or other document when ordered to do so by the representative of the licensing authority holding the hearing or by the department of public safety performing the investigation, the licensing authority or the department of public safety may apply to any judge of the district court, upon proof by affidavit of the facts, for an order returnable in not less than five nor more than ten days directing the person to show cause before the judge why he should not comply with the subpoena or order.

Q. Upon return of the order, the judge before whom the matter comes for hearing shall examine the person under oath. If the judge determines after giving the person an opportunity to be heard that he refused without lawful excuse to comply with the subpoena or the order of the licensing authority or the department of public safety holding the investigation, the judge may order the person to comply with the subpoena or order forthwith, and any failure to obey the order of the judge may be punished as a contempt of the district court.

R. Every witness is entitled to be paid for attendance or attendance and travel by the party on whose behalf he is subpoenaed, at the rates prescribed by law, before being required to testify.

S. The decision of the licensing authority in suspending or revoking any license under the Bingo and Raffle Act shall be subject to review. A licensee aggrieved by a decision of the licensing board may appeal to the district court pursuant to the provisions of [Section 39-3-1.1](#) NMSA 1978.

T. No proceeding to vacate, reverse or modify any final order rendered by the licensing authority shall operate to stay the execution or effect of any final order unless the district court, on application and three days' notice to the licensing authority, allows the stay. In the event a stay is ordered, the petitioner shall be required to execute his bond in a sum the court may prescribe, with sufficient surety to be approved by the judge or clerk of the court, which bond shall be conditioned upon the faithful performance by the petitioner of his obligation as a licensee and upon the prompt payment of all damages arising from or caused by the delay in the taking effect or enforcement of the order complained of and for all costs that may be assessed or required to be paid in connection with the proceedings.

History: Laws 1981, ch. 259, § 4; 1983, ch. 248, § 1; 1987, ch. 254, § 22; 1998, ch. 55, § 70; 1999, ch. 265, § 73.

60-2B-5. Organizations entitled to licenses; fee

A.

Any bona fide chartered branch, lodge or chapter of a national or state organization or any bona fide religious, charitable, labor, environmental, fraternal, educational or veterans' organization which operates without profit to its members and which has been in existence in New Mexico continuously for a period of three years immediately prior to the making of application for a license under the Bingo and Raffle Act [[60-2B-1](#) to [60-2B-14](#) NMSA 1978] and has had, during the making of application for a license under that act and during the entire three-year period, dues-paying members engaged in carrying out the objects of the corporation or organization, is eligible for a license to be issued by the licensing authority under the Bingo and Raffle Act. In the event any license is revoked, the licensee and holder thereof is not eligible to apply for another license under Subsection B of this section until after the expiration of the period of one year from the date of such revocation. Any voluntary firemen's organization established by the state or any political subdivision and which has been in existence in New Mexico for three years shall also be an organization entitled to a license under the provisions of that act.

B. The licenses provided by the Bingo and Raffle Act shall be issued by the licensing authority to applicants qualified under that act upon payment of a fee of one hundred dollars (\$100). The licenses shall expire at the end of the calendar year in which they are issued by the licensing authority and may be renewed by the licensing authority upon the filing of an application for renewal provided by the licensing authority and the payment of a fee of one hundred dollars (\$100) for the renewal. No license or renewal granted under that act shall be transferable.

History: Laws 1981, ch. 259, § 5.

60-2B-6. Application for license.

A. Each applicant for a license to be issued under the provisions of this section shall file with the licensing authority a written application in duplicate in the form prescribed by the licensing authority, duly executed and verified, and in which shall be stated:

(1) the name and address of the applicant;

(2) sufficient facts relating to its incorporation and organization to enable the licensing authority to determine whether or not it is a bona fide chartered branch, lodge or chapter of a national or state organization or a bona fide religious charitable, labor, environmental, fraternal, educational, voluntary firemen's or veterans' organization which operates without profits to its members and which has been in existence continuously in New Mexico for a period of three years immediately prior to the making of application for a license, and has had during the entire three-year period dues-paying members engaged in carrying out the objectives of the applicant;

(3) the names and addresses of its officers;

(4) the specific kind of games of chance intended to be held, operated and conducted by the applicant;

(5) the place where the games of chance are intended to be held, operated and conducted by the applicant under the license applied for;

(6) the items of expense intended to be incurred or paid in connection with the holding, operating and conducting of such games of chance and the names and addresses of the persons to whom and the purposes for which they are to be paid;

(7) a statement that no commission, salary, compensation, reward or recompense shall be paid to any person for holding, operating or conducting such games of chance or for assisting therein except as otherwise provided in the Bingo and Raffle Act [[60-2B-1](#) to [60-2B-14](#) NMSA 1978]; and

(8) such other information deemed advisable by the licensing authority to ensure that the applicant falls within the restrictions set forth by the Bingo and Raffle Act.

B. In each application there shall be designated active members of the applicant organization under whom the games of chance described in the application are to be held, operated and conducted, and to the application shall be appended a statement executed by the applicant and by the members so designated that they will be responsible for the holding, operation and conduct of games of chance in accordance with the terms of the license and the provisions of the Bingo and Raffle Act.

