

NEW MEXICO BINGO AND RAFFLE POLICY

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I. Definitions

Purpose: The New Mexico Bingo and Raffle Act as well as the rules governing the Act, fail to adequately address the classification of games that can be played under the New Mexico Bingo and Raffle Act. The following definitions will ensure that the games played will fall into one of three classifications: Bingo, Raffle or Pull-Tabs. There shall no longer be any reference to hybrid games. Every game shall be classified in one of the three defined areas of game play.

- A. **“Bingo”** means a game of chance in which each player has one or more cards printed with different numbers on which to place markers when the respective numbers are randomly drawn and announced by a caller.
- B. **“Board”** means New Mexico Gaming Control Board.
- C. **“Completed Application”** means that the application is complete when the application form is completely filled in, the appropriate fee is attached, additional documentation requested is provided and signatures with proper notary are included on the form.
- D. **“Deal”** in reference to Pull-Tabs means a predetermined number of Pull-Tab tickets with a predetermined number of winners and losers.
- E. **“Door-Prize”** means a promotional drawing where no additional consideration is charged for the chance to play and shall not have a value greater than \$1,000.00.
- F. **“Employee”** means a person connected directly with a game of chance but does not include nongaming personnel such as bartenders, cocktail servers or other persons engaged solely in preparing or serving food or beverages; secretarial or janitorial personnel; or stage, sound and light technicians;
- G. **“Gross Receipts”** means 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
- H. **“Lawful Expense”** to be included with Lawful Purpose means purchases of goods, wares and merchandise furnished; payment for services rendered that are reasonably necessary for repairs of equipment, operating or conducting the game of Bingo; for rent if the premises are rented or janitorial services if not rented; for accountant’s fees; for license fees; for utilities; for advertising and other additional expenses incurred for ongoing operations of Bingo, Pull-tab and Raffle activities.

- I. **“Lawful Purpose”** 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.
- J. **“Legal Premise”** means the place designated as the administrative office of the licensee.
- K. **“Occasion”** means a single gathering at which a series of successive Bingo games are played.
- L. **“Permittee”** means Bingo Managers, Alternate Bingo Managers and Callers.
- M. **“Pull-Tab”** means gaming pieces used in a game of chance, which 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 or paper products with an instant winner component that must be exposed by the player on a concealed card. Pull-Tabs may be used in a speed round for additional winnings utilizing a Bingo blower. Progressive Pull-Tabs, Tip Boards and Lightning with an instant win component are considered Pull-Tabs.
- N. **“Raffle”** means a game 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 ticket stubs sold for the event.
- O. **“Records”** mean 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 New Mexico Bingo and Raffle Act.
- P. **“Relationship”** means persons married, members of household, or consanguinity of the first degree.
- Q. **“Vendor”** means distributors and manufacturers of “equipment” as defined in the New Mexico Bingo Raffle Act.

- R. **“Universal Staff Permit Badge”** means a hard plastic card issued by the Board with the licensee’s name, expiration date and photograph.

II. Licensing

Purpose: Licensing areas include initial and renewal application forms, Bingo Manager, Alternate Bingo Manager, caller permit forms, all fees and necessary items to report.

A. Bingo and Raffle License Package (Initial and Renewal)

1. Bingo and Raffle Application for Licensure – Applicants shall submit a completed form provided by the Board, with \$200 non-refundable license fee. License renewals shall be submitted no later than sixty days prior to license expiration date. Applications received after this date shall be considered late and shall be assessed a \$100 late fee and \$10 a day not to exceed 30 days. On the 30th day, a new application including attachments will be required of the licensee. This application must be approved by the Board.
 - a. The applicant or licensee shall provide with the initial application and with subsequent renewal application a description of all games played and their classification to the Board. Approval of the listed games as provided shall be the issuance of the license. Failure to submit the list and description of games shall constitute an incomplete application. Incomplete applications may be sent back. Any application sent back and not accepted by the Board will be viewed as a late application if resubmitted after the deadline and any late fees will be assessed. (Note: If currently licensed this only applies upon renewal.)
 - b. The applicant or licensee shall list their normal days and times of occasions on the application. Deviations from the submitted schedule are allowed without notification to the Board so long as the licensee adheres to the New Mexico Bingo and Raffle Act.
 - c. The valid membership cards or equivalent of the Bingo Manager and Alternate Bingo Manager shall be submitted with the application and available upon request by an agent of the Board.
2. Upon approval a license shall be provided. The license shall contain the required information as prescribed by the New Mexico Bingo and Raffle Act. The members listed on the license shall be the Bingo Manager and Alternate Bingo Managers. Should there be any change to the Bingo Manager or Alternate Bingo Manager(s) listed on the license, the licensee shall be responsible for submitting the proper documentation in a timely manner.

