



**Michelle Lujan Grisham**  
**Governor**  
**Jeffrey S. Landers**  
**Chairman**

May 6, 2020

To Whom it May Concern:

It has come to the attention of the New Mexico Gaming Control Board and the New Mexico Regulation and Licensing Department that some licensed professionals are soliciting funds for personal or business purposes through raffles, which is prohibited under state law. The New Mexico Bingo and Raffle Act provides that **only “qualified organizations”** as defined under the act **may conduct raffles**.

NMSA 1978 §60-2F-4. Definitions. As used in the New Mexico Bingo and Raffle Act: Y. **“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 Bingo and Raffle Act if they use the proceeds from a game of chance solely for scholarship or charitable purposes;

G. “chartered branch, lodge or chapter of a national or state organization” means a branch, lodge or chapter that is a civic or service organization, not for pecuniary profit, and that is authorized by its written constitution, charter, articles of incorporation or bylaws to engage in a fraternal, civic or service purpose in New Mexico;

All other individuals and organizations are not permitted to conduct raffles under any circumstances. Persons who conduct raffles or other games of chance contrary to the Bingo and Raffle Act are subject to criminal penalties as follows:

NMSA 1978, § 60-2F-25

A. It is the duty of all law enforcement officers to enforce the provisions of the New Mexico Bingo and Raffle Act. 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.

B. A licensee, a permittee or an officer, agent or employee of a licensee or any other person who willfully violates or who procures, aids or abets in the willful violation of the New Mexico Bingo and Raffle Act is guilty of a misdemeanor and, upon conviction thereof:

(1) for a first offense, shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for not more than six months, or both; or

(2) for a subsequent offense, shall be punished by a fine of not more than two thousand five hundred dollars (\$2,500) or by imprisonment for not more than one year, or both.

Accordingly, **we must insist that you must immediately cease and desist from any further sales or activity with respect to any raffles that are currently conducted and return all money collected to date**, unless you are a qualified organization conducting raffles in compliance with the Act.

Sincerely,



Cynthia M. Ortega-Armijo,  
Acting Executive Director  
New Mexico Gaming Control Board

cc: The New Mexico Regulation and Licensing Department