C. In the event any premises are to be leased or rented in connection with the holding, operating or conducting of any game of chance under the Bingo and Raffle Act, a written statement shall accompany the application signed and verified by the person stating his address and the amount of rent which will be paid for the premises and that the person, or its officers and directors if a corporation, is of good moral character and has not been convicted of any crime involving moral turpitude.

History: Laws 1981, ch. 259, § 6.

60-2B-7. Form of license; display.

Each license shall contain a statement of the name and address of the licensee, the names and addresses of the members of the licensee under whom the games of chance will be held, operated and conducted and the place where the bingo or lotto games or the drawing of the raffles are to be held. Each license issued for the conduct of any games of chance shall be conspicuously displayed at the place where the games are to be conducted or the drawings held.

History: Laws 1981, ch. 259, § 7.

60-2B-8. Persons permitted to conduct games; premises; equipment; expenses; compensation.

A. No person shall hold, operate or conduct any games of chance under any license issued under the Bingo and Raffle Act [[60-2B-1](#) to [60-2B-14](#) NMSA 1978] except an active member of the organization to which the license is issued, and no person shall assist in the holding, operating or conducting of any games of chance under that license except an active member or a member of an organization or association which is an auxiliary to the licensee, a member of an organization or association of which the licensee is an auxiliary or a member of an organization or association which is affiliated with the licensee by being, with it, auxiliary to another organization or association and except bookkeepers or accountants as provided in this section. No item of expense shall be incurred or paid in connection with the holding, operating or conducting of any game of chance held, operated or conducted pursuant to any license issued under that act except bona fide expenses in reasonable amount for goods, wares and merchandise furnished or services rendered, reasonably necessary for the holding, operating or conducting thereof. No games of chance shall be conducted with any equipment except that which is owned or leased by the licensee.

B. The officers of a licensee shall designate a bona fide, active member of the licensee to be in charge and primarily responsible for the conduct of the games of bingo or lotto on each occasion. The member in charge shall supervise all activities on the occasion for which he is in charge and be responsible for the making of the required report. The member in charge shall be familiar with the provisions of the state laws, the rules and regulations of the licensing authority and the provisions of the license. He shall be present on the premises continuously during the games and for a period of at least thirty minutes after the last game.

C. The officers of a licensee shall designate an officer to be in full charge and primarily responsible for the proper utilization of the entire net proceeds of any game in accordance with state law.

D. The entire net proceeds of any game shall be devoted to a lawful use or uses.

E. Each license issued for the conduct of games of chance shall be conspicuously displayed at the place where any game is being conducted at all times during the conduct of the game and for at least thirty minutes after the last game has been concluded.

F. The premises where any game of chance is being held, operated or conducted or where it is intended that any equipment be used shall at all times be open to inspection by the licensing authority, its agents and employees and by peace officers of any political subdivision of the state.

G. No licensee may hold, operate or conduct a game of bingo or lotto more often than on two hundred sixty occasions in any calendar year.

H. When any merchandise prize is awarded in a game of bingo, its value shall be its current retail price. No merchandise prize shall be redeemable or convertible into cash directly or indirectly.

I. Equipment, prizes and supplies for games of bingo shall not be purchased or sold at prices in excess of the usual price thereof.

J. The aggregate amount of all prizes offered or given in all games played on a single occasion shall not exceed one thousand five hundred dollars (\$1,500) which shall be exclusive of pull tabs.

K. No games shall be conducted more than five times in any one calendar week, with no game lasting more than four hours on each occasion and not more than two occasions in one calendar day by any one licensee.

L. The net profits derived from the holding of games of chance must be devoted to the lawful purposes of the organization permitted to conduct the games. Any organization desiring to hold the net profits of games of chance for a period longer than one year must apply to the licensing authority for special permission and, upon good cause shown, the authority shall grant the request.

M. Any licensee which does not report, during any one-year period, net profits will be required to show cause before the licensing authority why its right to conduct games of bingo should not be revoked.

N. No person shall assist in the holding, operating or conducting of a bingo game under any license except bona fide active members of the licensee, active members of any organization which is an auxiliary to the licensee or active members of an organization which is affiliated with the licensee by being, with it, auxiliary to another organization.

O. The equipment used in the playing of bingo and the method of play shall be such that each card has an equal opportunity to be a winner. The objects or balls to be drawn shall be essentially the same as to size, shape, weight, balance and all other characteristics that may influence their selection. All objects or balls shall be present in the receptacle before each game is begun. All numbers announced shall be plainly and clearly audible to all the players present. Where more than one room is used for any one game the receptacle and the caller must be present in the room where the greatest number of players are present, and all numbers announced shall be plainly audible to the players in the aforesaid room and also audible to the players in the other rooms. A fair and equal chance shall be given to all participants, and any licensee, its representative, agent or employees whose acts or action may tend to negate the "right of equal chance" shall constitute grounds for revoking such license.

P. The receptacle, the caller who removes the objects or balls from the receptacle must be visible to all the players at all times except where more than one room is used for any one game, in which case the provisions of Subsection O of this section shall prevail.

Q. The particular arrangement of numbers required to be covered in order to win the game and the amount of the prize shall be clearly and audibly described and announced to the players immediately before each game is begun.

