

TITLE 15 GAMBLING AND LIQUOR CONTROL
CHAPTER 1 GAMES AND GAMING GENERAL PROVISIONS
PART 10 CONDUCT OF GAMING ACTIVITY UNDER THE GAMING CONTROL ACT

15.1.10.20 ADDITIONAL PAYOUTS; PROMOTIONS: PERSONAL PROPERTY AWARDS;

A. Additional payouts and personal property awards shall be conducted in a manner that promotes responsible gaming. All advertising (any printed, television, newspapers, posters, direct mail, etc., excluding radio) shall include an appropriate responsible gaming message and toll free telephone number for compulsive gambling assistance.

B. The gaming operator licensee shall notify the board in writing at least 10 business days before the beginning date of the proposed additional payouts or personal property award. The written notice shall include a description of the proposed additional payouts (e.g., double jackpots for all dollar gaming machines), the proposed effective dates for the additional payouts the times and conditions necessary for additional payouts to occur, the license numbers of the gaming machines offering the additional payouts, and the dollar value of the additional payouts. The rules or any special conditions of how the additional payout or personal property award shall be conducted shall be clearly described in the notification. The same information shall be clearly posted on the gaming premises in a clearly visible location during the effective dates of the additional payout program.

C. Advertising media for additional payouts and personal property awards shall not offer free or discounted food or beverages as an enticement to game. The use of the casino logo in display advertising shall not constitute an enticement to game when the advertising depicts the casino restaurant(s) or bar(s) or grill(s) or vendor(s).

D. The value of additional payouts of any amount and ~~the actual cost to the licensee of any~~ personal property awards ~~with a value of five hundred dollars (\$500.00) or more as the result of a legitimate waiver~~ shall be deductible from gaming machine revenue provided the gaming operator licensee complies with all applicable requirements of this part and all other board rules. The cost of advertising, promotional materials, reimbursements to patrons, and promotions shall not be deductible from gaming machine revenue. The gaming licensee shall prepare and remit deduction information no later than the 3rd day of the following month to the NMGCB in a manner specified by the board.

E. A licensee shall take reasonable steps to remove advertising media for expired additional payouts and personal property awards within 24 hours of the expiration of the additional payout or personal property award.

F. The board's receipt of notice of a proposed additional payout or personal property award does not constitute endorsement of the proposed additional payout or personal property award or a guarantee by the board that any additional payouts will be made or that the personal property will be awarded.

G. The licensee shall notify the board immediately in writing if there is any change in the beginning and ending dates of the additional payout or personal property award or if there are any changes or modifications as to how the additional payout or personal property award shall be conducted.

H. Nothing in this rule permits the award of an additional payout, cash, or non-cash prize the value of which exceeds jackpot limits established by the act or these rules.

I. Promotions shall be conducted in a manner that promotes responsible gaming. All advertising media shall include an appropriate responsible gaming message and toll free telephone number for compulsive gambling assistance.

J. Rules of the promotion shall be made available to any person requesting them. Any flyer, poster or other advertisement for the promotion shall identify the location where the rules of the promotion are available.

K. Advertising media for promotions shall not offer free or discounted food or beverages as an enticement to game. The use of the casino logo in display advertising shall not constitute an enticement to game when the advertising depicts the casino restaurant(s) or bar(s) or grill(s) or vendor(s).

L. A licensee shall take reasonable steps to remove advertising media for expired promotions within twenty 24 hours of the expiration of the promotion.

M. The cost of advertising, promotional materials, reimbursements to patrons, and promotions may not be deducted from gaming machine revenue.

N. The board may direct the gaming operator licensee to cancel, modify or discontinue the promotion if the board determines the promotion is contrary to law or otherwise contrary to the public health, safety, morals, or general welfare.

[15.1.10.20 NMAC - Rp, 15.1.10.20 NMAC, 1/29/2016]