3. Licensees allowing use of their licensed premises to a non-licensed organization (as defined in the New Mexico Bingo and Raffle Act) in the conduct of Bingo, Raffle or Pull-Tabs shall submit a form provided by the Board that includes: licensee's license number; physical and mailing address; name; non-profit designation; and address of the unlicensed operator to the Licensing Division.
 - a. The licensee shall insure adherence to the New Mexico Bingo and Raffle Act, by the unlicensed operator.
 - b. The licensee is responsible for completion and submission of this form.
4. If a licensee fails to file applications within the time required, or if the applications are not properly verified or not fully, accurately and truthfully completed, any existing license may be suspended until the default has been corrected. A \$100 fee will be assessed.
5. The Licensee shall include in its count of occasions any occasion conducted by an auxiliary or affiliate of the Licensee.

B. Bingo and Raffle Universal Staff Permit Application (Initial and Renewal):

1. A Bingo and Raffle licensee shall designate only one (1) Bingo Manager, up to two (2) Alternate Bingo Managers and any number of Callers, all of which must be permitted.
2. Permittees shall submit a completed Universal Bingo Staff Permit Application, a \$50 nonrefundable application fee, signed and notarized authorization for a background investigation and self disclosure form. Permittee renewals shall be submitted no later than 10 days prior to expiration. Applications received after this date shall be considered late and shall be assessed a \$20 late fee. Along with the renewal form, permittees whom are working at multiple entities shall submit a registration form provided by the Board for each licensee with who they are intending to continue or seek new employment.
3. If a permittee fails to submit a renewal application prior to the expiration of the permit, the late fee shall apply and the licensee shall not work any bingo, raffle, or pull tab occasion until a valid staff permit badge has been issued and in his/her possession. Applicants shall not have a warrant for arrest in any county of New Mexico or any other state.
4. Managers, Alternate Managers and Callers shall not have a felony conviction within ten years of the submission of the application for permit.

5. Managers and Alternate Managers must be members in good standing of the licensee for a minimum of six months of application for permit.
6. Upon request of the board, the applicant shall further supplement any information provided in the application. The applicant shall provide all requested documents, records, supporting data, and other information within the time period specified in the request, or if no time is specified, within 30 days of the date of the request. If the applicant fails to provide the requested information within the required time period as set forth in the request or this rule, the board may deny the application unless good cause is shown.
7. An applicant may file a written request for withdrawal of the application at any time prior to final action on the application by the Board.
8. The Board shall automatically deny the application of any applicant that refuses to submit to a background investigation as required.
9. If the board determines at any time during the application process that the applicant is not qualified, or cannot qualify, to hold the license or other approval sought, the board shall notify the applicant, in writing. The board shall discontinue investigation and processing of the application and shall issue a final, written order denying the application.
10. Any applicant whose application is denied by the board may request a hearing before the Board to appeal the denial.
11. Neither the application or approval fees nor any other fees or costs arising in connection with the application or investigation shall be refunded or waived on the grounds that the application was denied or withdrawn or that processing was otherwise terminated.
12. A new or renewal application shall be reviewed, granted or denied and responded to by the Board's staff within sixty (60) days of receipt of application.
13. All Permits are valid for three years from the date of issuance.
14. Permittees that intend to utilize their approval at a licensed venue not currently designated on their application shall submit notice the Board in writing prior beginning the new employment. Additionally this notification shall clearly specify whether the new employment is in addition to or substitute for the current employment.

15. The badge issued shall be sent back to the Board within ten (10) days of the termination or resignation of a permitted employee. The permittee is responsible for the return of the Universal Staff Permit Badge.
16. Each licensee is responsible for the notification of termination/resignation of each permittee registered to work at their organization. This shall be submitted within ten (10) days.
17. The cost of a replacement badge shall be ten dollars (\$10).
18. The permittee shall notify the Board in writing within ten (10) days of any contact information change (i.e., phone number, address or e mail address change, etc.).