R. Any player is entitled to call for a verification of all numbers drawn at the time a winner is determined and for a verification of the objects or balls remaining in the receptacle and not yet drawn. The verification shall be made in the immediate presence of the member designated to be in charge of the occasion, but if such member is also the caller, then in the immediate presence of any officer of the licensee.

S. In the playing of bingo, no person who is not physically present on the premises where the game is actually conducted shall be allowed to participate as a player in the game.

T. No person shall act as a caller in the conduct of any game of bingo unless he has been a member in good standing of the licensee conducting the game or one of its licensed auxiliaries for at least six months immediately prior to the date of such game, is of good moral character and has never been convicted of a felony.

U. No owner, co-owner or lessee of the premises or, if a corporation is the owner of the premises, any officer, director or stockholder owning more than ten percent of the outstanding stock shall be a person responsible for or assisting in the holding, operating or conducting of any game of bingo.

60-2B-9. Reports required; criteria; definitions; tax imposed.

A. On April 15, July 15, October 15 and January 15 of each year, the licensee shall file with the licensing authority upon forms prescribed by the licensing authority a duly verified statement covering the preceding calendar quarter showing the amount of the gross receipts derived during that period from games of chance, the expenses incurred or paid and a brief description of the classification of the expenses, the name and address of each person to whom has been paid two hundred fifty dollars (\$250) or more and the purpose of the expenditure, the net proceeds derived from each game of chance and the uses to which the net proceeds have been or are to be applied. It is the duty of each licensee to maintain and keep the books and records necessary to substantiate the particulars of each report.

B. If a licensee fails to file reports within the time required or if the reports are not properly verified or not fully, accurately and truthfully completed, any existing license may be suspended until the default has been corrected.

C. All money collected or received from the sale of admission, extra regular cards, special game cards, sale of supplies and all other receipts from the games of bingo shall be deposited in a special account of the licensee which shall contain only such money. All expenses for the game shall be withdrawn from the account by consecutively numbered checks duly signed by specified officers of the licensee and payable to a specific person or organization. There shall be written on the check the nature of the expense for which the check is drawn. No check shall be drawn to "cash" or a fictitious payee.

D. No part of the net profits, after they have been given over to another organization, shall be used by the donee organization to pay any person for services rendered or materials purchased in connection with the conducting of games of bingo by the donor organization.

E. No item of expense shall be incurred or paid in connection with holding, operating or conducting any game of chance pursuant to any license except bona fide expenses of a reasonable amount. Expenses may be incurred only for the following purposes:

- (1) the purchase of goods, wares and merchandise furnished;
- (2) payment for services rendered that are reasonably necessary for repairs of equipment, operating or conducting the game of bingo;
- (3) for rent if the premises are rented or for janitorial services if not rented;
- (4) for accountant's fees;
- (5) for license fees; and

(6) for utilities.

F. For the purposes enumerated in Subsection E of this section:

(1)"goods, wares and merchandise" means prizes, equipment as defined in [Section 60-2B-3](#) NMSA 1978, articles of a minor nature such as pencils, crayons, tickets, envelopes, paper clips and coupons necessary to the conduct of games of chance;

(2) "services rendered" means repair to equipment, reasonable compensation to bookkeepers or accountants, not more than two in the aggregate, for services in preparing financial reports for an amount not exceeding the total amount of thirty dollars (\$30.00) for each occasion, rental of premises not exceeding the amount of fifty dollars (\$50.00) for each occasion except upon prior approval of a greater amount by the licensing authority, a reasonable amount for janitorial service not exceeding a total amount of fifty dollars (\$50.00) for each occasion, a reasonable amount for assisting in the operation not exceeding a total amount of two hundred fifty dollars (\$250), and not exceeding twenty-five dollars (\$25.00) for any one employee, for each occasion and a reasonable amount for security expense based on established need as determined by the licensing authority.

G. There shall be paid to the licensing authority a tax equal to three percent of the net proceeds of any game of chance held, operated or conducted under the provisions of the Bingo and Raffle Act [[60-2B-1](#) to [60-2B-14](#) NMSA 1978], and no other state or local gross receipts tax shall apply to the gross receipts of any such game of chance.

History: Laws 1981, ch. 259, § 9; 1991, ch. 216, § 1.

60-2B-10. Examination of books and records.

The licensing authority and its agents have power to examine or cause to be examined the books and records of any licensee to which any license is issued insofar as they may relate to any transactions connected with the holding, operating and conducting of any game of chance.

History: Laws 1981, ch. 259, § 10.

60-2B-11. Forfeiture of license; ineligibility to apply for license.

Any person who makes any false statement in any application for any license or in any statement annexed thereto, fails to keep sufficient books and records to substantiate the quarterly reports required under Section 8 [9] [[60-2B-9](#) NMSA 1978] of the Bingo and Raffle Act, falsifies any books or records insofar as they relate to any transaction connected with the holding, operating and conducting of any game of chance under any such license or violates any of the provisions of the Bingo and Raffle Act [[60-2B-1](#) to [60-2B-14](#) NMSA 1978] or of any term of the license, if convicted, in addition to suffering any other penalties which may be imposed, shall forfeit any license issued to him under that act and shall be ineligible to apply for a license under that act for at least one year thereafter.

History: Laws 1981, ch. 259, § 11.

60-2B-12.Enforcement

It is the duty of all sheriffs and police officers to enforce the provisions of the Bingo and Raffle Act [[60-2B-1](#) to [60-2B-14](#) NMSA 1978]. It is the duty of the district attorney of the county in which a violation is committed to prosecute such violation of that act in the manner and form as is now provided by law for the prosecutions of crimes and misdemeanors.

History: Laws 1981, ch. 259, § 12; 1983, ch. 248, § 2.

60-2B-13.Exemptions

Nothing in the Bingo and Raffle Act [[60-2B-1](#) to [60-2B-14](#) NMSA 1978] shall be construed to apply to:

A. any drawing or any prize at any fair or fiesta held in New Mexico under the sponsorship or authority of the state or any of its political subdivisions or for the benefit of any church, situated and being in this state or for charitable purposes when all the proceeds of the sale or drawing shall be expended within New Mexico for the benefit of that church or charitable purpose, provided such fair or fiesta must have been held on an annual basis for not less than two years immediately preceding and for a period of not more than fourteen consecutive calendar days in each year; or

B. any bingo or raffle held by any group or organization as defined in Section 3 [[60-2B-3](#) NMSA 1978] of the Bingo and Raffle Act which holds a bingo or raffle only once during three consecutive calendar months and not exceeding four occasions in one calendar year.

History: Laws 1981, ch. 259, § 13.

60-2B-14.Penalties

Every licensee and every officer, agent or employee of the licensee and every other person or corporation who willfully violates or who procures, aids or abets in the willful violation of the Bingo and Raffle Act [[60-2B-1](#) to [60-2B-14](#) NMSA 1978] is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment.

History: Laws 1981, ch. 259, § 14.

RULES AND REGULATIONS GOVERNING THE
CONDUCT OF BINGO AND RAFFLES GAMES

REGULATION NO. 2B-3

DEFINITION OF BINGO AND RAFFLE TERMS, Relating to Section
60-2B-3 NMSA 1978

As used in the Bingo and Raffle Act and regulations promulgated thereunder:

- A. "master card" means the main bingo card in use for the occasion that each player is required to have in his possession to play bingo. This is sometimes referred to as the door or admission card. This card is usually controlled by using only one color or size card;
- B. "extra cards" means other cards sold at the door along with the master card. This card is usually controlled by a separate color or size from the master card. This does not include special or paper disposable cards;
- C. "special" or "paper disposable card" means a card used for a specific game or games which is controlled by a separate color, serial number, and manufacturers' identification number;
- D. "approved record" means those records required by the Bingo and Raffle Act or regulations promulgated thereunder which must be maintained on forms approved or furnished by the Department of Alcoholic Beverage Control;
- E. "gross receipts" means, as a supplement to the statutory definition, the total amount of money collected on sales from all bingo, raffles, and jar raffles, broken down into gross for master cards, gross for extra cards, gross for specials, gross for raffles, and gross for jar raffles. A written record of all bingo players shall be compiled for each separate occasion for one (1) year from the date of the occasion. (To include total cards purchased and monies received from said purchases.);
- F. "prizes" means cash or merchandise awarded to the winner of bingo games, raffles or jar raffles;
- G. "change fund" means the cash given to each bingo worker to use for making change;
- H. "cash operating fund" means the cash used by the Licensee to start the bingo and jar raffle operations on each date;
- I. "house rules" means rules established by each Licensee for items not covered by the Bingo and Raffle Act or regulations promulgated thereunder. The Licensee shall not adopt rules in

conflict with the Bingo and Raffle Act, regulations promulgated under the Bingo and Raffle Act or other provisions of the law. Before any licensed organization enacts or adopts any "house rules" they must be submitted to this Department and approved by this Department.

- J. "jar raffles or pull tabs" means printed tickets that have a pull tab or seal to be opened by the purchaser where a winning combination is printed on each ticket or on a separate card; and
- K. "method of payment" means no Licensee, its members or managers conducting, or in any way participating in any game of chance, as defined in the Bingo and Raffle Act, shall allow a person to play on credit. Any consideration charged for the privilege of playing shall be fully collected in advance. Short or bad checks are the Licensee's responsibility and none of the losses will be charged to bingo, raffles, or jar raffle activities.
- L. "premises" for the conduct of games of chance do not permit the service of alcohol. No alcoholic beverages or mixture thereof are allowed on the premises of a licensed bingo/raffle organization. If the premises where bingos and raffles are held are completely separate from the lounge area, the alcoholic beverages may be served in the lounge only.

REGULATION NO. 2B-4

RESPONSIBILITY TO POST AND HAVE IN ITS POSSESSION CERTAIN MATERIALS, Relating to Section 60-2B-4 NMSA 1978

- A. A Licensee shall have current copies of the Bingo and Raffle Act, rules and regulations promulgated thereunder, and its house rules in its possession at all times during the game of chance. These documents shall be made available to any person so requesting. Prior to the start of the first bingo game the public shall be advised that copies of the Bingo and Raffle Act and the regulations promulgated thereunder may be obtained from the Department of Alcohol Beverage Control.
- B. The Licensee shall post a sign with at least one (1) inch letters in two (2) or more conspicuous places stating: Copies of the Bingo and Raffle Act and rules and regulations promulgated thereunder, and the house rules may be obtained from the game manager for any player to read.
- C. Any supplier who furnishes bingo equipment, jar raffle or pull tab tickets or any other equipment used in any game of chance must keep records of his transactions with New Mexico Bingo and Raffle license holders. These records must be produced for inspection upon demand by any authorized representative of the Department of Alcoholic Beverage Control.