C. Vendor Licensing:

1. Vendors shall be licensed prior to conducting business with any licensee. Applicants shall submit a completed form provided by the Board, with \$200 non-refundable license fee. License renewals shall be submitted no later than sixty days prior to license expiration date. Applications received after this date shall be considered late and shall be assessed a \$100 late fee and \$10 a day not to exceed 30 days. On the 30th day, a new application including attachments will be required of the licensee.
2. Vendors shall submit a form provided by the Board to include the vendor's name, address, contact information, federal and state tax identification numbers, all license numbers required to conduct business in New Mexico and a list of all licensees with whom the vendor intends to conduct business.
3. Licenses shall be renewed every three years. Any change of vendor information must be reported in writing to the Licensing Division within thirty (30) days of change.

III. Enforcement

Purpose: To ensure compliance and regulation of the New Mexico Bingo and Raffle Act, rules and policies. All items are effective immediately unless a specific effective date is specified.

- A. Compliance inspections shall be conducted by the Enforcement Division of the Board using the Inspection form.

- B. Permittees or employees of the licensee shall provide immediately or as soon as possible any requested record to the Agent (15.4.9.13 C NMAC).
- C. Permittees shall visibly wear at all times while on duty an issued Universal Permit Badge.
- D. Unresolved patron complaints shall be reported to the Enforcement Division by fax or telephone within 72 hours of the complaint and followed within three business days with a completed Complaint Form. Complaint Forms shall be available during all occasions.
- E. All Bingo and Raffle licensees shall immediately report any violation of the New Mexico Bingo and Raffle Act, rules or policy that the licensee commits. The licensee shall report by phone with a follow up letter.
- F. House Rules shall be conspicuously posted at the licensed premises, and at a minimum shall address the following:
 - 1. Rules for calling “Bingo” (game stopped)
 - 2. Rules for bingo splits.
 - 3. Rules for “sleepers”.
 - 4. Replacing defective/misprinted gaming materials.
 - 5. Rules for correcting Caller errors.
 - 6. Tipping of bingo workers.
 - 7. Patron check writing/cashing rules.
 - 8. Door Prize rules.
 - 9. Minimum age requirement to play.
 - 10. Smoking rules.
 - 11. Seat saving rules.
 - 12. Rules for temporary suspension of bingo occasion(s) and/or reductions of bingo game payouts.

- G. Current Copies of the New Mexico Bingo and Raffle Act, Chapter 4 of Title 15 of the NMAC and this policy shall be on premise and available to the public. Notice that these documents are available shall be prominently posted.

IV. Audit

Purpose: To ensure that licensees are properly reporting total gross receipts and taxes paid from all games of chance. To ensure that licensees are given guidance and training in regards to completing the quarterly report form and supplement forms as approved by the Board. To provide overall guidance to licensees as it pertains to the operation of all games of chance as required by statute, rule, and policy.

- A. The licensee shall submit quarterly activity reports for all games of chance on the prescribed quarterly report forms on or before, but no later than the 25th day of April, July, October and January. If any due date falls on a Saturday, Sunday or legal holiday, the due date is the next business day.
- B. All information set forth in the New Mexico Bingo and Raffle Act is required to be documented on the reporting forms prescribed by the Board. Licensees shall provide bank statements, cancelled checks or check images, of all checks cleared, and deposit slip images for the period that corresponds with each quarterly Bingo and Raffle activity report.
- C. Copy of Bingo quarterly tax payment coupon submitted to the New Mexico Taxation and Revenue Department must be included as supporting documentation with each Quarterly Report.
- D. Each Quarterly Report Form shall be submitted with the required supporting documentation and shall be submitted to the NMGCB audit division in the following order:
 - 1. Quarterly Report Form
 - 2. Supplement Forms
 - 3. Bank Statements for each month. Copies of all check images and deposit slip images that correspond to each bank statement.
 - 4. Copy of quarterly tax payment coupon sent to New Mexico Taxation and Revenue Department.
- E. If a licensee fails to file quarterly 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.

1. A fine of \$100 will be assessed for the first offense.
 2. The second offense will go before the Board as a citation.
 3. The fine may be paid immediately or appealed to the Board.
- F. Licensees are required to establish operating procedures for safeguarding bingo funds, restricting access to cash, and segregation of duties.

V. Operating Procedures:

- A. Conflict of interest shall be prevented.
1. No Licensee shall permit an employee to play or benefit from any game of chance while on duty. Notice of this shall be prominently posted.
 2. Receiving a gratuity (tip) from a player is not considered to be benefitting from any prize payout.
 3. There shall exist no relationship between the Bingo Manager and the Bingo Accountant/Bookkeeper.
 4. Bingo Accountant/Bookkeeper shall not perform any other bingo employee duties.
- B. General Operations:
1. It is the duty of each bingo licensee to maintain and keep the books and records necessary to substantiate the particulars of the quarterly report form and supporting documentation. All licensees' bingo, pull-tab, and raffle records shall be retained for a period of three (3) years on the legal premise.
 2. Funds from all games of chance shall not be commingled with any other funds.
 3. Signature stamps shall not be allowed.
 4. Pre-signed checks shall not be allowed
 5. Checks written out of the Bingo operating bank account must be signed by two (2) authorized persons.

6. The Bingo operating bank account shall have an end-of-month cut off date.
7. The Licensee shall reconcile bank statements monthly.
8. Licensees shall use a check, not a debit card, ATM card or any form of electronic transfer to pay for any expenses out of the bank operating account unless an electronic payment is required by IRS, Federal, State or bank regulations (i.e. payroll taxes, bank checks, etc.)
9. The Licensee shall submit all monthly supplement forms with the quarterly report: specifically, Supplement Form #1 and Supplement Form #2 which includes the total amount of prizes paid, the date, name, and address of each person to whom has been paid \$600.00 or more.
10. An inventory shall be conducted by the Bingo manager at the end of each month and, upon request, disclosure of the Bingo paper/Pull-Tabs used and the Bingo paper/Pull-Tabs in inventory shall be made to the Board.
11. No Accountant or Bookkeeper shall be involved with the handling of any cash including but not limited to: receiving, depositing or counting.
12. Bingo Manager and Alternate Bingo Managers shall not perform the duties of the Bingo Accountant or Bookkeeper.
13. At the time the licensee is required to submit its renewal application, the licensee must disclose the current balance in its Bingo operating account.
14. Any deposits made into the Bingo Operating Account from the organization for the purpose of revitalizing bingo and raffle activity shall be noted on the deposit slip. These deposits and interest paid to this account are not considered to be bingo and raffle activity receipts and therefore, not subject to Bingo and Raffle tax.

C. Bingo Operations:

1. Paper cards shall be used for all Bingo games including but not limited to master cards, extra cards or special cards. Paper cards shall be used for multiple games but shall not be re-used for multiple occasions.
2. Licensees shall purchase pre-numbered paper cards from an approved, licensed vendor.
3. The use of Bingo hard cards is prohibited.

4. An active caller, one who is at the time of the game calling out the numbers, cannot verify the winning Bingo numbers on the floor; a separate, independent person shall call the numbers to the active caller for verification.
5. A payout schedule of all Bingo games shall be posted thirty (30) minutes prior to the start of an occasion.
6. No occasion may be conducted more than six times in any one calendar week, with no game lasting more than four hours on each occasion and not more than three occasions in one calendar day by any one licensee. No licensee shall conduct more than two hundred sixty occasions in any calendar year.
7. Start up and close out of a Bingo occasion shall be conducted in the following manner:
 - a. At the close out of each licensee's bingo occasion, the licensee's Bingo Manager shall record all gross receipts and document on Supplemental #1 Part A. The Bingo Manager shall also prepare and sign a bank deposit slip that reflects the final deposit. The deposit slip shall have the licensee's name and license number on it.
 - b. A second worker, or authorized person shall immediately count and verify the cash and shall cosign the bank deposit slip.
 - c. Cash, coin, and checks shall be temporarily stored in a secured area until a deposit is made. A secured area includes a locked vault on the licensed premises or the deposit of funds in the designated bank account or at the bank's night deposit drop box. In the event that non-related funds are kept in the same locked vault, bingo, raffle and pull tab funds shall be kept in a separate locked bank bag inside the vault. Under no circumstances shall funds be kept at a location other than the licensed premise.
 - d. If the licensee conducts two or more bingo occasions and chooses not to close out at the end of each occasion, then all gross receipts for each game of chance shall be kept separate for each occasion, secured in a locked vault and shall be reconciled immediately at the close of the last occasion or no later than the following business day.
 - e. Two (2) Bingo employees, one of whom shall be the Bingo Manager, will ensure proper separate and accurate reporting of each of the occasions to include separate deposit slips that reflect separate receipts from each occasion.