REGULATION NO. 2B-4(F)

PENALTIES FOR VIOLATIONS OF BINGO AND RAFFLE ACT OR REGULATIONS,
Interpreting and Exemplifying Section 60-2B-4(F) NMSA 1978

1. Whenever a Licensee pleads guilty or nolo contendere to a charge brought by the Department against the Licensee, or is found guilty of such charge by the appointed Hearing Officer, the Licensee shall be subject to the following penalties:

The Department or Hearing Officer shall order a suspension of business activities of not more than sixty (60) days, or the Hearing Officer shall issue his order of revocation of the license.

2. The Department or Hearing Officer, exercising discretion may hold in abeyance the first one-half of a penalty prescribed. If any penalty, or portion thereof, is held in abeyance, it shall be predicted upon no further violations of the Bingo and Raffle Act or Regulations for a period of six (6) months from the date of the violation.

REGULATION NO. 2B-5

LOCATION OF GAMES, Relating to Section 60-2B-5 NMSA 1978

- A. Licensed organizations are restricted in conducting "games" to locations within the same county where the organization is located
- B. No license is transferable from the location shown on the physical license or listed in the original application without:
 1. a written request made by the Licensee to the Department, and
 2. written approval from the Department to the Licensee prior to any move. No license may be borrowed from one organization to another.
- C. Licensee shall submit to the Director a written application, in the form prescribed by the Director and stating the information required by the Director together with a nonrefundable application fee of one hundred dollars (\$100.00).

REGULATION NO. 2B-6

DOCUMENTATION REGARDING RENTED PREMISES – Relating to Section
60-2B-6 NMSA 1978

Documentation (or affidavits) of all persons involved in

furnishing the rented premises must be filed with the Department of Alcoholic Beverage Control and upon demand other information necessary must be supplied to the Department of Alcoholic Beverage Control.

REGULATION NO. 2B-7

DISPLAY OF LICENSEE'S NAME, Relating to Section 60-2B-7 NMSA 1978

- A. Bingo and Raffle Licensees shall clearly display the name of the organization holding a bingo game in an area adjacent to the caller. The name shall be in letters at least six (6) inches high.
- B. The name displayed shall be the name of the organization sponsoring the bingo game followed by the word Bingo or Raffle, and the Licensee shall not assume or display any other "trade" or "fictitious" name within or without the building.
- C. The licensed organization must notify the Gaming Division, Department of Alcoholic Beverage Control, at least ten (10) calendar days prior to the permanent or temporary suspension of the "games of chance" license by the organization.
- D. If the premises are rented or used by more than one (1) organization, only the organization playing at that time and date will display its license.
- E. Should any license be lost or destroyed by the Licensee, the game manager shall submit to the Department a notarized affidavit, bearing the signature of the game manager and officers of the organization, stating the circumstances under which the license was lost or destroyed and a certification that, in fact, said license was lost or destroyed.

REGULATION 2B-8

RAFFLES, Relating to Section 60-2B-8 NMSA 1978

1. Raffle ticket requirements when prizes exceed \$ 100.00:
 - A. All tickets sold in any raffle shall have the State License Number, the word "raffle" and the date, time, and place of drawing printed on each ticket. A valid copy of a raffle ticket for each raffle conducted by a Licensee must be filed with the Department of Alcoholic Beverage Control prior to selling such tickets.
 - B. All tickets for use in any raffle shall be consecutively numbered. All raffles conducted shall have the major cash or merchandise prizes conspicuously printed on the raffle

ticket. The cost of each ticket shall be printed on the front of each and every ticket. If the word "donation", "gift", or similar terms is used, the proceeds shall be reported as income under the raffle act.

- C. If the ticket holder is required to be present at a raffle or drawing in order to be eligible for the prize, a statement setting forth this condition shall be conspicuously printed on each raffle ticket and on all promotional material concerning the raffle.
- D. The State License Number is not required on any jar raffle ticket or pull tab tickets sold by any Licensee. Each deal of jar raffle tickets or pull tabs must have their own serial number.

2. All raffle tickets sold to be available for drawing:

No drawing shall be held in connection with any raffle unless each and every ticket stub sold, and only such ticket stubs, shall first have been placed in the receptacle out of which the winning ticket stubs are to be drawn. Such receptacles shall be designed so that each ticket stub placed therein has an equal opportunity with every other ticket stub to be the one withdrawn.