D. Pull-Tab Operations:

1. Video Pull-Tabs are prohibited.
2. Licensees shall purchase pull-tabs from an approved, licensed vendor.
3. A licensee shall not share a deal with any other licensee.
4. A deal shall not be commingled with any other deals.
5. A deal shall not exceed 25,000 tickets.
6. All Pull-tab sales, including Progressive Pull Tab sales, shall be reconciled and reported on the appropriate supplement forms and shall be deposited, along with all other bingo and raffle receipts in the bingo operating account. Pull-tab deposits shall be made no later than the end of the following business day and the close out procedure shall be the same as the close out procedures listed under section V.C.7. However, when the licensee maintains consecutive days of bingo, the progressive jackpot amount at the end of the day's occasion may be kept on premises for the follow day's occasion.
7. Licensees with Pull-tab machines must empty and reconcile receipts and payouts weekly and record on Supplement #1 Part A, and at the end of each month in order to compile documentation to complete the appropriate quarterly report form and report bingo tax due
8. Pay out schedule of all deals shall be posted 30 minutes prior to any Pull-Tab being sold. Pay out schedule and method of prize payout for all Progressive Pull Tab games in play shall also be posted 30 minutes prior to being sold and must remain posted until final prize is paid out.
9. If Progressive Pull Tabs are sold, Supplemental Forms BR-021 and BR-022 must be used to itemize the list of progressive pull-tab games in play.
10. Both Progressive Pull Tab receipts and Progressive Prize Payouts must be recorded on Supplemental Form BR-021.
11. Lightning may be designated as a Pull-Tab as long as it has the minimum instant winner component with a sum of \$5.00 per 150 tickets. If there is no instant winner component, then Lightning shall be designated as a Bingo game. Any other game that is designed to be played similar to Lightning shall adhere to this requirement.

E. Raffle Operations:

1. When a prize exceeds \$250.00, the raffle ticket shall have the following information:

- a. The state license number;
 - b. The word “Raffle”;
 - c. Whether the winner need be present;
 - d. The place, date and time of the drawing;
 - e. The prize or prizes;
 - f. A unique identifier that is repeated on the ticket holders stub; and
 - g. Raffle tickets shall be consecutively numbered.
2. The Licensee is required to keep on file, on the licensed premise for the period of one (1) year the raffle winner’s name, address and phone number.
 3. All Raffle tickets sold shall have a representation (stub) in the container prior to the start of the draw. The house rules identifying what is a winning draw must be conspicuously posted in sight of the container from which the winner is drawn. The drawing shall be open to all ticket holders.
 4. The rules of drawing will be conspicuously posted in view of the device from which the draw occurs and will identify what a winning draw is.
 5. A Raffle, whether licensed or non-licensed with any one prize valued at or above \$75,000.00:
 - a. Shall be reported to the Board using Section 1 of form BR-024 no less than ten (10) business days prior to commencing tickets sales and advertizing.
 - b. Non Licensed Operators shall have the winners’ names, phone numbers and mailing address reported to the Board using Section 2 of form BR-024 no later than three business (3) days from drawing winners.
 - c. Licensees shall have the winners’ names, phone numbers and mailing addresses reported to the Board using forms prescribed in Section V.B.9 of the Bingo and Raffle Policy.

VI. Legal

Purpose: To provide an overall understanding of the regulatory process and legal procedures. All items are effective immediately unless a specific effective date is listed.

- A. The items detailed in this policy statement shall be utilized until the rules are promulgated. Areas not addressed specifically in this policy statement shall be governed by the New Mexico Administrative Code (15.4) and the New Mexico Bingo and Raffle Act (60-2B NMSA).
- B. Bingo and Raffle licensees who fail to adhere to the New Mexico Bingo and Raffle rules or Act may be subjected to a \$1,000.00 fine for a first offense, for a second or subsequent offense \$2,500.00 and, not more than 365 days suspension of their license.
- C. If a licensee needs a determination of a game as to its designation as either Bingo, Pull-Tab or Raffle, then the licensee shall submit in writing a detailed description of the game to include but not limited to: monies received and disbursed.
- D. The Board shall issue administrative citations and seek fines against and/or suspension of licensure of Bingo and Raffle licensee who fail to comply with reporting and renewal deadlines.
- E. A person who is denied a license or staff permit by the Board may appeal the denial by submitting a notice of appeal in writing within 30 days of the date the person receives notice of the denial.
- F. A licensee who is aggrieved by a decision of the Board affecting that licensee may appeal the decision by submitting a notice of appeal in writing within 30 days of the date the person receives notice of the decision. The notice of appeal shall specifically set forth the facts applicable to the appeal and the provisions of Board Rules or the Bingo and Raffle Act applicable to the appeal.