3. Jar raffle – pull tab operation:

- A. No Licensee shall permit the display or operation of any jar raffles or pull tabs which may have in any manner been marked, defaced, tampered with or otherwise placed in a condition or operated in a manner which may deceive the public.
- B. No Licensee shall knowingly obtain, possess, or allow upon the Licensee's premise, a series of jar raffles or pull tabs, or portion thereof, with the same series number and color code combination, as any other series of jar raffles or pull tabs or portion thereof in Licensee's possession or on the Licensee's premises.
- C. Each Licensee shall retain all winning tickets over five dollars from each series until that particular series of jar raffles or pull tabs has been sold. At the time that series is completed the Licensee shall check to insure that the proper number of winners have been turned in to the Licensee. If it is determined that the number of winners turned in is more or less than the proper number the tickets must be retained by the Licensee for not less than six months. If more than three such series are found in any one quarter, the Licensee must notify the Department of Alcoholic Beverage Control in writing at the time of filing the quarterly report for that quarter.

- D. All winning jar raffle or pull tab tickets must be voided at the time of prize payout. They shall be voided by marking through the winning combination in ink, or by punching a hole or series of holes through the winning combination.

4. Control of prizes:

- A. Jar raffles or pull tab Licensees shall award all prizes in cash or merchandise, except that winning cash tickets may be exchanged for new tickets.
- B. Prior to the start of the game, all bingo prizes or prize money must be on hand on the premises of the licensed organization. The Licensee shall display all merchandise prizes in the immediate vicinity of the jar raffles or pull tab device and such prizes shall be in full view of any person prior to that person purchasing the opportunity to play. When a prize is cash, then the money itself does not have to be displayed. A card or sign designating the cash amount to be given as a prize shall be posted in any display which also includes merchandise prizes. The cash prizes to be awarded in connection with jar raffles or pull tabs, in which only cash prizes are awarded, shall be clearly and fully described or represented by a card or sign attached to or accompanying the jar raffle or pull tab series. The Licensee shall display and arrange merchandise prizes so that a player can easily determine which prizes are available from any jar raffle or pull tab series in play.

Any organization raffling any item or offering any item as a prize for a bingo game, must have documented proof of ownership of said item, free from any and all liens, mortgages and encumbrances prior to the sale of any tickets or bingo cards. This documented evidence of ownership must be made available to the Gaming Division, Department of Alcoholic Beverage Control, upon demand.

- C. Upon determining a winner, the Licensee shall remove the merchandise prize won immediately from display and it shall be presented to the winner. Cash prizes shall be awarded immediately.
- D. No person selling jar raffle tickets, and no person managing or working in any capacity at any bingo game or other place where jar raffle tickets are sold, shall state, imply, or in any way indicate to the purchaser of jar raffle tickets the number or type of tickets that have been redeemed or that remain in the container.

5. Specific information required on jar raffles or pull tab invoices:

Each Licensee will require its supplier or distributor to place on each invoice of jar raffles or pull tab tickets, the form or catalog number, title or ticket and color code identification.

Each Licensee shall list the serial number of each jar raffle on the report.

6. All assisting members (i.e., caller, floor workers, game manager, etc.) must have a name plate stating the organization's name and the person's name must be visible at all times during the games.
7. Should any officer, game manager or assisting member be served with a criminal or civil action, the organization must advise the Department, in writing, within ten (10) calendar days after said member is served. The criminal or civil action does not include traffic violations or dissolutions of marriage, but does include all other actions and counter claims.

REGULATION NO. 2B-8(B)

GAME MANAGER AND BINGO GAME CONTROLS, Relating to Section 60-2B-8(B) NMSA 1978

1. Game managers shall not play and no Licensee shall allow an employee to play a game of chance while that employee is on duty.
2. The game manger or his appointed assistant shall establish the following controls at all bingo games where the patrons exceed fifty players in number:
 - A. Each employee selling specials or disposable bingo cards shall be assigned a number and a matching numbered box. The assigned number shall be recorded by name on the duty records.
 - B. Each employee shall be furnished a change fund.
 - C. The game manager or his appointed assistant shall issue specials to the employees. These specials or disposable bingo cards shall be controlled by manufacturers' identification number and consecutive serial number as listed in "Use of disposable bingo cards" of these Rules and Regulations. The exact number of specials or disposable bingo cards given each worker shall be recorded.
 - D. When an employee completes selling cards for a special game he shall place the unsold specials and the money from such sales and change fund in his assigned box. The game manager or appointed assistant shall county the money, subtract the original change fund, and compare cards apparently sold against the cash turned in. Any shortage in the cash shall not be deducted from the gross but shall be reported as income.
 - E. The above procedure shall be followed throughout each special game or where disposable cards are used.

- F. One or more individuals shall be assigned the duty of paying off bingo winners. Winners shall not be paid by individuals selling specials from their change fund or money they have in their possession from sale of specials. After the money from each special has been turned in and counted it may be used to make prize pay-offs.
- G. No gambling other than bingo or raffles is allowed on the premises of a licensed bingo or raffle organization.
- H. The same person shall not be employed as game manger for more than one licensed organization.
- I. A game manger must have been an active member of the licensed organization at least six months prior to beginning his or her duties as game manager.
- J. Each Licensee may have only one game manager and only one assistant game manager. These two names will appear on the physical license.

REGULATION NO. 2B-8(F)

INSPECTION OF PREMISES, RECORDS, MACHINES AND DEVICES, Relating to
Section 60-2B-8(F) NMSA 1978

1. At any time any authorized representative of the Department of Alcoholic Beverage Control may enter a Licensee's premises without advance notice. During bingo occasions walking space shall be left behind players and between tables to allow authorized representatives to walk down each row of tables and inspect bingo cards in play.
2. Authorized representative may perform all or any of the following:
 - A. Make a count of all monies received during the operation of the licensed activities in the premises, inspect income received by the Licensee, and inspect records of prizes paid out.
 - B. Examine any of the other bingo and raffle records of the Licensee.
 - C. Examine all pieces of equipment or parts thereof, or devices of any nature which are being used to conduct the licensed activities and to require the Licensee to dismantle equipment, if necessary, except during operation of a game.

REGULATION 2B-8(K)

TIMES OF OCCASIONS, Relating to Section 60-2B-8(k) NMSA
1978

No bingo game may be held later than 10:30 p.m., and no bingo game may begin prior to 9:00 a.m.

REGULATION NO. 2B-8(O)

CONDUCT DURING BINGO GAMES, Relating to Section 60-2B-8(O) NMSA 1978

1. Conduct during bingo games:
 - A. Authorized equipment and cards, including all bingo related items used in the conduct of bingo shall be maintained in good repair and sound working condition. Authorized representatives may order that any equipment, cards or related items immediately be repaired or replaced, if after examination, they are found to be defective.
 - B. All seventy-five (75) balls used during bingo games shall be present in the receptacle before each game, and shall be checked by one bingo player immediately prior to the first game of the occasion.
 - C. All numbers and letters announced shall be clearly audible and repeated twice to all players present.
 - D. Once a ball is removed from the machine it may not be returned to the receptacle until the conclusion of the game.
 - E. No ball will be pushed back in the machine at any time after the first ball has been called until that game is completed.
 - F. The master board, which is the rack in which the balls are placed, is the only official scorer. A lighted display board may be used but is not official.
 - G. Immediately following the calling of each number in a bingo game, the caller shall turn the portion of the ball, which shows the number and the letter to the participants in the game so the participants may know that the proper number has been called out.
 - H. If the bingo caller discovers that he has called the wrong number, he will immediately stop the game and inform the players of the mistake. He will then announce, "I am reading the correct number, please correct your card." The caller will then correct the board, and continue with the game.
 - I. Each bingo game will be closed with the following procedure:
 - (1) The game must be stopped after the winning combination has been signaled from a player or workers.
 - (2) The ball the caller has in his hand, or has started to call, will not be called. This ball will be held by the caller until

the bingo has been verified and then returned to the machine unless there is a visible posted house rule to the contrary.

- (3) If a game is stopped for a bingo which proves not be a valid one, the caller will then call the ball he was holding at the time the game was stopped.
 - (4) The caller will only hold or have one ball at a time in his hand.
 - (5) The last number called is not a requirement for a good bingo, unless there is a visibly posted house rule to the contrary.
 - (6) The worker on the floor must place the bingo cards to be checked as a winner in front of at least one other player, with that player being given an opportunity to confirm that the bingo is in fact a valid bingo by watching the card as the numbers are called.
 - (7) The worker on the floor must call the numbers of the winning combination to the bingo caller, or, in case of a "Cover-All" bingo, the caller may call the numbers that have not been called.
 - (8) The bingo caller must then ask the players "Are there any other bingos?" If no one answers, the caller must announce, "This game is completed."
 - (9) No balls with creases, holes or that are otherwise damaged will be used during any bingo game.
- J. No bingo cards shall be sold in the same area where bingo games are being conducted.
- K. When any type of machine, device or holder for dispensing pull tabs is used for the sale of pull tabs, all pull tabs in the individual package or deal must be placed in the dispenser. No additional pull tabs may be placed in the "dispenser" until all previously placed tabs are sold. All tabs must have the same serial number, color description, and must be the same kind and type. The complete individual package or deal must be placed in the dispenser at one time.
- L. No employee, paid or volunteer, may accept any type of gift, tip, percentage of winnings, money or a thing of value from any player or any person associated with the player of the game of chance.

2. Fraud or deception prohibited:

No Licensee or any of its members operating any licensed activity shall directly or indirectly in the course of such operations:

- A. Employ any device, scheme or artifice to defraud or deceive;
- B. Make any untrue or misleading statement; or
- C. Engage in any act, practice, or course of operation that would operate as a fraud or deceit upon any person.

3. Use of disposable bingo cards:

Disposable bingo cards may be used in all bingo games, including specials, PROVIDED that:

- A. Each set of disposable cards used is consecutively numbered from the first card to the last and each card contains, on its face, both its individual consecutive serial number and the identification number assigned by the manufacturer to that set of disposable cards.
- B. Each disposable card sold must represent a specific amount of money (i.e., 25 cents each or 5 for \$1.00 – 10 cents each or 3 for 25 cents), which has been paid to the Licensee, and which amount has been clearly posted or verbally disclosed to all players in advance of any player participating in the game.
- C. The bingo caller shall be furnished, prior to starting each game on disposable cards, the manufacturer's identification number and the serial numbers of all cards offered for sale for that particular game. Upon a player having completed a bingo, the caller shall require the worker on the floor checking the bingo to read off the manufacturer's identification number and serial number of each winning card. Payment shall not be made unless both numbers were among those offered for sale for that game.