VII. Miscellaneous Areas

- A. No Bingo and Raffle licensee shall allow, conduct, or participate in any false or misleading advertising of Bingo and Raffle activities including payout of prizes.
- B. Bingo and Raffle licensees shall cease all gaming activity no later than two hours past midnight (2a.m.).

- C. Licensees may designate an area for persons who are disabled.
- D. A Bingo and Raffle tax equal to 1/2 % (.005) of the total gross receipts of all games of chance is due to the Taxation and Revenue Dept. on or before April 25th, July 25th, October 25th, and January 25th.
- E. The aggregate amount of all prizes offered in a Bingo occasion shall be no greater than \$2,500.00, excluding Pull-Tabs and Raffles

VIII. Variance Request

- A. Any Licensee may seek a variance of any provision of the Bingo and Raffle policy and/or the Bingo and Raffle Rules 15.4 NMAC. The licensee shall submit form BR-025 (Rev Jun 09) provided by the Board to include the licensee's name, license number, address, contact information and the specific section of the Bingo and Raffle Rules or Policy to which the variance is being sought, to the General Counsel's Division of the New Mexico Gaming Control Board.
- B. A Licensee conducting fewer than fifty (50) occasions per year, with annual net proceeds less than \$25,000 and having an all volunteer staff may seek a variance for hard cards on the form provided by the Board.
- C. The request shall be reviewed, granted or denied and responded to by the Board's staff within thirty (30) days of receipt of request.
- G. Variance shall not be granted for any part of the Rules or Policy that is directed by the NMSA Chapter 60 Article 2B the New Mexico Bingo and Raffle.
- H. Appeals of denied responses shall be submitted to the Board within thirty (30) days of notification of denial. The appeal shall include a copy of the original request, the Notice of Denial and a written rebuttal to the Notice.
- I. Granted variance may be for a specific period of time and shall not exceed the expiration date of the license. In the absence of a specified period, the variance shall expire on the license expiration date.
- J. Renewal of a variance shall be submitted with renewal of license application using the Variance Request Form and shall be reviewed, granted or denied and responded to by the Board's staff within thirty (30) days of receipt of request independently of application to renewal license. Denial of license renewal shall automatically result in a denial of variance request. Renewal of license shall not automatically result in renewal of variance.


IX. Ceasing Operation

- A. Bingo and Raffle licensees shall notify, in writing, the Board's Licensing Division and the Department of Taxation and Revenue of cessation of Bingo and Raffle activities.
- B. The licensee seeking to cease operations shall submit a form provided by the Board to include the licensee's name, license number and the names of all permittees with badge numbers, and the type of property/venue to the Licensing Division no later than ten (10) days after the final occasion.
- C. The licensee shall surrender all licenses and Employee Permit Badges issued by the Board to the Licensing Division no later than ten (10) days after the final occasion.
- D. The licensee shall complete and submit the BRT Account Authorization Form to the Board once final bingo tax payment has been made to NMTRD.
- E. All reporting requirements of Section IV. Audit apply to the final quarterly report excluding subsections IV. B.
- F. The licensee shall submit the final quarterly Bingo and Raffle activity reports on the prescribed quarterly report forms along with all required supporting documentation no later than thirty (30) days after the final occasion conducted.
- G. All monies in the Bingo and Raffle Account shall be fully distributed and checks cleared no later than thirty (30) days after the last occasion. The remaining Bingo and Raffle Account balance shall be zero. Proof of a zero balance in the Bingo account shall be sent to the Audit and Compliance Division as verification that all checks written have cleared.

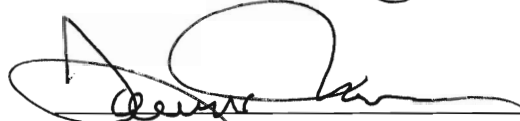
X. Term

This policy takes effect upon signature and the Board may amend or suspend this policy at any time.

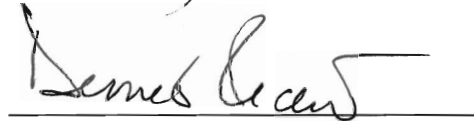
Approved:


John Monforte, Executive Director

7/1/09
Date



David Norvell, Chairman

7-1-09
Date


Demesia Padilla, Commissioner

7-1-09
Date

Reviewed for legal sufficiency:


Frank Baca, General Counsel

7/1/09
Date