4. Sale and use of bingo cards:

- A. Bingo cards shall be sold, and paid for, prior to being placed in play.
- B. All sales of bingo cards shall take place upon the premises and at the time of that bingo game.
- C. No bingo cards shall be set aside or reserved for any person.
- D. No person shall be allowed to play in a bingo game for FREE, or without first paying the Licensee's normal and usual charge.
- E. If a master card or admittance card is required in order to play bingo, then no special or disposable cards will be sold to a player who has not purchased such master card.
- F. All master and extra cards will be sold at a set price. The price of each type of card will be posted.
- G. If each person playing bingo is required to have master cards and is allowed to play extra cards in the same game, then the cash prize to

be awarded on the master card and the extra cards shall be posted by the Licensee at the beginning of each game.

- H. Players are not to be allowed to select their own cards for special games. Selection of cards is limited to regular and extra cards sold at the door.
- I. No FREE cards shall be issued or redeemed by any Licensee.

REGULATION NO. 2B-8(Q)

DISCLOSURE OF PRIZES, Relating to Section 60-2B-(Q) NMSA 1978

- A. The Licensee shall clearly and audibly disclose full information before each game concerning the number of prizes to be awarded, whether the prizes are awarded in cash or merchandise, and the cash value and the method by which such prizes may be awarded, including the cost of playing.
- B. Any prize awarded must be dependent upon the winning of a bingo game or having purchased the right to participate in a raffle. Door prizes may not consist of the right to play bingo or participate in a raffle.
- C. Prizes or prize money offered must be communicated to all players thirty minutes prior to the start of the game and cannot be altered.
- D. In all bingo games where only a specific number of numbered balls are called for that game, an announcement of the last ball, for the same game, must be made prior to the ball being called.

REGULATION NO. 2B-8(R)

VERIFICATION OF NUMBERS DRAWN, Relating to Section 60-2B-8-R NMSA 1978

A written record must be compiled and retained by the Licensee for a period of thirty (30) days of all bingo numbers, in the order the numbers are called, when the bingo game payoff is five hundred dollars (\$500) or more.

REGULATION NO. 2B-8(S)

SALE OF BINGO CARDS, Relating to Section 60-2B-8 (S) NMSA 1978

Bingo Cards may be sold prior to the start of a second session after the complete close of the first session. There will be a minimum fifteen minute intermission between sessions. No bingo cards sold during the first session will be valid for the second session.

REGULATION NO. 2B-9

EXPENSES AND REPORTING, Relation to Section 60-2B-9 NMSA 1978

Any Licensee whose game of chance is the subject of a crime requiring a police report shall, in addition to notifying the proper police agency, notify the Department of Alcoholic Beverage Control in writing within seventy-two (72) hours of the date, time, nature of the offense, and the police agency notified.

Upon termination of a license, financial report, Form BLO-6 must be compiled and submitted to the Gaming Division, Department of Alcoholic Beverage Control within seventy-two hours.

Attorneys fees cannot be paid for with bingo or raffle proceeds.

No employee of a bingo or raffle licensee shall be paid for other services, i.e., rent of premises, rent of equipment, janitorial service, bookkeeping, etc.

No vendor of premises or equipment may be involved in any way or manner in the bingo or raffle operation.

Door prizes cannot be deducted from bingo or raffle gross. Door prizes in excess of \$100.00 in value must receive written approval from the Department of Alcoholic Beverage Control prior to offering said door prize.

REGULATION NO. 2B-9(A)

RECORDS – BINGO GAMES, Relating to Section 60-2B-9(A) NMSA 1978

1. In addition to any other requirements set forth in the Bingo and Raffle Act, a Licensee shall prepare an approved record covering each bingo game. This approved record shall disclose the following information and shall be retained for a period of not less than three years:
 - A. The gross receipts collected for each master card, door admission card and each extra card sold for each game.
 - B. The gross receipts collected for each special bingo game of any kind including, but not limited to, "early bird," "three way," "four corners," "round robin," "picture frame," "stand up," "postage stamp", "cover all," and "winner take all" games.
 - C. The gross amount paid out on each separate bingo game.
 - D. The cash on hand at the commencement of each occasion and the cash on hand at the conclusion of each game.
 - E. The signature of the game manager for the Licensee on that game.
 - F. The name, signature, and assigned duties of each member for each game.

All persons responsible for or assisting in the holding, operation or conducting of any game of bingo must sign the roster, Form BLO-4, prior to beginning any duties. Use of a person who has not signed, or has signed a fictitious name shall subject the Licensee to suspension pending a hearing by the Department of Alcoholic Beverage Control.

REGULATION NO. 2B-9(E)

AGREEMENT BASED UPON PERCENTAGE OF RECEIPTS PROHIBITED,
Relating to Section 60-2B-9(E) NMSA 1978

No Licensee shall conduct any activity authorized under the Bingo and Raffle Act, if the lease, rent, contract, or any other arrangements under which the right to use the premises required rental or other payment to another, based on a percentage of receipts or profits derived from such licensed activities.

REGULATION NO. 2B-9(F)

SECURITY PERSONNEL, Relating to Section 60-2B-9(F) NMSA 1978

The Licensee shall identify paid security personnel, if any by badge or uniform on each bingo occasion. These personnel shall not be permitted by the Licensee to play or to participate in the operation of bingo games.